

NEW SOUTH WALES

VOTES

AND

PROCEEDINGS

OF

THE LEGISLATIVE ASSEMBLY

DURING THE SESSION

OF

1878-9,

WITH THE VARIOUS DOCUMENTS CONNECTED THEREWITH.

IN SEVEN VOLUMES.
VOL. IV.

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LEGISLATIVE ASSEMBLY.

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VOTES AND PROCEEDINGS.

SESSION 1878-9.

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TABLE OF CONTENTS.

VOL. IV.

Title-page.

Table of Contents.

Index.

CROWN LANDS:—

	PAGE.
Commission—Lands and Survey Departments—Report	1
Lands and Survey Departments—Appointment of a Board to inquire into working of—	
Correspondence	195
Royal Commission, Lands Department—Resignation of Mr. James Thomson—Correspondence	213
Conditional Purchases of M. Brennan and Miss Harrington—Papers and Plans—(Return to Order)	217
Conditional Purchases on Gold Fields—Area, number, &c.—(Return to Order)	233
Ditto Layfield, Gray, and others—Mr. Moriarty's Report—(Return to Order)	235
Ditto Robert Barbour and others—Papers in reference to forfeiture of— (Return, <i>in part</i> , to Order)	239
Conditional Purchases—Thomas Kerr, Robert Barbour, and others—(Return, <i>in completion</i> , to Order)	251
Conditional Purchases—Thomas Rose, Correspondence, &c.—(Return to Order)	275
Ditto C. A. Goodchap, Springwood—Correspondence, &c.—(Return to Order)	283
Conditional Purchases—Land Sales at Armidale, Walcha, &c.—Area, &c.—(Return, <i>in part</i> , to Order)	305
Conditional Purchases at Armidale, Walcha, and certain other Land Offices—Lands selected after Auction—Return in completion	307
Conditional Purchases—Held by Members of Legislative Assembly—Return	309
Ditto Casino—John Daly, James Geraghty, and Frederick West—(Return to Order)	311
Under Pastoral Lease and Conditional Purchase—Particulars—(Return, <i>in part</i> , to Order) ...	327
Ditto ditto ditto (ditto)	405
Smith's Applications for, in county of Ashburnham	407
Incomplete Conditional Purchases—(Return to Order)	409
Applications by Messrs. Armstrong and Lakeman, and Alexander Couper—(Return, <i>in part</i> , to Order)	415
Particulars of Land alienated during the year 1878	421
Forms of Crown Grants—Under "Crown Lands Alienation Act of 1861"—(Return to Order)	423

CROWN LANDS—continued.

PAGE.

Grants of Land held by Sir Daniel Cooper—Copies of Deeds and Plans—(Return, in part, to Order) ...	455
Grants of Land containing Special Reservations—Papers, Plans, &c. ...	485
Patrick Cavanagh's Pre-emptive Lease, Gininderra—Applications, Correspondence, &c.—(Return to Order) ...	487
Land sold at Narrandera to Messrs. Clark and Macleay—Correspondence, Minutes, &c.—(Return to Order) ...	495
Purchases on Muttama Run—Under section 7 of "Crown Lands Alienation Act of 1861" ...	503
Land Office at Albury—Correspondence, &c., relating to irregularities—(Return to Order) ...	505
Lands Acts Amendment Act—Commissioners of Inquiry under—(Return to Order) ...	513
Land sold at Auction—From 1 January, to 31 March, 1879—Return ...	517
After Auction Selections—Opinion of Attorney General... ..	519
Land Sold near Jerilderie—Particulars of, within a radius of 50 miles—(Return to Order) ...	521
Crown Lands Bill—Message	523
Lands Acts Further Amendment Bill—Message	525
Crown Lands Bill—Petition—Richard Sadleir, R.N.	527
The Land Law—Petition—Free Selectors and other Residents of the District of Young ...	529
Lands Acts Further Amendment Bill—Petition—Crown Tenants of the Upper Darling ...	531
Ditto ditto Petition against—Citizens of Sydney ...	533
Messrs. Hacket and Armstrong—Petition	535
Messrs. Lakeman and Armstrong Ditto	537
Alexander Couper Ditto	539
Mr. Andrew M'Dougall Ditto	541
Reserved from Sale for Water Supply—Abstract of	543
Ditto ditto Ditto	553
Ditto ditto Ditto	557
Ditto ditto Ditto	559
Ditto ditto Ditto	563
Ditto ditto Ditto	565
Ditto ditto Ditto	569
Ditto ditto Ditto	573
Ditto ditto Ditto	581
Ditto ditto Ditto	585
Sites for Cities, Towns, and Villages—Abstract of	589
Ditto ditto Ditto	591
Ditto ditto Ditto	593
Ditto ditto Ditto	595
Ditto ditto Ditto	597
Ditto ditto Ditto	599
Ditto ditto Ditto	601
Ditto ditto Ditto	603
Ditto ditto Ditto	605
Dedicated to Religious and Public purposes—Abstract of	607
Ditto ditto Ditto	609
Ditto ditto Ditto	611
Ditto ditto Ditto	613
Ditto ditto Ditto	615
Ditto ditto Ditto	617
Ditto ditto Ditto	619
Ditto ditto Ditto	621
Ditto ditto Ditto	623
Ditto ditto Ditto	625
Ditto ditto Ditto	627
Dedicated to Pastoral and Agricultural Associations—Abstract of	629
Ditto ditto Ditto	631
Ditto ditto Ditto	633
Ditto ditto Ditto	635
RESERVES—	
Near Western Railway—Correspondence, Tracing, &c.—(Return, in part, to Order) ...	637
Namoi-Narrabri Timber Reserve—Surveyors Reports and Plans... ..	651
On Runs—Conditions of making—Memorandum of Surveyor General	663

COMMONS—

PAGE.

Wagga Wagga Common—Plans of, and Correspondence, &c., respecting Donnelly's Application—(Return to Order)	665
Ditto—Petition—John Donnelly	695
Gumly Gumly Common—Petition—householders and others	697
Temporary Common near Singleton—Correspondence, &c.—(Return to Order)	699
Ditto at Adelong—Petition—Gold Miners and others	723

GOLD—MINING—

Barrington Gold Field—Applications since 1st January, 1878—names of applicants, and area of land applied for—Return	725
Ditto Applications for reward for discovery of—(Return to Order)	729
Prospecting for Gold—Vote in Aid—Regulations	737
Export Duty on Gold—Petitions against—Gold-miners, Barrington, Adelong; and Peel River	739
Ditto Ditto Gold-miners of Hill End	741
Ditto Ditto Gold-miners on Rocky River; and Araluen	743
Applications for Land at Gulf Creek—Correspondence, Minutes, Plans, &c.—(Return to Order)	745
Mineral Conditional Purchases—Particulars of area Conditionally purchased from 1872 to 1878, inclusive	835
Ditto Numerical Returns	837
Rent in arrear on Mineral Leases—(Return to Order)	839
Peter Grimley's Selection at Ironbarks—Correspondence, Memoranda, &c.—(Return to Order)	841
Peel River Land and Mineral Company—Copy of Crown Grant—(Return to Order)	847
Pitfall at Wallsend Colliery—Papers, Minutes, and Reports—(Return to Order)	851
Export of Coal from Newcastle during 1876, 1877, and 1878, and number of tons for Eastern and Northern Ports—Return	859
Milburn Creek Copper Mine—Report of Geological Surveyor—(Return to Order)	861
Petition of Mr. E. W. Rudder—(Progress Report of Select Committee)	865
Mining Act of 1874—Regulations	903

MARINE—WHARFS—HARBOURS, &c.—

Rushcutters Bay—Dyke—Correspondence	905
Ditto Petition—Residents	909
Ditto Ditto Eastern Suburbs of Sydney	911
Reclamation of Land, Port Jackson—Particulars respecting—(Return, <i>in part</i> , to Order)	913
Alienated Crown Lands, Port Jackson—Alignment of, abutting on Water Frontage—(Further Return, <i>in part</i> , to Order)	917
Double Day—Correspondence—(Return to Order)	921
Damage to Property in Darling Harbour—Claim of Messrs. Biddell, Zollner, and others—(Return to Order)	963
Ports of Sydney and Newcastle—Vessels cleared at, for certain Ports—(Return, <i>in part</i> , to Order)	975
Rent for Circular Quay—Receipts and Expenditure for years 1870 to 1877, inclusive, and for half-year ended 30th June, 1878—Return	991
Removal of the ship "Cimba" from the Circular Quay—Papers, Minutes, &c.—(Return to Order)	993
James Gardner—Petition—Wentworth Wharf	999
Wentworth Wharf, Darling Harbour—Correspondence between the Government and James Gardner—(Return to Order)	1001
Steam Dredge "Samson"—Moneys paid to John Laing—Return	1003
Ditto Particulars of Mr. Laing's Service and Pay	1005
Ditto Particulars of Mr. Laing's Service	1007
Dredge "Newcastle" and Tender "Ajax"—Memorandum of the Engineer-in-Chief for Harbours and Rivers—Pay of Crews	1009
Pilot Steamer "Captain Cook"—(Report from Select Committee)	1011
Richmond River Bar—Petition—Richmond River	1063

1878-9.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

INDEX

TO THE
VOTES AND PROCEEDINGS
AND
PAPERS LAID UPON THE TABLE
DURING THE SESSION
1878-9.

(SEVEN VOLUMES.)

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
A			
ABATTOIRS, GLEBE ISLAND :—			
Report of Inspector on certain newspaper statements, laid on Table, 458		7	619
Motion made (<i>Mr. McElhone</i>) for Return showing particulars respecting revenue from, and expenditure on, 565.			
Progress Report and Minutes of Evidence on management of, laid on Table, 628		7	497
Return respecting, laid on Table, 666		7	623
ABOLITION OF CAPITAL PUNISHMENT FOR RAPE :—			
Motion made (<i>Mr. McCulloch</i>) to bring in a Bill, and withdrawn, 535.			
ABSTRACTS (See also "CROWN LANDS") :—			
OF BANK LIABILITIES AND ASSETS :—			
For Quarter ended 30th June, 1878, laid on Table, 2		2	1193
Do. 30th September, 1878, do. 156		2	1195
OF PUBLIC ACCOUNTS :—			
For the year 1877, together with the Auditor General's Report thereon, laid on Table, 5		2	885
For the year 1878 do. do. 645		2	1017
ACCOUNTS :—			
Report of the Board of Audit on Public, laid on Table, 220		2	1163
Explanatory Statement of Public, of New South Wales, as embodied in the Ways and Means for 1879 (<i>Mr. Cohen</i>), laid on Table, 129, 269		2	719, 873
Road Trust, for the half-years ended 30 June and 31 December, 1877, laid on Table, 224		5	883
ACCUMULATED SURPLUS (See "ESTIMATES.")			
ADDITIONAL JUDGE BILL (See "SUPREME COURT (ADDITIONAL JUDGE) BILL.")			
ADDITIONAL ESTIMATES (See "ESTIMATES.")			
ADDRESS :—			
IN REPLY TO GOVERNOR'S OPENING SPEECH :—			
Select Committee appointed to prepare, 3; brought up and read by Clerk, 4; Motion made (<i>Mr. Badgery</i>) that Report be adopted, and passed, 4; presented to His Excellency the Governor, and acknowledged, 5.			
OF CONDOLENCE TO THE QUEEN ON THE DEATH OF THE PRINCESS ALICE :—			
Prepared by Select Committee, read by Clerk, and adopted by the House, 209; presentation of to the Governor reported by Mr. Speaker, 211.			
RETURNING ESTIMATES FOR 1878-9 :—			
Message No. 34, requesting return of Estimates submitted by Message No. 11, taken into consideration, read by Clerk, and Address returning Estimates agreed to, 259		2	329
VALEDICTORY, TO HIS EXCELLENCY SIR HERCULES ROBINSON :—			
Motion made (<i>Sir Henry Parkes</i>) for Select Committee to prepare, 342; brought up and read by Clerk, 342; reply read by Speaker, 357.			
ADDRESSES AND ORDERS :—			
Alphabetical Register of		1	875

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
A			
ADELONG (See "COMMON.")			
ADJOURNMENT:—			
OF DEBATE:—			
Motion made for, and passed, 135, 147, 164, 173 (?), 121, 177, 181, 189, 209, 222, 279, 319, 328, 354, 380, 431, 435, 445, 650.			
Motion made for, and negated, 36, 58, 158, 511.			
OF THE HOUSE:—			
Motion made for, and passed, 195, 197, 199, 201, 213, 217, 551, 656, 663.			
Motion made for, and negated, 22, 58, 67, 81, 89, 114, 141, 157, 158, 172, 207, 220, 224, 245, 250, 260, 265, 288, 310, 342, 349, 379, 389, 421, 431, 450, 471, 484, 489, 511, 520, 522, 525, 531, 562, 566, 576, 587, 597, 609, 640, 643, 659, 666.			
Motion made for, and withdrawn, 207.			
Motion made for, and interrupted by Government business, 418, 497, 539.			
Motion made for, and interrupted by Message from the Lieutenant-Governor, 666.			
SPECIAL:— 27, 71, 177, 217, 225, 296, 354, 421, 550, 663.			
FOR WANT OF A QUORUM:—			
After commencement of Business, 84, 167, 245, 251, 311, 389, 413, 439, 459, 493, 520, 536, 577, 593, 597, 610, 629.			
Before commencement of Business, 125, 235, 255, 547, 605, 641.			
ADMINISTRATION (See also "LAND LAWS") :—			
FORMATION OF NEW:—			
Letters in reference to, by Sir John Robertson, submitting proposed names to His Excellency the Governor, read to the House, 203.			
Mr. Farnell informs the House of, by Sir Henry Parkes, 215; resignation by Ministers of their Seats reported, and Seats declared vacant, 217 (?); issue and return of Writs reported, and Members sworn, 219 (?).			
ADMINISTRATION OF JUSTICE (See also "CIVIL SERVICE") :—			
JURY LISTS:—			
Petition from Inhabitants of Towns and District of the Murray, complaining of the present mode of compiling, presented, 22; ordered to be printed, 26			179
JURY LISTS, DENILQUIN:—			
Return to Order (<i>Session 1877-8</i>), laid on Table, 51			135
Motion made (<i>Mr. Hurley, Hartley</i>), for Select Committee to inquire into action taken by Magistrates, Denilquin, in revising, appointed by Ballot, 89; names added, 245; Motion made (<i>Mr. Hurley, Hartley</i>) for leave to visit Denilquin and sit during any adjournment, and negated, 284; Report brought up, 522			141
Motion made (<i>Mr. Hurley, Hartley</i>), for Committee of the Whole, that £250 be placed on Additional Estimate for 1879 to defray expenses of witnesses before Select Committee, 172; Order of the Day postponed, 216; House in Committee and Resolution agreed to, 221.			
THE CASE OF SAMUEL JEFFS:—			
Motion made (<i>Mr. Driver</i>) for all correspondence respecting release of Samuel Jeffs, a prisoner confined in Berrima Gaol, 22; Return to Address, laid on Table, 128			207
DISTRICT COURTS ACT OF 1858:—			
Annual Returns under the 103rd section of, laid on Table, 51, 609			1, 63
Order in Council, Alteration in Scale of Fees under, laid on Table, 164			133
APPEALS TO THE PRIVY COUNCIL:—			
Return to Address (<i>Session 1877-8</i>), laid on Table, 51			201
MR. P. BROUGHAM, POLICE MAGISTRATE, BINGERA:—			
Return to Order (<i>Session 1877-8</i>), laid on Table, 51; Motion made (<i>Mr. McElhone</i>) that Return to Order be printed, passed after Division, 89; Motion made (<i>Mr. McElhone</i>) in reference to position of as, and Debate interrupted by Government business, 523; Debate resumed and negated, 534			357
CONVICTION OF MR. NEIL HARPER, J.P.:—			
Correspondence and Depositions relating to, for unlawfully using two cows belonging to James Smith, laid on Table, 77			203
WILLIAM CRESWELL:—			
Motion made (<i>Mr. Eckford</i>) for copies of all correspondence, letters, &c., relating to, 67; Return to Address, laid on Table, 128; Further Return to Address, laid on Table, 171			3 221, 249
WILLIAM CRESWELL—ARTHUR ORTON:—			
Motion made (<i>Mr. Eckford</i>) that Arthur Orton, alias William Creswell, a lunatic in Parramatta Lunatic Asylum, should be released, to be taken to England in connection with the Great Tichborne trial, and negated on Division, 172.			
PETITION OF PATRICK AND MICHAEL GRIFFIN:—			
Return to Address (<i>Session 1877-8</i>) laid on Table, 87			263
Copy of the Judge's Notes in the case of, laid on Table and referred to Committee, 146			269
Motion made (<i>Mr. Greville</i>) for reappointment of Select Committee, and that Evidence, &c., of last Session be referred, 90; Papers referred, 146 (?); Report brought up, 326; adopted, 565.			273
MR. JOHN GARSED:—			
Motion made (<i>Mr. Hurley, Hartley</i>), for reappointment of Select Committee to inquire into case instituted against, and that Progress Report of last Session be referred, and negated on Division, 90.			
Copies of letters from, addressed to the Honorable James Farnell, laid on Table, 417			283
Motion made (<i>Mr. Hurley, Hartley</i>), for letter addressed to the Premier from, and any other letters referring to that letter, 177.			
JURORS FEES:—			
Motion made (<i>Mr. Coonan</i>) for a copy of the Table of the Scale of Fees payable to Jurors, 156; Return to Order laid on Table, 171			191
SALARIES OF DISTRICT COURT JUDGES:—			
Motion made (<i>Mr. R. B. Smith</i>) for Committee of the Whole to consider Address to Governor, that Government should bring in Bill to provide for increases to, and negated on Division, 158.			
CORONERS:—			
Circular Letter to, on attendance of Medical Practitioners at Inquests, laid on Table, 250			307
REMUNERATION TO JURORS:—			
Motion made (<i>Mr. Cameron</i>) for all Correspondence, &c., between the Sheriff and Clerk of the Peace relative to, 279; Return to Order, laid on Table, 430			181

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I.—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
A			
ADMINISTRATION OF JUSTICE (continued):—			
CONVICTIONS FOR VAGRANCY:—			
Motion made (<i>Mr. Cameron</i>) for a Return showing the number, at Central and Water Police Courts, from June, 1877, to date, with particulars in each case, 284; Return to Order, laid on Table, 342			277
MESSES. H. T. EDWARDS, AND HYAM JOSEPH:—			
Motion made (<i>Mr. J. Davies</i>) for Return showing number of cases sat on by them in 1876 and 1878, 392; Return to Order, laid on Table, 478			287
MR. A. T. DARBY:—			
Motion made (<i>Mr. W. C. Browne</i>) for information, &c., by Senior-constable Flannigan against, for a breach of the Vagrant Act, 397; Return to Order, laid on Table, 564			309
ESTATE OF THE LATE ROBERT HANCOCK:—			
Letter from the Curator of Intestate Estates respecting, laid on Table, 425			351
Motion made (<i>Mr. McElhone</i>) respecting the receipt of sum out of, by Mr. Slattery, the Curator of Intestate Estates, 565.	3		
MR. ALEXANDER ROGERS, OF ATTUNGA:—			
Motion made (<i>Mr. Jacob</i>) for Return showing number of actions at law engaged in by, 430; Return to Address, laid on Table, 492			291
THE CONDEMNED CRIMINALS WILKINSON AND MEDCALF:—			
Petition from J. Bowie Wilson, as Chairman of Public Meeting in Sydney, praying the House to abolish capital punishment for the crime of rape, and to make such Bill retrospective as regards the two prisoners, presented and read by the Clerk, 572			345
HENRY SCHMUCK alias WARNER:—			
Motion made (<i>Mr. Hungerford</i>) for copies of letters, telegrams, minutes, &c., having reference to death of, in Murrumbidgee Hospital, 581.			
SUPPLY, CONDEMNED CRIMINALS:—			
Return to Address adopted on 18th June, on amendment moved by Mr. Buchanan on going into Committee of Supply, laid on Table, 618			315
ADMISSION TO THE BODY OF THE HOUSE:—			
Motion made (<i>Mr. Farnell</i>) that William McArthur, Esquire, Member of the House of Commons, present, be accommodated with a chair on the floor of the House, 164.			
ADULTERATION OF FOOD PREVENTION BILL:—			
Received from Council and read 1 ^o , 147; Order of the Day postponed, 173, 216, 221, 261, 311, 328; read 2 ^o , committed, reported without Amendment and report adopted, 370; returned to Council, 376; assent reported, 395.			
ADVERTISEMENTS, GOVERNMENT:—			
Information respecting the present system, with regard to insertion of in Newspapers, laid on Table, 164	7		953
Motion made (<i>Mr. Bowman</i>) for all correspondence, &c., respecting, for Land Sales in <i>Town and Country Journal</i> , and <i>Sydney Mail</i> , 184.			
AGENT GENERAL FOR THE COLONY, THE:—			
Motion made (<i>Captain Onslow</i>) for correspondence, papers, documents, &c., having reference to the new Telegraph Line from England to Australia, increase to salary of Officers of Department, additional grant for Office of, and captains of emigrant ships carrying their wives with them, 655.			
AGREEMENT WITH THE BANK OF NEW SOUTH WALES:—			
Correspondence respecting renewal of, with the Government, laid on Table, 603	2		1183
AGRICULTURAL ASSOCIATIONS (See "CROWN LANDS.")			
AGRICULTURE (See "LIVE STOCK AND AGRICULTURE.")			
"AJAX," TENDER (See "HARBOURS AND RIVERS.")			
ALBERT DISTRICT (See "GOLD.")			
ALBURY LAND OFFICE:—			
Motion made (<i>Mr. Thompson</i>) for copies of reports; &c., relating to irregularities in, 315; Return to Order, laid on Table, 331	4		505
AMENDMENT OF THE LAND LAW (See "LAND LAWS.")			
ANIMALS PROTECTION BILL:—			
Received from Legislative Council and read 1 ^o , 37; read 2 ^o and committed, 61; House again in Committee, 91, 138; Order of the Day postponed, 216, 222; House again in Committee, reported with Amendments, recommitted on Division, reported 2 ^o with further Amendments, and Report adopted, 261; read 3 ^o , passed, and returned to Council with Amendments, 274; Message from Council agreeing to Assembly's Amendments, 302; Assent reported, 339.			
PETITIONS in favour of amending:—			
Farmers and others resident at Raglan, presented, 57; ordered to be printed, 60			983
Do. Meadow Flat, do. 57; do. 60			985
Do. Bathurst, do. 57; do. 60			987
Do. Bathurst, do. 57; do. 60			989
Do. Evans's Plains, do. 57; do. 60			993
Do. George's Plains, do. 57; do. 60			995
Do. Oberon, do. 57; do. 60			997
Do. White Rock, do. 57; do. 60			999
Do. Denis Island, do. 57; do. 60	7		1001
Do. Macquarie Plains, do. 57; do. 60			1003
Do. Campbell's River, do. 57; do. 60			1005
Do. Bathurst, do. 57; do. 60			991
Do. Rockley, do. 74; do. 77			1007
Vinegrowers, Farmers, and others, do. 77; do. 90			1009
Farmers, Gardeners, and others, do. 88; do. 95			1011
APPEALS (See "PRIVY COUNCIL.")			
APPLICATIONS (See "CROWN LANDS.")			
APPROPRIATION BILL:—			
Ordered (<i>Mr. Watson</i>) to be brought in, 625; presented and read 1 ^o , 628; read 2 ^o , committed, reported with an Amendment, and Report adopted, 633; read 3 ^o and sent to Council, 636; returned without Amendment, 646; assented to in Council Chamber, 667.			
APPROPRIATION OF LAND (See "CROWN LANDS.")			
ARMIDALE (See "BRIDGES"; also "LANDS.")			
ARMSTRONG, ANDREW (See "CROWN LANDS.")			
ARMSTRONG AND LAKEMAN (See "CROWN LANDS.")			
ASHFIELD (See "BY-LAWS.")			

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I.—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
A			
ASSEMBLY:—			
Usher of Black Rod delivers Message, 1, 667.			
Governor's Opening Speech, 2.			
Opening of the Session, 1.			
Clerk reads Proclamation, 1.			
Clerk reads Address in reply to Governor's Opening Speech, 4.			
Clerk reads Deputy Speaker's Commission to administer the Oath, 19.			
Clerk reads Petition, 128, 177, 288, 364, 542, 572, 581.			
Clerk reads Report of Committee of Elections and Qualifications, 265, 353, 388, 568.			
Clerk reads Valedictory address to His Excellency Sir Hercules Robinson, 342.			
Clerk reads Letter from Mr. Combes respecting Seat, 471	3	887	
Clerk returns Papers to Auditor General, 646.			
Writs issued and returned, 1, 219 (°), 325.			
Members sworn, 1, 219 (°), 254, 329, 353.			
Prorogation Speech, 667.			
Address in reply, 3, 4.			
Reply to Address in reply, 5.			
Sittings after Midnight, 58, 115, 120, 143, 173, 324, 333, 338, 344, 355, 366, 376, 380, 385, 394, 404, 418, 422, 435, 439, 445, 450, 468, 472, 475, 484, 486, 489, 506, 511, 515, 523, 526, 531, 539, 542, 546, 551, 555, 559, 566, 570, 582, 584, 589, 597, 600, 604, 640, 651.			
R. Driver, Esquire, appointed Deputy Chairman of Committees, 12.			
Angus Cameron, Esquire, elected Chairman of Committees, 14.			
Sessional Orders passed, 7 (°), 8 (°), 228 (°), 289.			
Speaker lays Warrant on Table, appointing Committee of Elections and Qualifications, 6, 220; maturity reported, 25, 239; Members sworn, 27, 31, 47, 51, 239, 240; first Meeting appointed, 188; Leave given to adjourn for a longer period than seven days, 211; Speaker appoints Meeting after a No Quorum, 239, 240; Reports brought up, 265, 353, 388, 568....	2	5, 29, 47, 63	
Speaker lays Election Petition on Table, 263.			
Speaker reports receipt of Deputy Speaker's (Angus Cameron, Esq.) Commission to administer the Oath, 19.			
Speaker lays on Table Minute authorizing application of Balance from one head of Service to another, 185, 254	2	1185, 1187	
Speaker reports Message from Council respecting Parliamentary Powers and Privileges Bill, and removed from records, on motion of Sir Henry Parkes, 511.			
Speaker lays on Table Abstracts of Public Accounts, with Auditor General's Report thereon, 5, 645	2	885, 1017	
Speaker calls attention to statements in Petition reflecting on the conduct of certain Members, 363.			
Special Adjournment, 27, 71, 177, 217, 225, 296, 354, 421, 550, 663.			
Ballot for Select Committee, 89.			
No Quorum, 84, 125, 167, 235, 245, 251, 255, 311, 389, 413, 439, 459, 493, 520, 536, 547, 577, 593, 597, 605, 610, 629, 641.			
No Quorum reported from Committee of the Whole, 167 (°), 371 (°), 439 (°), 459, 577, 637 (°).			
No Quorum do. Supply, 526, 589, 597.			
Vacant Seats, 207, 217 (°), 265, 353, 661.			
Suspension of Standing Orders, 152, 215, 225, 293, 302, 379, 450, 542, 603.			
Admission to the body of the House of William McArthur, M.P., Member of the House of Commons, 164.			
Ministerial Statement made to the House, 27, 197, 199, 201, 203, 207, 209, 213, 215, 220, 471.			
Motion made (Mr. Farnell) for Select Committee, to prepare Address of Condolence to Her Majesty the Queen, on the death of Her Royal Highness Princess Alice of Hesse, Address prepared and adopted by the House, 209; presentation of, to His Excellency the Governor; reported by Mr. Speaker, 211.			
Motion made (Sir H. Parkes) to re-affirm the Resolution of the House, that a Minister of the Crown should not be a Director or Manager of any Private Banking, Insurance, or Loan Company, and negatived on Division, 110.			
Motion made (Mr. Day) in reference to franking correspondence of Members of Parliament, and negatived, 143.			
Motion made (Mr. Greenwood), that in future all Petitions presented, except for the introduction of private Bills, be printed as a matter of course, without further order of the House, 129.			
Motion made (Sir H. Parkes) of Want of Confidence in the Ministry, 211.			
Motion made (Mr. McElhone) to refer question of Mr. Combes's Seat to Committee of Elections and Qualifications, 185.			
Motion made (Mr. Garrett) to refer question of Mr. Fitzpatrick's Seat to Committee of Elections and Qualifications, 354.			
Motion made (Mr. Mc Elhone) to refer question of Mr. Sutherland's Seat to Committee of Elections and Qualifications, 483.			
Leave of absence to Members, 172, 511, 545.			
Previous question resolved in the affirmative, 618.			
Previous question, motion made for, and withdrawn, 172, 284, 492.			
Points of Order reported from Committee of the Whole and decided by Speaker, 100, 233, 355, 369.			
Rulings of Speaker, 100, 172, 233, 355, 359, 394, 412.			
Formation of new Administration announced, 203, 215.			
Orders of the Day restored, 111, 185.			
Order of the Day discharged, 47, 61, 105, 106, 173, 225 (°), 229, 232, 233 (°), 279, 280, 327, 349, 370 (°), 492, 493, 535 (°), 593 (°), 604, 666 (°).			
Bills withdrawn, 47, 61, 105, 279, 280, 327, 370, 492, 535, 593 (°), 604.			
Bills recommitted, 71, 114, 135, 261, 316, 359, 384, 385, 551, 559.			
Resolutions recommitted, 130.			
Bills laid aside, 412, 512.			
Bill reserved for Royal Assent, 267.			
Member of Council as Witness before Select Committee of Assembly, 274.			
Member of Assembly as Witness before Select Committee of Council, 36.			
Message No. 34, withdrawing Estimates for 1878-9, 259; Address adopted, returning the Estimates of Expenditure, 259	2	329	
Contingent Motions moved as Amendments on Supply, 366, 418, 582, 584.			
Do. do. on Order of the Day, 114, 319, 445, 450, 650, 655.			

INDEX.

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I.—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
A			
ASSEMBLY (continued) :—			
No Report from Committee of the Whole, 233, 279, 439.			
No Tellers on Division, 90 (?), 225, 582, 660.			
Interruption to proceedings, 164.			
Counsel heard at Bar of the House, 319.			
Disorder, 342, 376, 398.			
Valedictory Address to Sir Hercules Robinson, 342, 357.			
Employment of Members by the Government, 404.			
Conference with Council on Parliamentary Powers and Privileges Bill, 405, 421, 425.			
Leave given to bring in second Bill on original leave, 420.			
Interruption of General Business by Government Business on Tuesday, 315, 332, 354, 418, 484, 497, 523, 539, 550, 632.			
Leave given to Mr. John Donnelly to be heard by counsel or attorney before Select Committee, 538.			
Votes of Sir Henry Parkes and Mr. Baker challenged by Mr. Greenwood, on the third reading of the Lands Acts Further Amendment Bill, and motions negatived, 569.			
Return of Conditional Purchases held by Members, laid on Table, 609	4		309
Prorogation of Parliament, House informed of day of, 659.			
Legislative Council, Sir Henry Parkes's Resolutions respecting, 650 (?), 655.			
Do. Return showing names of Members of, and dates of appointment, laid on Table, 659	2		107
Votes and Proceedings, Nos. 1 to 134			
Business undisposed of at the close of the Session			669
Attendances of Members in Divisions and Counts-out during the Session			673
Business of the Session			675
Weekly Reports of Divisions in Committee of the Whole, Nos. 1 to 34			677
Weekly Abstracts of Petitions received, Nos. 1 to 33	1		791
General Summary of Petitions			859
Alphabetical Register of Bills			873
Alphabetical Register of Addresses and Orders			875
Standing and Select Committees appointed during the Session			885
Explanatory Abstracts of sums Estimated and Voted	2		1217
ASSISTANT CLERK OF PETTY SESSIONS, WARATAH (See "CIVIL SERVICE.")			
ASYLUMS :—			
GOVERNMENT, FOR THE INFIRM AND DESTITUTE :—			
Report from Manager of, relative to expenditure for 1877, laid on Table, 2	3		969
IMBECILE, NEWCASTLE :—			
Motion made (Mr. McElhone) for correspondence, &c., in reference to the birth of a child at, and no Tellers for the Ayes on Division, 660.			
ATTENDANCES OF MEMBERS :—			
In Divisions and Counts-out	1		673
ATTORNEY GENERAL :—			
Opinion of Mr. Attorney General Windeyer on certain points submitted by the Honorable the Minister for Mines—39 Vic. No. 31—Coal Mines Regulation Act of 1876, laid on table, 224.			
Do. Mr. Attorney General Dalley, do. 224.			
Do. On application for removal of Bernard Bogan's Publican's License, laid on Table, 450	7		975
Do. On cancellation of conditional purchases, 535; Mr. McElhone's Motion.			
Do. On protest by Hew Blackwood Patterson against the present practice in dealing with applications to select land under the 25th section of the Crown Lands Alienation Act of 1861, laid on table, 564	4		519
Do. On the power of two Justices to grant a transfer of a Publican's License, laid on Table, 603	7		973
AUDIT (See "BOARD OF AUDIT.")			
AUDITOR GENERAL :—			
Report of, on Public Accounts, for 1877, laid on Table, 5	2		885
Do. 1878, do. 645	2		1017
Papers returned to, 646.			
AUSTRALIAN DICTIONARY OF DATES AND MEN OF THE TIME :—			
Correspondence relating to the printing and publication of, at the Government Printing Office, laid on Table, 454	7		905
Motion made (Mr. McElhone) respecting, and Debate interrupted by Government Business, 484; Debate resumed, Previous Question moved, and withdrawn, and question amended, 492.			
Motion made (Mr. Fitzpatrick) for correspondence between the Government and Mr. Heaton, with respect to the printing and publication of, 568; Return to Order, laid on Table, 603	7		909
Motion made (Mr. O'Connor) for correspondence received by the Government between 26 June and 1 July inclusive, 613; Return to Order, laid on Table, 640	7		917
AUSTRALIAN CRICKETERS (See "CRICKETERS.")			
AUSTRALIAN AGRICULTURAL COMPANY :—			
Motion made (Mr. Copeland) for copy of original Crown grant of, 398.			
AUSTRALIAN STEAM NAVIGATION COMPANY (See "CAMPBELL'S WALL.")			
B			
BADGERY, HENRY SEPTIMUS, ESQUIRE :—			
Return of, as Member for East Maitland reported, 1; Sworn 1.			
BAKER, THE HONORABLE EZEKIEL ALEXANDER, ESQUIRE, M.P. :—			
Acceptance of Office as Minister for Mines announced, 215; resignation reported and Seat as Member for Gold Fields South declared vacant, 217; issue and return of Writ reported, and Member sworn, 219.			
Vote of, challenged, on third reading of Lands Acts Further Amendment Bill, by Mr. Greenwood, and Motion negatived, 569.			
BALANCES, APPLICATION OF :—			
Minute of Governor and Executive Council authorizing, from one head of Service to another, laid on Table by Mr. Speaker, 185, 254	2		1185, 1187
BALLOTING FOR SELECT COMMITTEES :—			
Sessional Order passed, 7.			
Jury Lists, Deniliquin, 89.			

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I.—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
B			
BALMAIN PUBLIC SCHOOLS (See also "RECLAMATION OF LAND;" also "BY-LAWS") :— Motion made (<i>Mr. Fitzpatrick</i>) for copies of correspondence between the Council of Education and the Local Trustees, touching the want of accommodation, 315; Return to Order, laid on Table, 628		3	769
BAND IN HYDE PARK :— Motion made (<i>Mr. Hurley, Hartley</i>) that the Government should cause the Head Quarters or other Bands to perform two evenings in the week, 239.			
BANK, SAVINGS (See "GOVERNMENT.")			
BANK LIABILITIES AND ASSETS :— General Abstract of, for Quarter ended 30 June, 1878, laid on Table, 2	2	1193	
Do. do. 30 September, 1878, do. 156	2	1195	
BANK LIABILITIES AND ASSETS PUBLICATION ACT EXTENSION BILL :— Motion made (<i>Mr. Hoskins</i>) for Committee of the Whole, to consider expediency of bringing in, 161; Order of the Day postponed, 173, 216, 221; House in Committee, Resolution agreed to, Bill presented and read 1 ^o , 261; read 2 ^o , committed, reported without Amendment, and Report adopted, 297; read 3 ^o , passed, and sent to Council, 302; returned with Amendments, 463; Amendments agreed to, and Message to Council, 492; Assent reported, 525.			
BANK DIRECTOR :— Motion made (<i>Mr. McElhone</i>) respecting undesirability of Colonial Treasurer holding office of, 376.			
BANK OF NEW SOUTH WALES :— Correspondence respecting renewal of agreement with the Government; laid on Table, 603	2	1183	
BANKERS BOOKS AND CHEQUES BILL :— Received from Council and read 1 ^o , 135; Order of the Day postponed, 216, 221, 285, 349; no quorum on Mr. Terry proceeding to move 2 ^o , 493; Order of the Day discharged and Bill withdrawn, 535.			
BANKERS BOOKS EVIDENCE BILL :— Motion made (<i>Mr. Watson</i>) for leave to bring in, 22; presented and read 1 ^o , 22; read 2 ^o , committed, reported with Amendments, and Report adopted, 47; Order of the Day postponed, 52, 68, 123, 216; read 3 ^o , 222; motion made that Bill do now pass, and Debate adjourned, 222; Order of the Day postponed, 261; Question "That this Bill do now pass" negatived, 327; Order of the Day discharged and Bill withdrawn, 327.			
BARBOUR, ROBERT, CONDITIONAL PURCHASE OF. (See "CROWN LANDS.")			
BAR OF THE HOUSE :— Counsel heard at, against the Chinese Immigration Regulation Bill, 319.			
BARRINGTON (See "GOLD;" also "BRIDGES.")			
BATHURST (See "ELECTORAL.")			
BAYLISS, MR. HENRY, POLICE MAGISTRATE, WAGGA WAGGA :— Motion made (<i>Captain Onslow</i>) for copy of the petition of, to the Governor and Executive Council, 444; Return to Order, laid on Table, 522	3	517	
BEARD, GILMOUR, AND SMITH (See "CROWN LANDS.")			
BEER'S DISABILITIES BILL :— Motion made (<i>Mr. Hurley, Hartley</i>), for leave to bring in, 16; presented and read 1 ^o , 17; Order of the Day postponed, 37; Motion made for 2 ^o and negatived on Division, 61; Order of the Day discharged and Bill withdrawn, 61. Letter from W. H. Cooper in reference to a speech made by him at the Bar of the House in advocacy of, laid on Table, 156	7	955	
BENEVOLENT ASYLUM (See "CHARITABLE INSTITUTIONS.")			
BERRIMA GAOL (See "GAOLS.")			
BIBBENLUKE (See "ROADS.")			
BIDDLE, ZOLLNER, AND OTHERS (See "DARLING HARBOUR.")			
BILLS OF SALE :— Motion made (<i>Mr. Shepherd</i>) for leave to bring in Bill to amend law respecting, 100.			
BILLS :— Assent to reported, passed last Session, 19. Withdrawn, 47, 61, 105, 279, 280, 327, 370, 492, 535, 593 (?), 604. Reserved for Royal Assent, 267. Recommitted, 71, 114, 135, 261, 316, 359, 384, 385, 551, 559. Laid aside, 412, 512. Assented to in Council Chamber, 667. Alphabetical Registers of	1	873	
BILLYBONGEVIL RUN :— Motion made (<i>Mr. Garrett</i>) for papers, &c., having reference to selections of Woods and Kelly on, 392.			
BINGERA (See "POLICE;" also "CROWN LANDS.")			
BIRDS AND ANIMALS PROTECTION BILL (See "ANIMALS PROTECTION BILL.")			
BIRTHS (See "REGISTERS;" also "CLERGY RETURNS TRANSFER BILL.")			
BLACK ROD :— Usher of, delivers Message from His Excellency the Governor, 1,667.			
BLACK, MAJOR (See "VOLUNTEERS.")			
BLAIR ATHOLE (See "IMMIGRATION.")			
BLANKETS, TENDERS FOR SUPPLY OF :— Motion made (<i>Mr. Greenwood</i>) for copies of, for 1879 and 1880, and for copies of letters, minutes, &c., in connection therewith, 520; Return to Order, laid on Table, 603	7	765	
BLOMFIELD AND MUNFORD, CONTRACTS FOR ROADWORK BY :— Motion made (<i>Mr. Badgery</i>) for copies of contracts, agreements, specifications, &c., having reference to, at Tambaroora, Hill End, &c., and also for copies of the evidence taken before the Select Committee in April, 1875, 566.			
BLUE BOOK :— Motion made (<i>Captain Onslow</i>) for a Return showing Officers in Civil Service incapacitated from duty by reason of age, sickness, or other cause, giving particulars in each case, and that the information be included in future compilations of, 31; Return (<i>in part</i>) to Order, laid on Table, 207	3	385	
Further Return (<i>in part</i>), laid on Table, 596	3	387	
For year 1878, laid on Table, 583	6	1	
BOARD OF AUDIT :— Report of, on the Public Accounts, laid on Table, 220	2	1163	

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I.—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
B			
BOARD OF TRADE:—			
Despatch respecting Examinations, laid on Table, 156.....	7	863	
BOARDS OF INQUIRY OR COMMISSIONS, GOVERNMENT OFFICERS AS MEMBERS OF:—			
Motion made (<i>Mr. McElhone</i>) respecting payment of fees to, when the meetings are held during office hours, 565.			
BOGAN, MR. BERNARD:—			
Copy of opinion of Attorney General on application for removal of publican's license, laid on Table, 450	7	975	
BOMBALA (See "COURT HOUSE"; also "ROADS.")			
BOOTY, MR., BAILIFF IN INSOLVENT COURT:—			
Motion made (<i>Mr. McElhone</i>) for Return showing particulars of fees charged and received by, 535; Return to Order, laid on Table, 640.....	7	883	
BORDER CUSTOMS (See "CUSTOMS.")			
BOTANIC GARDENS AND DOMAINS:—			
General report on present condition of, laid on Table, 392	7	871	
BOTANICAL GARDENS:—			
Motion made (<i>Mr. R. B. Smith</i>) respecting opening of Vegetable Garden attached to, to the public, and no Tellers for the Ayes on Division, 582.			
BOTANY (See "RESERVES.")			
BOURKE (See "BY-LAWS.")			
BRADLEY, HENRY BURTON, ESQUIRE:—			
Heard as Counsel at the Bar of the House against the Chinese Immigration Regulation Bill, 319.			
BRADY, MR. CHARLES (See "SILK CULTURE.")			
BRENNAN, M. (See "CROWN LANDS.")			
BREWARRINA:—			
Motion made (<i>Mr. Dangar</i>) for copy of Mr. District Court Judge Murray's report on the holding of District Courts and Quarter Sessions at, 582; Return to Address laid on Table, 635.....	3	349	
BRIDGES:—			
OVER ARMIDALE CREEK:—			
Motion made (<i>Mr. Terry</i>) for correspondence, &c., together with plans, sections, &c., of the two sites, Marsh-street and Faulkner-street, in the town of Armidale, 84; Return to Order, laid on Table, 228; Ordered to be printed, 254	5	1001	
MYALL RIVER, AT BULAHDELAH:—			
Motion made (<i>Mr. Johnston</i>) for Committee of Whole for Address to Governor, that £2,500 be placed on Additional Estimate for 1879, 142; Order of the Day postponed, 216, 222; House in Committee, Speaker resumed Chair, Point of Order reported, Speaker gave ruling respecting reading from printed book or newspaper; House again in Committee; no report, 233.			
MCDONALD RIVER, AT ST. ALBANS:—			
Motion made (<i>Mr. Bowman</i>) for Committee of the Whole to consider Address to Governor, that £700 be placed on Additional Estimates for 1879, 143; Order of the Day postponed, 216, 222, 261, 297, Order of the Day discharged, 349.			
WILLIAMS RIVER:—			
Correspondence, minutes, &c., respecting, subsequent to those laid on Table in July, 1877, laid on Table, 224	5	993	
COOK'S RIVER, BETWEEN KINGSGROVE AND CROYDON:—			
Correspondence, minutes, and other papers referring to, laid on Table, 224.....	5	989	
QUEEN CHARLOTTE VALE CREEK, AT KING'S FALLS:—			
Motion made (<i>Mr. Pilcher</i>) for all petitions and other correspondence having reference to erection of, 250.			
COLLARBOY AND MERRIWA CREEKS:—			
Motion made (<i>Mr. Hungerford</i>) that expenditure of money in construction of, is a waste of public funds, and that all money available for the North-western Line of Road should be expended on the roads, negatived on Division, 250.			
ACROSS THE BARRINGTON RIVER:—			
Motion made (<i>Mr. Johnston</i>) for Committee of the Whole to consider Address that £3,500 for the erection of, on road Gloucester to Barrington Gold Fields, and by leave withdrawn, 265.			
OVER THE CASTLEREAGH RIVER, AT COONAMBLE:—			
Motion made (<i>Mr. Coonan</i>) for correspondence having reference to construction of, 375; Return to Order, laid on Table, 450.....	5	1017	
OVER THE NAMOI RIVER, AT MANILLA:—			
Petition from Residents, presented, 526	5	1023	
BRONZE COINAGE:—			
Despatch laid on Table, 612.....	7	1017	
BROUGHAM, MR. P., POLICE MAGISTRATE, BINGERA:—			
Return to Order (<i>Session 1877-8</i>), laid on Table, 51; Motion made (<i>Mr. McElhone</i>) that papers be printed, 89.....	3	357	
Motion made (<i>Mr. McElhone</i>) in reference to position of as, and debate interrupted by Government business, 523; Debate resumed, and Motion negatived, 534.			
BUCHANAN, DAVID, ESQUIRE (See also "ELECTIONS AND QUALIFICATIONS COMMITTEE"):			
Sworn as Member for Mudgee, in room of Mr. Rouse, 353.			
BULAHDELAH (See "BRIDGES.")			
BULDERUDGERA RUN:—			
Motion made (<i>Mr. Garrett</i>) for papers, &c., having reference to selection of Thomas Foran on, 392			
BURWOOD PARK:—			
Motion made (<i>Mr. Macintosh</i>) for correspondence, minutes, plans, &c., in reference to, 617.			
BUSINESS:—			
OF THE SESSION:—			
Sessional Paper showing	1	675	
Do. undisposed of, at close of the Session	1	669	
DAYS:—			
Sessional Order passed, 7.			
PRECEDENCE OF GOVERNMENT:—			
Sessional Order passed, 7.			
PRECEDENCE OF GENERAL:—			
Sessional Order passed, 7.			
FORMAL:—			
Sessional Order passed, 7.			

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
B			
BY-LAWS:—			
LAID ON TABLE:—			
Borough of Central Illawarra, 2.....			115
Municipal District of Hamilton, 2.....			117
Borough of The Glebe, 2.....			129
Do. Wagga Wagga, 12.....			131
Do. Balmain, 67.....			137
Do. Victoria, 77.....			139
Do. West Maitland, 146.....			149
Do. East Maitland, 254.....			151
Do. Inverell, 288.....			153
Do. Newcastle, 288.....			209
Do. Penrith, amended, 301.....			155
Do. Wollongong, 545.....			161
Do. Ashfield, 564.....		7	163
Municipal District of Hay, Water Supply, 109.....			141
Do. Tenterfield, 128, 538.....			145, 147
Borough of East St. Leonards, 128.....			143
Nuisances Prevention Act of 1875, Borough of The Glebe, 2.....			223
Do. do. do. Grafton, 2.....			221
Do. do. do. Hay, 273.....			225
Do. do. do. Newcastle, 288.....			209
Public Vehicles Regulation Act of 1873, 2 ⁽³⁾ , 81, 146, 207, 564.....			227 to 237
Newcastle Paving and Public Vehicles Regulation Act, 36, 220.....			239, 235
Municipal District of Bourke, 318.....			159
University of Sydney, 520.....	3		845
Borough of St. Peters (Free Library), 549.....	7		175
Municipal District of Central Shoalhaven, 659.....	7		171
Borough of The Glebe (Free Library), 663.....	7		177
BYRNES, CAPTAIN (See "VOLUNTEERS.")			
BYRON, JOHN:—			
Petition from, respecting his application for a pension under the Police Superannuation Act, presented, 332.....		3	627
C			
CABLE (See "TELEGRAPH.")			
CAMERON, ANGUS, ESQUIRE:—			
Motion made (<i>Mr. Driver</i>) for Election of, as Chairman of Committees, Amendment moved to substitute name of A. H. Jacob, Esquire, original Motion passed after Division, 14.			
Commission for, as Deputy Speaker, to administer the Oath to Members, reported by Mr. Speaker, and read by Clerk, 19.			
CAMPBELLTOWN (See "POLICE.")			
CAMPBELL'S WALL, REMOVAL OF, LOWER GEORGE-STREET:—			
Motion made (<i>Mr. J. Davies</i>) for all correspondence, &c., between Municipal Council, the A. S. N. Company, and the Government, 123.			
CANCELLATION OF CONDITIONAL PURCHASES (See "CROWN LANDS.")			
CANTERBURY (See "ELECTORAL.")			
"CAPTAIN COOK" PILOT STEAMER:—			
Motion made (<i>Mr. Cameron</i>) for Select Committee to inquire into management of, 90; Report brought up, 628.....		4	1011
CAREENING COVE (See "RECLAMATION OF LAND.")			
CAVANAGH, PATRICK (See "CROWN LANDS.")			
CEMETERY, WESLEYAN (See "NECROPOLIS.")			
CENTRAL CUMBERLAND (See "ELECTORAL.")			
CENTRAL ILLAWARRA (See "BY-LAWS.")			
CENTRAL SHOALHAVEN (See "BY-LAWS.")			
CHAIRMAN OF COMMITTEES:—			
Appointment of R. Driver, Esquire, as Deputy, 12.			
Election of Angus Cameron, Esquire, 14.			
Commission to, as Deputy Speaker, to administer the Oath to Members, receipt of reported, 19.			
Reports no Quorum in Committee of Supply, 526, 589, 597.			
Reports no Quorum in Committee of the Whole, 167 ⁽³⁾ , 371 ⁽³⁾ , 439 ⁽⁶⁾ , 459, 577, 637 ⁽⁷⁾ .			
Reports Point of Order from Committee of the Whole, 100, 233, 355, 359.			
CHALLENGED VOTES OF MEMBERS:—			
Motion made (<i>Mr. Greenwood</i>) that the Vote of Sir Henry Parkes, on the third reading of the Lands Acts further Amendment Bill, be disallowed, on the ground of direct pecuniary advantage, and negatived, 569. Similar motion respecting Mr. Baker's Vote made and negatived, 569.			
CHARITABLE INSTITUTIONS, MANAGEMENT OF:—			
Motion made (<i>Mr. O'Connor</i>) respecting unsatisfactory state of, and withdrawn, 597.			
CHARITIES, PUBLIC:—			
Report of Inspector, for 1878, laid on Table, 564.....		3	945
CHEQUES (See "BANKERS BOOKS AND CHEQUES BILL.")			
CHINESE, THE:—			
Information respecting, Residents in the Colony, laid on Table, 156.....			469
Petition from J. Macintosh, Chairman of Public Meeting, Sydney, praying that immediate steps be taken to prevent further influx of, presented, 50; ordered to be printed, 54.....			475
Petition from people of New South Wales, praying the adoption of measures for preventing any further influx of, presented, and read by Clerk, 128.....		7	477
Petition from Members of Working Men's Defence Association. do., presented, 157.....			479
Do. J. M. O'Connell, Chairman of Public Meeting of Citizens of Sydney, do., 161.....			479
Do. do. do. do., do., 184.....			481
Do. T. R. Smith, M.P., do. Residents of Redfern, do., do., 184.....			481

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
C			
CHINESE, THE (continued):—			
Petition from J. M. O'Connell, Chairman of Public Meeting of Citizens of Sydney, presented, and read by Clerk, 184			481
Do. do., do. Inhabitants of Balmain, do., do., 184			481
Do. do., do. Citizens of Sydney, do., do., 192			481
Do. Henry J. Lambert, do. Wellington, do., do., 211			483
Do. Residents of Tenterfield and District, do., do., 239			491
Do. Inhabitants of Borough of Plattsburg, do., do., 249			493
Do. James Fullerton, LL.D., and others, praying that Chinese residents may be protected from violence and persecution, and that Treaty made with China in 1842 be carefully reconsidered and modifications made, presented, 260			495
Do. Residents of Barrington Gold Field, in Public Meeting assembled, that stringent measures for restricting influx into the Colony, presented, 267			485
Do. Residents of Mudgee and surrounding districts, do., presented, 267			485
Do. do. Sydney, do., do., 267			485
Do. Chinese Residents in New South Wales, that in any legislation no difference be made between the natives of China and those of any other friendly country, and that Petitioners may be heard at the Bar of the House against the Chinese Immigration Regulation Bill, presented, and read by the Clerk, 288	7		487
Do. Residents of Balmain against the influx of, into New South Wales, presented, 301 ..			489
Do. Bombala and surrounding District, in Public Meeting assembled, do., do., 301			489
Do. Hunter River District, do., do., 305			489
CHINESE IMMIGRATION REGULATION BILL (See also "CHINESE, THE"):			
Motion made (<i>Sir Henry Parkes</i>) for Committee of the Whole, 225; House in Committee, and Resolution agreed to, 229; presented and read 1 ^o , 240; Message from Governor, recommending, 250; Order of the Day postponed, 269, 303; Counsel heard at the Bar against 319; Motion made for 2 ^o , and Debate adjourned, 319; read 2 ^o , 323; committed, 324; House again in Committee, 338, 344; reported with Amendments, 344; Motion made for adoption of report and Bill recommitted, 359; Point of Order in Committee, 359; reported 2 ^o , and Report adopted, 359; read 3 ^o , and sent to Council, 366			461
Petition from J. M. O'Connell, Chairman of Public Meeting, in favour of penal clauses, presented, 331			465
Do. New South Wales Political Reform Union, in favour of stringency and effectiveness presented, 337			463
Do. G. R. Maclean, Chairman of Public Meeting, praying that new clause 11 may be expunged, 358			467
Do. Signed by J. M. O'Connell, presented, 363; read by Clerk, 363; question that Petition be received negatived, 364.			
CHIPPENDALE ROMAN CATHOLIC CHURCH LAND SALE BILL:			
Petition praying for leave to bring in, presented, 318; leave given, 365; presented and read 1 ^o , 365; referred to Select Committee, 371; Report brought up, 397; read 2 ^o , committed, reported without Amendment, and Report adopted, 458; read 3 ^o , and sent to Council, 462; returned without Amendment, 486; Assent reported, 510	7		847
CHURCH AND SCHOOL ESTATES:			
Statement showing distribution of revenue for 1877 on account of Education, laid on Table, 526 ..	3		745
CHURCH AND SCHOOL LAND FUND, PAYMENTS OUT OF, TO ROMAN CATHOLIC BISHOPS:			
Motion made (<i>Mr. McElhone</i>) for a Return showing, from the year 1870 to end of 1878, how money was applied, 284; Return to Order, laid on Table, 443	3		731
CHURCH AND SCHOOL LANDS:			
Motion made (<i>Mr. Bowman</i>) for Return showing number of acres alienated by auction and selection and area remaining since the passing of the Land Act of 1861, 438.			
CHURCH OF ENGLAND REGISTERS (See "REGISTERS.")			
"CIMBA" SHIP, REMOVAL OF, FROM THE CIRCULAR QUAY:			
Motion made (<i>Sir John Robertson</i>) for all letters, minutes, &c., together with opinion of Crown Law Officers in connection with, and right of ship "Patriarch" to occupy the berth, 156; Return to Order, laid on Table, 228	4		993
CIRCULAR QUAY:			
WHARFAGE:			
Return of Rent received from, for year 1870, to 30 June, 1878, and cost of collection, laid on Table, 36	4		991
REMOVAL OF SHIP "CIMBA" FROM:			
Motion made (<i>Sir John Robertson</i>) for all letters, minutes, &c., together with opinion of Crown Law Officers, in connection with, and right of ship "Patriarch" to occupy the berth, 156; Return to Order, laid on Table, 228	4		993
IMPROVEMENTS TO:			
Plans showing proposed, laid on Table as Exhibits, 618.			
CITIES, TOWNS, AND VILLAGES (See "CROWN LANDS.")			
CITY OF GOULBURN GAS AND COKE COMPANY'S INCORPORATION BILL:			
Petition presented (<i>Mr. W. Davies</i>) for leave to bring in, 105; leave given, 110; presented and read 1 ^o , 110; referred to Select Committee, 119; Report brought up, 153; Order of the Day postponed, 216, 221; read 2 ^o , committed, reported without Amendment, and Report adopted, 260; read 3 ^o , passed, and sent to Council, 264; returned with Amendments, 318; Amendments agreed to and Message to Council, 328; Assent reported, 361	7		827
CITY OF SYDNEY IMPROVEMENT BILL:			
Motion made (<i>Mr. Driver</i>) for Committee of the Whole, 9; House in Committee, Resolution agreed to, 17; presented and read 1 ^o , 31; read 2 ^o , and committed, 77; House again in Committee, 105, 167; reported with Amendments and Report adopted, 167; read 3 ^o , passed, and sent to Council, 177; returned with Amendments, 497; Amendments agreed to with an Amendment, 534; Message to Council, 539; Message from Council agreeing to Assembly's Amendment upon Council's Amendments, 539; Assent reported, 550.			
CIVIL SERVICE (See also "CROWN LANDS"):			
Motion made (<i>Captain Ouslow</i>) for a return showing number of officers incapacitated by age, sickness, or any other cause, giving particulars in each case; and that the information be in future included in the Blue Book, 31; Return (<i>in part</i>) to Order, laid on Table, 207; Further return (<i>in part</i>), laid on Table, 596	3		385, 387

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I.—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
C			
CIVIL SERVICE (continued):—			
PLURALITY OF OFFICES:—			
Schedule to Estimates-in-Chief for 1879 (<i>Mr. Cohen</i>), showing total remuneration received by all public officers who hold more than one office, or who have any special allowance, quarters, fuel, or light, in addition to fixed salaries, laid on Table, 114.....		2	265
Similar Schedule to <i>Mr. Watson's</i> Estimates, laid on Table, 260		2	481
ASSISTANT CLERK OF PETTY SESSIONS, WARATAH:—			
Motion made (<i>Mr. J. Davies</i>) for all correspondence, including letters from late P.M., Waratah, in reference to appointment of, 123; Return to Order, laid on Table, 224			389
CROWN LANDS TAKEN UP BY MEMBERS OF:—			
Motion made (<i>Mr. McElhone</i>) for a Return showing quantity, area of each lot, and locality, as after auction selection or otherwise, during the last ten years, and offices held by the persons who have taken up such land, 251.			
TRAVELLING EXPENSES CHARGED BY MR. C. OLIVER:—			
Statement respecting, as Inspector of Land Offices, laid on Table, 283			495
INSPECTORS OF CONDITIONAL PURCHASES:—			
Return showing number of permanent and temporary, with names, dates of appointment, and present districts, laid upon Table, 301.....			497
CLERK OF PETTY SESSIONS, MUDGE:—			
Motion made (<i>Mr. Hurley, Hartley</i>) for printing of Report of the Commissioner appointed to inquire into certain charges made against (<i>Session 1870-71</i>), 318			499
TRAVELLING EXPENSES OF INSPECTORS OF CONDITIONAL PURCHASES:—			
Return showing, laid on Table, 331.....			559
MR. W. A. DUNCAN, COLLECTOR OF CUSTOMS:—			
Motion made (<i>Mr. W. C. Browne</i>) for copies of correspondence, &c., having reference to leave of absence of, and the appointment of an Acting Collector, 337; Return to Order, laid on Table, 458			513
LANDS DEPARTMENT:—			
Motion made (<i>Mr. Garrett</i>) for particulars of appointments made by him in, 337; Return to Order, laid on Table, 417			547
APPOINTMENTS IN CONDITIONAL SALES BRANCH:—			
Copy of application for twenty-two additional clerks, laid on Table, 353.....			509
LANDS DEPARTMENT:—			
Motion made (<i>Mr. McElhone</i>) for particulars of appointments in, 431.			
Return showing number of officers and servants employed in connection with, during 1878, laid on Table, 434	3		511
Returns showing number of persons dismissed and appointed since <i>Mr. Hoskins</i> took office, laid on Table, 659			561
MR. HENRY JAMES GREVILLE:—			
Motion made (<i>Mr. McElhone</i>) for correspondence, minutes, &c., in reference to a deficiency in the moneys received by, in the Insolvency Department, 444; Return to Order, laid on Table, 549.			523
MR. HENRY BAYLISS, POLICE MAGISTRATE, WAGGA WAGGA:—			
Motion made (<i>Captain Onslow</i>) for copy of petition of, to the Governor and Executive Council, 444; Return to Order, laid on Table, 522.....			517
MR. DUNSHEE, TIDE-WAITER:—			
Motion made (<i>Mr. McElhone</i>) for correspondence respecting alleged outrage on, 458.			
Motion made (<i>Mr. McElhone</i>) for copies of letters, correspondence, &c., in reference to applications for appointments of, or by, 482; Return to Order, laid on Table, 603			537
Motion made (<i>Mr. McElhone</i>) for copies of letters, minutes, or memorandums respecting general conduct of, 531.			
GOVERNMENT OFFICERS AS MEMBERS OF COMMISSIONS OR BOARDS OF INQUIRY:—			
Motion made (<i>Mr. McElhone</i>) respecting payment of fees to, when the meetings are held during office hours, 565.			
CIVIL SERVANTS AS DIRECTORS OF COMPANIES:—			
Motion made (<i>Mr. McElhone</i>) respecting, 582; Motion made (<i>Mr. Farnell</i>) to rescind motion so far as it affects the Civil Service Building Society, 618.			
MR. SLATTERY, CURATOR OF INTERSTATE ESTATES:—			
Motion made (<i>Mr. McElhone</i>) for opinion of Crown Law Officers as to powers of, 592.			
AGNES DETTMAN:—			
Petition from, respecting Superannuation deduction from the salary of her late husband, presented, 600.....			563
IMPERIAL:—			
Minutes of the Lords of the Treasury relating to, laid on Table, 645.....			543
CIVIL SERVICE PENSIONERS DISQUALIFICATION BILL:—			
Motion made (<i>Mr. Garrett</i>) for leave to bring in, 392; presented and read 1 ^o , 393; Order of the Day postponed, 439, 478; Order of the Day discharged and Bill withdrawn, 492.			
CLAIMS OF MR. JAMES GLASS TO LAND AT MILLER'S CREEK. (See "CROWN LANDS.")			
CLARENCE, THE (See "RAILWAYS.")			
CLARK AND MACLEAY, MESSRS (See "CROWN LANDS.")			
CLARKE ISLAND (See "RESERVES.")			
CLERGY RETURNS TRANSFER BILL:—			
Motion made (<i>Mr. Fitzpatrick</i>) for Committee of the Whole, 123; House in Committee and Resolution agreed to, 123; Bill presented and read 1 ^o , 123; Message from Governor recommending, 124; read 2 ^o , committed, reported with Amendments, and Report adopted, 135; read 3 ^o , passed, and sent to Council, 137; returned with Amendments, 192; Order of the Day postponed, 204; House in Committee, Amendments agreed to, and Message to Council, 225; Assent reported, 239	7		877, 879
CLERK OF ASSEMBLY:—			
Reads Proclamation on opening of Session, 1.			
Reads Address in reply to Governor's Opening Speech, 4.			
Reads Deputy Speaker's Commission to Administer the Oath, 19.			
Swears Members of Committee of Elections and Qualifications, 27, 31, 47, 51, 239, 240.			
Reads petition at length, 128, 177, 288, 364, 542, 572, 581.			
Reads Address prepared for presentation to Her Majesty the Queen, on the death of the Princess Alice, 209.			
Reads Message, No. 34, requesting return of Estimates for 1878-9, 259.	2		329
Reads Report of Elections and Qualifications Committee, 265, 353, 388, 568	2		5, 29, 47, 63

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I.—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
C			
CLERK OF ASSEMBLY (<i>continued</i>):—			
Reads Valedictory Address to His Excellency Sir Hercules Robinson, 342.		3	887
Reads letter from Mr. Combes respecting Seat, 471			
Reads entry by which second Bill is brought in on original leave, 420.			
Leave to return papers to Auditor General, 646.			
CLERK OF PETTY SESSIONS. (See "CIVIL SERVICE.")			
"CLYDE." (See "IMMIGRATION.")			
COAL, EXPORT OF, FROM NEWCASTLE:—			
Return showing during 1876, 1877, and 1878, laid on Table, 576		4	859
COAL MINES REGULATION ACT OF 1876:—			
Opinion of Mr. Attorney General Windeyer on certain points submitted by the Honorable the Minister for Mines, 39 Vic. No. 31, laid on Table, 224.			
Opinion of Mr. Attorney General Dalley on certain points submitted by the Honorable the Minister for Mines, 39 Vic. No. 31, laid on Table, 224.			
COCHRAN, MR. JAMES, LAND CLAIMED BY:—			
Motion made (<i>Mr. McElhone</i>) for correspondence, minutes, telegrams, &c., relating to, as an improvement purchase out of the conditional purchase of Chas. H. White, 589.			
COHEN'S ENABLING BILL:—			
Petition presented (<i>Mr. Burns</i>) praying for leave to bring in, 393; leave given, 397; presented and read 1 ^o , 398; referred to Select Committee, 411; Report brought up, 468; read 2 ^o , committed, reported without Amendment, and Report adopted, 492; read 3 ^o , and sent to Council, 511; returned with Amendments, 549; Amendments agreed to, and Message to Council, 562; Assent reported, 588		7	853
COLONIAL AGENT GENERAL (See "AGENT GENERAL FOR THE COLONY.")			
COLONIAL ARCHITECT, ESTIMATES PREPARED BY:—			
Motion made (<i>Mr. Cameron</i>) for Return showing number prepared, and for which further sums have had to be voted, 592.			
COLONIAL MUSEUM IN LONDON:—			
Correspondence respecting, laid on Table, 583		3	875
COLLAROY CREEK (See "BRIDGES.")			
COLONIAL TREASURER:—			
Motion made (<i>Mr. McElhone</i>) respecting undesirability of Colonial Treasurer being a Bank Director or Manager, and negatived, 376.			
COLORADO BEETLE:—			
Additional correspondence relating to, laid on Table, 541		7	865
COMBES, EDWARD, ESQ., M.P. (See also "LEAVE OF ABSENCE") :—			
Motion made (<i>Mr. McElhone</i>) that the question whether Mr. Combes has accepted an office of profit under the Crown, within the spirit and meaning of the Constitution Act, be referred to the Committee of Elections and Qualifications for consideration and report, 185; Report brought up, read by Clerk, and Seat declared vacant by House, 265; letter from, respecting Seat, laid on Table, and read by the Clerk, 471		2 3	5 887
COMMERCIAL BANKING COMPANY OF SYDNEY INCORPORATION ACTS EXTENSION BILL:—			
Received from Legislative Council and read 1 ^o , 96; read 2 ^o , committed, reported without Amendment, and Report adopted, 153; read 3 ^o , passed, and returned to Council without Amendment, 164; Assent reported, 185.			
COMMERCIAL CHAMBERS (See "LANDS.")			
COMMERCIAL TREATY BETWEEN GREAT BRITAIN AND THE SANDWICH ISLANDS:—			
Despatch respecting, laid on Table, 2		2	1259
COMMISSION:—			
DEPUTY SPEAKER'S TO ADMINISTER THE OATH:—			
Receipt of, reported by Mr. Speaker, and read by the Clerk, 19.			
ROYAL, LANDS AND SURVEY DEPARTMENTS:—			
Correspondence respecting resignation of Mr. James Thomson, as member of, laid on Table, 160		4	213
Do.	do.	4	195
Report, laid on Table, 331	do.	4	1
ROYAL, BERRIMA GAOL:—			
Report of, appointed to inquire into and report upon the management of, together with minutes of evidence and appendices, laid on Table, 181		3	1033
COMMISSIONERS OF INQUIRY UNDER LANDS ACTS AMENDMENT ACT (See "CROWN LANDS," also "ROYAL COMMISSION.")			
COMMISSIONERS OR BOARDS OF INQUIRY, GOVERNMENT OFFICERS AS MEMBERS OF:—			
Motion made (<i>Mr. McElhone</i>) respecting payment of fees to, when the meetings are held during office hours, 565.			
COMMITTEES (See also "SELECT COMMITTEES") :—			
Appointment of R. Driver, Esquire, as Deputy Chairman of, 12.			
Election of Angus Cameron, Esquire, as Chairman of, 14.			
Commission to Chairman of, as Deputy Speaker, to administer the Oath to Members, receipt of reported, and read by Clerk, 19.			
No Report from Committee of the Whole, 233, 279, 439.			
OF ELECTIONS AND QUALIFICATIONS:—			
Speaker's Warrant appointing, laid on Table, 6, 220; maturity of, reported, 25, 239; Members sworn, 27, 31, 47, 51, 239, 240, first meeting appointed, 188; leave given to adjourn for a longer period than seven days, 211; Speaker reported that no Member had attended at a meeting called, and thereupon appointed time and place for next meeting, 239, 240.			
SELECT, REPORTS LAID ON TABLE:—			
The Glebe Borough Bill, 46		7	797
Parramatta Town Hall Bill, 71		7	803
Sydney Infirmary and Dispensary Bill, 110		3	933
Redmond's Estate Bill, 122		7	809
Primitive Methodist Church Temporalities Bill, 149		7	819
City of Goulburn Gas and Coke Company's Incorporation Bill, 153		7	827
Orange Town Hall Site Sale Bill, 260		7	833
Mudgee Turf Club Bill, 302		7	839
Petition of Patrick and Michael Griffin, 326; adopted, 565		3	273

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I.—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
C			
COMMITTEES (continued) :—			
SELECT, REPORT LAID ON TABLE (continued) :—			
Chippendale Roman Catholic Church Land Sale Bill, 397	7	847	
Cohen's Enabling Bill, 468	7	853	
Jury List Deniliquin, 522	3	141	
Pilot Steamer "Captain Cook," 628	4	1011	
Petition of Mr. E. W. Rudder (Progress), 666	4	865	
ELECTIONS AND QUALIFICATIONS, REPORTS LAID ON TABLE :—			
Mr. Combes, Member for Orange, 265	2	5	
William Wilton and others v. Rouse, Mudjee, 353	2	29	
Mr. Fitzpatrick, Member for Yass Plains, 388	2	47	
Mr. Sutherland, Member for Paddington, 568	2	63	
COMMON :—			
WAGGA WAGGA :—			
Motion made (<i>Mr. McElhone</i>) for all papers, correspondence, &c., in reference to application to purchase part of, by Mr. Donnelly, 268; Return to Order, laid on Table, 310	4	665	
Motion made (<i>Mr. McElhone</i>) respecting the decision of various Ministers for Lands allowing Mr. Donnelly to purchase out of, and Debate adjourned, 445; Debate resumed, and question referred to Select Committee, 479; Return to Order and petition referred to Committee 482; name of Mr. Teece added to Committee, 497; Petition from John Donnelly praying to be allowed to be heard by Counsel before the Committee, presented, and leave given, 538	4	695	
GUMLY GUMLY :—			
Petition from householders praying that it may be declared a public reserve, presented, 183	4	697	
SINGLETON, TEMPORARY :—			
Return to Order (<i>Session 1877-8</i>), laid on Table, 663	4	699	
ADELONG :—			
Petition from Gold-miners praying that a portion of the dedication may be revoked, presented, 392	4	723	
COMPENSATION TO MRS. WALLINGS :—			
Motion made (<i>Mr. Hurley, Hartley</i>) for Committee of the Whole for Address, &c., that £500 be placed on Estimates for widow of late Senior-sergeant Wallings, shot on duty, and by leave withdrawn, 90.			
CONDITIONAL PURCHASES (See "CROWN LANDS"; also "MINERAL.")			
CONDITIONAL PURCHASES DECLARATORY BILL (See "TRANSFER OF CONDITIONAL PURCHASES DECLARATORY BILL.")			
CONDOBOLIN, LAND OFFICE AT :—			
Motion made (<i>Mr. Coonan</i>) for copies of petitions, letters, &c., having reference to establishment of, 430.			
CONDOLENCE. (See "ADDRESS.")			
CONFERENCE :—			
DUPLICATION OF TELEGRAPH LINES BETWEEN AUSTRALASIA AND EUROPE :—			
Report of the Proceedings of, held in May, 1878, in Melbourne, laid on Table, 2	5	713	
WITH COUNCIL :—			
On Amendments in the Parliamentary Powers and Privileges Bill, requested by Assembly, 405; Council agrees, 421; held in back Library, 425.			
CONFIDENCE (See "WANT OF CONFIDENCE.")			
CONNELLY, JOHANNA (See "CROWN LANDS.")			
CONSOLIDATED REVENUE FUND BILL :—			
Message No. 25 (Vote of Credit), recommending, 215; Standing Orders suspended, 215; ordered (<i>Mr. Cohen</i>), presented, read 1 ^o , read 2 ^o , committed, reported without Amendment, Report adopted, read 3 ^o , 216; passed and sent to Council, and returned without Amendment, 217; Assent reported, 219		1201, 1203	
CONSOLIDATED REVENUE FUND BILL (No. 2) :—			
Message No. 27 (Vote of Credit), recommending, 224; Standing Orders suspended, 225; ordered (<i>Mr. Watson</i>), presented, and read 1 ^o , read 2 ^o , committed, reported without Amendment, Report adopted on Division, read 3 ^o , passed and sent to Council, 226; returned without Amendment, 229; Assent reported, 239		1205	
CONSOLIDATED REVENUE FUND BILL (No. 3) :—			
Message No. 38 (Vote of Credit), recommending, 301; Standing Orders suspended, 302; ordered (<i>Mr. Watson</i>), presented, and read 1 ^o , read 2 ^o , committed, reported without Amendment, Report adopted, read 3 ^o , passed and sent to Council, 303; returned without Amendment, 303; Assent reported, 306		1207	
CONSOLIDATED REVENUE FUND BILL (No. 4) :—			
Standing Orders suspended, 379; Message No. 7 (Vote of Credit), recommending, 381; ordered (<i>Mr. Watson</i>), presented, and read 1 ^o , 384; read 2 ^o , committed, reported without Amendment, Report adopted, read 3 ^o , passed and sent to Council, 384; returned without Amendment, 385; Assent reported, 388	2	1209	
CONSOLIDATED REVENUE FUND BILL (No. 5) :—			
Message No. 12 (Vote of Credit), recommending, 443; Standing Orders suspended, 450; ordered (<i>Mr. Watson</i>), presented, and read 1 ^o , read 2 ^o , committed, reported without Amendment, Report adopted, read 3 ^o , passed and sent to Council, 451; returned without Amendment, 455; Assent reported, 458		1211	
CONSOLIDATED REVENUE FUND BILL (No. 6) :—			
Message No. 21 (Vote of Credit), recommending, 541; Standing Orders suspended, 542; ordered (<i>Mr. Watson</i>), presented, and read 1 ^o , read 2 ^o , committed, reported without Amendment, Report adopted, read 3 ^o , passed and sent to Council, 543; returned without Amendment, 546; Assent reported, 550		1213	
CONSOLIDATED REVENUE FUND BILL (No. 7) :—			
Message No. 33 (Vote of Credit), recommending, Standing Orders suspended, ordered (<i>Mr. Watson</i>), presented, and read 1 ^o , read 2 ^o , 603; committed, reported without Amendment, Report adopted, passed, and sent to Council, returned without Amendment, 604; Assent reported, 609		1215	
CONSTABLE, WILLIAM :—			
Motion made (<i>Mr. McElhone</i>) for copies of correspondence in reference to Conditional Purchases of, 331.			
CONTAGIOUS DISEASE (See "VENEREAL DISEASE.")			

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
C			
CONTINGENT MOTIONS:—			
Parliamentary Powers and Privileges Bill, 114.			
Chinese Immigration Regulation Bill, 319.			
Supply, 366, 418, 582, 584.			
Lands Acts Further Amendment Bill, 445, 450.			
The Legislative Council, 650, 655.			
CONTRACTORS DEBTS BILL:—			
Motion made (<i>Mr. W. H. Suttor</i>) for leave to bring in, 239; presented and read 1 ^o , 240; read 2 ^o and committed, 296; Order of the day postponed, 349; further considered in Committee, reported without Amendment, and Report adopted, 411; read 3 ^o and sent to Council, 493; returned without Amendment, 526; Assent reported, 542.			
CONTRACTS:—			
ENTRUSTED TO MESSRS. HUDSON BROS.:—			
Motion made (<i>Mr. Cameron</i>) for Return showing, with detailed particulars, without, since November, 1877, 239; Return to Order, laid on Table, 666		7	795
GOVERNMENT:—			
Motion made (<i>Mr. McElhone</i>) for pamphlet copy of, for 1877, 1878, and 1879, 365; Return to Order, laid on Table, 486		7	729
GENERAL STORES:—			
Return showing names of Contractors for the supply of, during 1876, 1877, and 1878, laid on Table, 375		7	791
MR. JAMES KIDMAN:—			
Correspondence respecting quality and quantity of supplies by, laid on Table, 375		7	761
FOR ROADWORK BY MESSRS. BLOMFIELD AND MUMFORD:—			
Motion made (<i>Mr. Badgery</i>) for copies of contracts, agreements, specifications, &c., having reference to, at Tambaroora, Hill End, &c., and also for copies of the evidence taken before the Select Committee in April, 1875, 566.			
CONVENTION (See "CUSTOMS.")			
CONVICTIONS FOR VAGRANCY:—			
Motion made (<i>Mr. Cameron</i>) for a Return showing the number, at the Central and Water Police Courts, from June, 1877, to present date, with particulars in each case, 284; Return to Order, laid on Table, 342		3	277
CONVICTS, INFLUX OF, INTO N.S.W. FROM NEW CALEDONIA:—			
Motion made (<i>Mr. Fitzpatrick</i>) for all Despatches, Minutes, &c., having reference to, 283; Return to Address, laid on Table, 365		2	109
COOK'S RIVER (See "BRIDGES.")			
COMMISSION ON LANDS AND SURVEY DEPARTMENTS:—			
Report laid on Table, 331		4	1
COOMBER, ALFRED THOMAS:—			
Petition from, that he has been refused the necessary certificate to entitle him to a Volunteer Land Order, presented, 211		7	323
COONAMBLE (See "BRIDGES.")			
COOPER, SIR DANIEL, GRANT OF LAND HELD BY:—			
Motion made (<i>Mr. McElhone</i>) for copies of deeds of, 393; Return (<i>in part</i>) to Order, laid on Table, 650		4	455
Motion made (<i>Mr. McElhone</i>) for re-survey of, and withdrawn, on Mr. Speaker ruling that motion involved a charge on the Consolidated Revenue, 393, 394.			
COOPER, MR. W. H. (See "BEER'S DISABILITIES BILL.")			
COPPER MINE, MILBURN CREEK:—			
Motion made (<i>Mr. Cohen</i>) for copy of the report of the Geological Surveyor on, 603; Return to Order, laid on Table, 609		4	861
COPYRIGHT BILL:—			
Motion made (<i>Mr. Windeyer</i>) for leave to bring in, 12.			
Motion made (<i>Mr. Windeyer</i>) for Committee of the Whole, 66; House in Committee, Resolution reported and agreed to, 123; presented and read 1 ^o , 123; Message from Governor recommending, 141; Order of the Day postponed, 173, 215, 220, 261; read 2 ^o and committed, 311; further considered in Committee, Reported with Amendments, and Report adopted, 370; read 3 ^o and sent to Council, 376; returned without Amendment, 486; Assent reported, 510.		7	887
CORAL, PORT DARWIN CABLE:—			
Motion made (<i>Mr. McElhone</i>) for samples from Coral Reefs and Seas through which the Cable runs from Port Darwin to Banjoewangie, connecting Australia with Europe, 68; samples laid on Table (<i>as exhibits only</i>), 94.			
CORONERS (See "ADMINISTRATION OF JUSTICE").			
CORPORATION BILL (See "SYDNEY CORPORATION BILL").			
COSTS IN MATRIMONIAL CAUSES BILL:—			
Motion made (<i>Mr. Windeyer</i>) for leave to bring in, presented, read 1 ^o , 12; Order of the Day postponed, 37; read 2 ^o , committed, reported without Amendment, and Report adopted, 138; read 3 ^o , passed, and sent to Council, 141; returned without Amendment, 163; Assent reported, 184.			
COUNCIL, LEGISLATIVE, THE:—			
Motion made (<i>Sir Henry Parkes</i>) respecting frustration of labours of Assembly by principle of nomination in constitution of, and introduction of Bill to make it responsible to the people, 650; Contingent Amendment moved (<i>Mr. Buchanan</i>) to abolish, and that a single Chamber is preferable to an elective second Chamber, and debate adjourned, 650; Debate resumed, Amendment negatived, and original Motion agreed to, 655.			
Return showing names of Members of, with dates of appointment, laid on Table, 659		2	107
COUNCIL OF EDUCATION (See "EDUCATION.")			
COUNT-OUT (See "NO QUORUM.")			
COUPER, ALEXANDER (See "CROWN LANDS.")			
COURT-HOUSE, BOMBALA:—			
Motion made (<i>Mr. Murphy</i>) for all correspondence respecting purchase of site for, 114; Return to Order, laid on Table, 192		3	193
COX, THE HONORABLE GEORGE HENRY (See "MUDGEES TURF CLUB BILL.")			
CRESWELL, WILLIAM (See "ADMINISTRATION OF JUSTICE.")			
CRICKETERS, AUSTRALIAN:—			
Correspondence respecting application of, for payment of full salary while absent, laid on Table, 411; Motion made (<i>Mr. Driver</i>) for Committee of the Whole to consider Resolution, 411; Order of the Day postponed, 458; Order of the Day discharged, 493; Motion again made (<i>Mr. Farnell</i>), and House counted out, 593		7	949

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I.—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
C			
CRICKET GROUND, MILITARY AND CIVIL :—			
Return to Order (<i>Session 1877-8</i>), laid on Table, 534.....	7	927	
CRIMINALS COMMUTED PUNISHMENT BILL :—			
Received from Council and read 1 st , 646.			
CRIMINALS INFLUX PREVENTION BILL (See "FOREIGN CRIMINALS INFLUX PREVENTION BILL.")			
CROWN GRANTS (See also "GOVERNOR'S SIGNATURE BILL") :—			
Motion made (<i>Mr. Copeland</i>) for copies of forms of those issued since the passing of the "Crown Lands Alienation Act of 1861," 523; Return to an Order, laid on Table, 541.....		423	
CROYDON (See "BRIDGES.")			
CROWN LANDS (See also "LAND"; also "RESERVES"; also "TRANSFER OF CONDITIONAL PURCHASES DECLARATORY BILL") :—			
SITES FOR CITIES, TOWNS, AND VILLAGES :—			
Abstract of, laid on Table, 12, 77, 146, 232, 444, 510, 576, 645, 666		589	
DEDICATED TO RELIGIOUS AND OTHER PUBLIC PURPOSES :—			
Abstract of, laid on Table, 12, 77, 146, 192, 273, 379, 430, 541, 576, 659, 666.....		607	
RESERVED FOR WATER SUPPLY, &c. :—			
Abstract of, laid on Table, 7, 77, 146, 232, 273, 342, 430, 510, 576, 645		543	
DEDICATED FOR USE AND GENERAL PURPOSES OF PASTORAL AND AGRICULTURAL ASSOCIATIONS :—			
Abstract of, under Act 39 Vict. No. 13, sec. 32, laid on Table, 12, 77, 146, 659		629	
ROYAL COMMISSION ON LANDS AND SURVEY DEPARTMENT :—			
Letter from James Thomson, tendering, and correspondence respecting his resignation as Member of, laid on Table, 160.....		213	
Correspondence, &c., relating to appointment of, laid on Table, 283		195	
Report laid on Table, 331		1	
ALIENATED, PORT JACKSON :—			
Further Return (<i>in part</i>) to Order (<i>Session 1875-6</i>), laid on Table, 2.....	4	917	
RECLAMATION OF LAND, PORT JACKSON :—			
Return (<i>in part</i>) to Order (<i>Session 1876-7</i>), laid on Table, 2.....		913	
PROSPECTING FOR GOLD :—			
Regulations relative to Vote for, laid on Table, 2.....		737	
LANDS OFFICE, ALLEGED FALSE DECLARATIONS :—			
Motion made (<i>Captain Onslow</i>) for all Papers relating to any disputed declarations made respecting Conditional Purchases by Members of Parliament, 22.			
ADMINISTRATION OF THE LAND LAWS :—			
Motion made (<i>Mr. Baker</i>) that delay in reform of, is injurious, and that Government should make arrangements, to expedite business in the department, and negatived, 22.			
HOLDEN'S CONDITIONAL PURCHASES, PATERSON DISTRICT :—			
Motion made (<i>Mr. H. H. Brown</i>) for copies of all declarations, evidence, &c., having reference to forfeiture of, 22.			
UNDER PASTORAL LEASE AND CONDITIONAL PURCHASE :—			
Return (<i>in part</i>) to Order (<i>Session 1877-8</i>), laid on Table, 41, 497		327, 405	
CONDITIONAL PURCHASES OF JOHN ROBARDS, AND CLADIUS SMITH, AT SHADE'S CREEK :—			
Motion made (<i>Mr. Shepherd</i>) for all papers connected with, 51.			
CONDITIONAL PURCHASES OF M. BRENNAN AND MISS HARRINGTON, YANKO CREEK :—			
Return to Order (<i>Session 1877-8</i>), laid on Table, 292		217	
VOLUNTEER LAND ORDERS (See "VOLUNTEERS.")			
INSPECTORS OF CONDITIONAL PURCHASES :—			
Return of number of permanent and temporary, names, dates of appointment, and districts, laid on Table, 301	3	497	
COMPENSATION TO JOHANNA CONNELLY :—			
Motion made (<i>Mr. Bennett</i>) for Committee of the Whole, for Address to the Governor that £526 be placed on Estimates for 1879, 52; Order of the Day postponed, 61, 91; Order of the Day discharged, 106.			
JOSIAH PITTY'S CONDITIONAL PURCHASE AT DENILIQUIN :—			
Motion made (<i>Mr. Hurley, Hartley</i>) for a Select Committee to inquire into and report upon, 52.			
APPLICATIONS FOR LAND AT GULF CREEK :—			
Motion made (<i>Mr. Hurley, Hartley</i>) for all papers, minutes, &c., relating to, of Messrs. Banks, Lester, and Farquhar, and also of Messrs. Griffiths and Gaffney, 77; Return to Order, laid on Table, 260		745	
JOHN SMITH'S APPLICATIONS TO PURCHASE IMPROVED :—			
Return of, in county of Ashburnham, laid on Table, 88		407	
MESSRS. HACKETT AND ARMSTRONG :—			
Petition from, alleging that they purchased the right, title, and interest in and to certain land in the parish of Merran, county of Wakool, and that the purchase has been declared void, presented, 105; ordered to be printed, 110.....		535	
MESSRS. LAKEMAN AND ARMSTRONG :—			
Petition from, that they applied, under the 25th clause of the Crown Lands Alienation Act, to purchase lands in parish of Windowran, county of Wakool, and that their applications have been refused, presented, 105; ordered to be printed, 109		537	
LAND SOLD AT NARRANDERA TO MESSRS. CLARK AND MACLEAY :—			
Motion made (<i>Mr. McElhone</i>) for all papers respecting, and correspondence respecting withdrawal of request of Darlington Point Free Selectors Association, 110; Return to Order, laid on Table, 273	4	495	
CONDITIONAL PURCHASES OF JOHN DALY AND OTHERS, AT CASINO :—			
Motion made (<i>Mr. Bauden</i>) for all correspondence, applications, &c., relative to, inquired into by Commissioner Bolding, at Lismore, 129; Return to Order, laid on Table, 609.....		311	
PATRICK CAVANAGH'S PRE-EMPTIVE LEASE, GININDERRA :—			
Motion made (<i>Mr. Thompson</i>) for all applications, correspondence, &c., as to granting to, and cancellation of, county of Murray, 141; Return to Order, laid on Table, 232.....		487	
RESERVATION OF, ADJOINING RAILWAY LINES :—			
Motion made (<i>Mr. Hurley, Hartley</i>) that lands adjoining to, and 2 miles in width on each side of proposed extensions of Railway, shall only be sold by auction, and that portions be reserved as sites for townships and other public purposes, and that proceeds of sale of such land be set apart as a fund to defray cost of Railways, and withdrawn, 142.			
ALEXANDER COUPER :—			
Petition from, that he obtained, by auction selection, land in county of Bourke, and that issue of deed of grant is refused him by the Crown, presented, 142.....		539	

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I.—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
C			
CROWN LANDS (continued):—			
APPROPRIATION OF LAND FOR PUBLIC PURPOSES:—			
Motion made (<i>Mr. Sutherland</i>) for Committee of the Whole to consider the expediency of bringing in a Bill to provide for, 146; Order of the Day postponed, 150; Order of the Day discharged, 229.			
TAKEN UP, BY CIVIL SERVANTS:—			
Motion made (<i>Mr. McElhone</i>) for Return showing quantity, area of each lot, and locality, as after auction selection or otherwise, during the last ten years, 251.			
PATRICK RYAN'S CONDITIONAL PURCHASE AT MOLONG:—			
Motion made (<i>Mr. Coonan</i>) for all papers, letters, &c., respecting, 260.			
THE LAND LAW:—			
Petition from Free Selectors and others, residents of Young, that a Bill be introduced to remedy certain defects in, in regard to improved conditional purchases, presented, 177			
QUAT QUATTA RESERVE:—			
Motion made (<i>Mr. McElhone</i>) for copies of correspondence, &c., in reference to the claim of J. Wallace, 315.			
LAND OFFICE AT ALBURY:—			
Motion made (<i>Mr. Thompson</i>) for copies of reports, &c., relating to irregularities in, 315; Return to Order, laid on Table, 331			
COMMISSIONERS OF INQUIRY UNDER LANDS ACTS AMENDMENT ACT:—			
Motion made (<i>Mr. Thompson</i>) for Return showing particulars of cases investigated by, during 1878, 279; Return to Order, laid on Table, 478			
PUCKA WIDGEE RUN:—			
Motion made (<i>Mr. Barbour</i>) for all applications under Conditional Improvement and Improvement Clauses of the Land Act, by Robert Patterson, conflicting with Conditional Purchase application by William O'Dwyer, at Deniliquin, 1876, with all correspondence thereon, of, 279.			
MUTTAMA RUN:—			
Memorandum showing purchases on, under section 7 of the Crown Lands Alienation Act of 1861, laid on Table, 296			
TRAVELLING EXPENSES OF INSPECTORS OF CONDITIONAL PURCHASES:—			
Return of, laid on Table, 331			
LAND TAKEN UP BY MEMBERS OF PARLIAMENT BY AFTER AUCTION SELECTIONS:—			
Motion made (<i>Mr. McElhone</i>) for Return showing, 331.			
WILLIAM CONSTABLE'S CONDITIONAL PURCHASES:—			
Motion made (<i>Mr. McElhone</i>) for copies of correspondence in reference to, 331.			
C. A. GOODCHAP'S CONDITIONAL PURCHASE AT SPRINGWOOD:—			
Motion made (<i>Mr. McElhone</i>) for copies of correspondence having reference to, 331; Return to Order, laid on Table, 581			
AMENDMENT OF THE LAND LAW:—			
Motion made (<i>Mr. McElhone</i>) for Committee of the Whole to consider Resolutions, and Debate interrupted by Government Business, 332; Order of the Day postponed, 349, 371, 412, 478; Debate resumed, and motion negatived, 534.			
BALANCES DUE ON AUCTION PURCHASES:—			
Motion made (<i>Mr. Garrett</i>) for Return showing particulars of, 337.			
CONDITIONAL PURCHASES ON GOLD FIELDS:—			
Return to Order (<i>Session 1877-8</i>), laid on Table, 375			
INCOMPLETE CONDITIONAL PURCHASES:—			
Motion made (<i>Mr. Garrett</i>) for Return showing particulars of, 397. Return to Order, laid on Table, 434			
FORFEITED CONDITIONAL PURCHASES:—			
Motion made (<i>Mr. Garrett</i>) for Return showing particulars of, 397.			
APPLICATIONS OF MESSRS. GILMOUR, BEARD, AND SMITH, FOR VACANT COUNTRY IN THE DISTRICT OF WELLINGTON:—			
Motion made (<i>Mr. Coonan</i>) for copies of tenders, letters, &c., having reference to applications of, for new country in the District of Wellington, 411.			
CONDITIONAL PURCHASES OF HUGH WALLACE, AND HENRY M. WALLACE:—			
Motion made (<i>Mr. Burns</i>) for Papers relating to, 430.			
LAND SOLD AT AUCTION:—			
Return showing area of, from 1st January to 31st March, 1879, laid on Table, 458			
CONDITIONAL PURCHASES OF LAYFIELD, GRAY, AND OTHERS:—			
Return to Order (<i>Session 1877-8</i>), laid on Table, 471.			
LAND SOLD NEAR JERILDERIE:—			
Motion made (<i>Mr. Barbour</i>) for Return showing quantity of, for the past seven years, 486;			
Return to Order, laid on Table, 612			
CONDITIONAL PURCHASES OF THOMAS KERR, ROBERT BARBOUR, AND OTHERS, NEAR DENILIQUIN:—			
Return (<i>in part</i>) to Order, (<i>Session 1877-8</i>), laid on Table, 489			
Return (<i>in completion</i>) to Order (<i>Session 1877-8</i>), laid on Table, 645			
UNDER PASTORAL LEASE AND CONDITIONAL PURCHASE:—			
Return (<i>in part</i>) to Order, (<i>Session 1877-8</i>), laid on Table, 41, 497			
LAND SOLD TO MR. DINES:—			
Motion made (<i>Mr. McElhone</i>) for correspondence, minutes, &c., in reference to, 515.			
MESSRS. ARMSTRONG, LAKEMAN, AND COUPER, APPLICATIONS FOR LANDS BY:—			
Return (<i>in part</i>) to Order (<i>Session 1877-8</i>), laid on Table, 520			
FORMS OF CROWN GRANTS:—			
Motion made (<i>Mr. Copeland</i>) for a copy of those issued since the passing of the Crown Lands Alienation Act of 1861, 523; Return to Order, laid on Table, 541			
LAND SALES AT ARMIDALE, WALCHA, &C.:—			
Return (<i>in part</i>) to Order (<i>Session 1877-8</i>), laid on Table, 531			
MR. ANDREW McDUGALL:—			
Petition from, alleging that grant of land had been promised him by Sir Thomas Brisbane, presented, 635			
CANCELLATION OF CONDITIONAL PURCHASES:—			
Motion made (<i>Mr. McElhone</i>), that Attorney General should give Opinion on, and withdrawn, 535.			
MICHAEL REED'S CONDITIONAL PURCHASE AT SPRINGWOOD:—			
Motion made (<i>Mr. McElhone</i>) for correspondence in reference to, 545.			
CLAIMS OF MR. J. GLASS TO LAND AT MILLER'S CREEK:—			
Motion made (<i>Mr. Bennett</i>) for Select Committee to inquire into, and withdrawn, 550.			
Motion made (<i>Mr. Bennett</i>) for copies of papers, letters, &c., from Messrs. J. Sevil and J. Glass, with reference to the purchase of certain land by virtue of improvements, 568.			

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I.—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
C			
CROWN LANDS (continued):—			
LAND ALIENATED DURING THE YEAR 1878:—			
Return showing, and the number of conditional purchases transferred, lapsed, and forfeited during the same year, laid on Table, 554			421
THOMAS ROSE'S CONDITIONAL PURCHASE:—			
Return to Order (Session 1877-8), laid on Table, 562			275
OPINION OF ATTORNEY GENERAL ON PROTEST OF HEW BLACKWOOD PATTERSON:—			
Laid on Table, 564			519
RESERVES ON RUNS:—			
Memorandum prepared by the Surveyor General, explaining the conditions under which they would be made, laid on Table, 572			663
MINIMUM PRICE OF COUNTRY LANDS PURCHASED BY VIRTUE OF IMPROVEMENTS:—			
Motion made (Mr. Copeland) fixing price, and negatived, 582.			
MINERAL CONDITIONAL PURCHASES:—			
Numerical Return respecting, laid on Table, 587			837
LAND CLAIMED BY MR. JAMES COCHRAN:—			
Motion made (Mr. McElhone) for correspondence, minutes, telegrams, &c., relating to, as an improvement purchase out of the conditional purchase of Chas. H. White, 589	4		
OFFICES, ARMIDALE, WALCHA, GLEN INNES, INVERELL, BINGERA, AND WARRIALDA:—			
Return (in completion) showing the total area of land selected, and number of selections made, from 1 March, 1877, to 1 March, 1878, laid on Table, 592			305, 307
CONDITIONAL PURCHASES HELD BY MEMBERS OF THE LEGISLATIVE ASSEMBLY:—			
Return of, laid on Table, 609			309
CROWN LANDS BILL (See also "LANDS ACTS FURTHER AMENDMENT BILL"):			
Motion made (Mr. Farnell) for Committee of the Whole, 36; House in Committee, and Resolution agreed to, 41; presented, and read 1 ^o , 94; Message No. 7, 94; Order of the Day postponed, 150; Motion made for 2 ^o , 164; and debate interrupted by admission to the body of the House of William McArthur, Esquire, 164; Resumed and adjourned, 164; Debate resumed, and further adjourned, 177, 181, 188; Debate resumed and 2 ^o negatived on Division, 193			523
Petition from Richard Sadleir, R.N., that certain suggested provisions be taken into consideration, presented, 128			527
CURATOR OF INTESTATE ESTATES (See "SLATTERY, MR.")			
CURRAWANG (See "ROADS.")			
CUSTOMS:—			
Return of White Spirits, Spirits of Wine, and Fusel Oil, taken out of bond, laid on Table, 228	2		1243
Murray River Convention, between New South Wales and South Australia, laid on Table, 268	2		1231
Correspondence respecting Border Duties, laid on Table, 411	2		1235
Papers respecting seizure of case of perfumed spirits, imported by Messrs. Hordern and Sons, laid on Table, 603	2		1247
Despatch respecting Italian General Tariff, laid on Table, 612	2		1253
DUNCAN, MR. W. A.:—			
Motion made (Mr. W. C. Browne) for copies of correspondence, &c., having reference to leave of absence of, and the appointment of an Acting Collector, 337; Return to Order, laid on Table, 458	3		513
DUNSHEE, MR. TIDE-WAITER:—			
Motion made (Mr. McElhone) for correspondence respecting alleged outrage on, 458.			
Motion made (Mr. McElhone) for copies of letters, correspondence, &c., in reference to applications for appointments of or by, 482; Return to Order, laid on Table, 603	3		537
Motion made (Mr. McElhone) for copies of letters, minutes, or memorandums, respecting general conduct of, 531.			
CUSTOMS REGULATION BILL:—			
Motion made (Mr. Cohen) for Committee of the Whole, 47; Message from the Governor, 54; House in Committee, Resolution agreed to, Bill presented and read 1 ^o , 54; read 2 ^o and committed, 72; House again in Committee, 130; reported with Amendments, 130; recommitted, reported 2 ^o with further Amendments, and Report adopted, 135; read 3 ^o , passed, and sent to Council, 146; returned with Amendments, 463; Amendments agreed to, and Message to Council, 484; Assent reported, 510.			
D			
DALY, JOHN (See "CROWN LANDS.")			
DAMAGE BY FLOOD (See "FLOOD.")			
DANISH SHIPS:—			
Despatch respecting re-measurement of, laid on Table, 549	7		861
DANGAR, THOMAS, ESQUIRE:—			
Leave of absence to, 511.			
DARBY, MR. A. T.:—			
Motion made (Mr. W. C. Browne) for information, &c., by Senior-constable Flannigan against, for a breach of the Vagrant Act, 397; Return to Order, laid on Table, 564	3		309
DARLING HARBOUR, DAMAGE BY FLOOD TO PROPERTY IN:—			
Motion made (Mr. Macintosh) for all petitions, correspondence, reports, &c., having reference to loss suffered by Messrs. Biddell, Zollner, and others, on the reclaimed land, 265; Return to Order, laid on Table, 568	4		963
DARLINGHURST GAOL (See "LECTURES IN DARLINGHURST GAOL.")			
DEATHS (See "REGISTERS"; also "CLERGY RETURNS TRANSFER BILL.")			
DEBATE (See "ADJOURNMENT.")			
DEFENCES OF THE COLONY:—			
Detailed Statement of proposed expenditure for 1879, laid on Table, 337; other Papers laid on, in substitution, 375	7		255
DENILIQUIN (See also "ADMINISTRATION OF JUSTICE"):			
Motion made (Mr. Barbour) for Committee of the Whole for Address to Governor that £300 be placed on Estimates for supply and erection of Town Clock for Town Hall, and negatived, 122.			
DENOMINATIONAL SCHOOLS (See "EDUCATION.")			
DENOMINATIONAL SCHOOL TEACHERS (See "EDUCATION.")			

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
D			
DEPUTY CHAIRMAN OF COMMITTEES:—			
Appointment of Mr. Driver to act as, 12.			
DEPUTY SPEAKER'S COMMISSION TO ADMINISTER THE OATH:—			
Receipt of, reported by Mr. Speaker, and read by the Clerk, 19.			
DESPATCHES:—			
Laid on Table:—			
Commercial Treaty between Great Britain and the Sandwich Islands, 2	2	1259	
Disallowing the Matrimonial Causes Act Amendment Act, 7	7	859	
Board of Trade Examinations, 156	7	863	
Report of the Deputy Master of the Mint on the Gold Coinage of the Sydney Branch, for the year ended 30 June, 1878, 220	7	1013	
Sydney Branch of the Royal Mint, 331	7	1015	
Re-measurement of Danish Ships, 549	7	861	
Silver and Bronze Coinage, 612	7	1017	
Alterations in the Italian General Tariff, 612	2	1253	
DETTMAN, AGNES:—			
Petition from, respecting Superannuation deduction from the salary of her late husband, presented, 600	3	563	
DICTIONARY OF DATES (See "AUSTRALIAN DICTIONARY OF DATES.")			
DINES, MR. LAND SOLD TO:—			
Motion made (Mr. McElhone) for correspondence, minutes, or in reference to, 515.			
DIRECTOR (See "MINISTERIAL OFFICES.")			
DIRECTORS OF COMPANIES, CIVIL SERVANTS AS:—			
Motion made (Mr. McElhone) respecting, 582.			
Motion made (Mr. Farnell) to rescind motion so far as it affects the Civil Service Building Society, 618.			
DISEASES IN SHEEP ACTS AMENDMENT ACT OF 1878:—			
Regulations under, laid on Table, 7, 217, 640	7	639, 645, 649	
DISCOVERY OF GOLD (See "GOLD.")			
DISORDER:—			
In the Gallery by Mr. Charles Kidman, during Debate, 342, 376, 398.			
DISTILLATION BILL:—			
Motion made (Mr. Cohen) for Committee of the Whole, 177; Order of the Day postponed, 204; Order of the Day discharged, 225.			
DISTRICT COURTS ACT OF 1858:—			
Annual Returns under the 103rd section of, laid on Table, 51, 609	3	1, 63	
Order in Council respecting Alteration in scale of Fees under, laid on Table, 164	3	133	
DISTRICT COURT JUDGES, SALARIES OF:—			
Motion made (Mr. R. B. Smith) for Committee of the Whole to consider Address to Governor, that Government bring in Bill to provide for Increases, and negative on Division, 158.			
DISTRICT COURTS AND QUARTER SESSIONS AT BREWARRINA:—			
Motion made (Mr. Dangar) for Copy of Mr. District Court Judge Murray's Report respecting holding of, 582; Return to Address, laid on Table, 635	3	349	
DISTRICT COURT, LISMORE:—			
Motion made (Mr. Driver) for copies of petitions, letters, &c., having reference to the establishment of, 471.			
DIVISIONS:—			
Attendances of Members in, and Counts-out during the Session	1	673	
Chairman of Committees, 14.			
Lectures in Darlinghurst Gaol, 17.			
Adjournment of Debate, 58, 173, 189, 512.			
Special Adjournment, 71 (?), 421.			
No Tellers for, 90 (?), 225, 582, 660.			
Adjournment of the House, 389, 520.			
Restoration of the Order of the Day, 186.			
Previous Question, 618.			
Discharge of Order of the Day, 280.			
Amendment on going into Committee of Supply, 418.			
International Exhibition in Sydney, 48, 97(?).			
Beer's Disabilities Bill, 61.			
Matrimonial Causes Act Amendment Bill, 67.			
Railway Refreshment Rooms Bill, 78 (?), 186.			
Mr. P. Brougham, Police Magistrate, Bingera, 89, 534.			
Mr. John Garsed, 90.			
Land Agents, 110.			
Ministerial Offices, 111.			
Petition of Mr. E. W. Rudder, 142.			
Bridge across the Myall River, at Bulahdelah, 142, 233.			
Bridge across the McDonald River, at St. Albans, 143.			
Widow of the late John Dunmore Lang, 157.			
Salaries of District Court Judges, 158.			
William Creswell, Arthur Orton, 172.			
Town Clock, Deniliquin, 173.			
Married Women's Relief Bill, 173.			
Crown Lands Bill, 189, 193.			
Want of Confidence in the Ministry, 211.			
Small Debts Act Further Extension Bill, 221.			
Bankers Books Evidence Bill, 222, 327.			
Consolidated Revenue Fund Bill (No. 2), 226.			
Bridges over Collaroy and Merriwa Creeks, 250.			
Birds and Animals Protection Bill, 261.			
Justices Acts Further Amendment Bill, 280 (?).			
Jury List, Deniliquin, 284.			
Felons Apprehension Bill, 293.			
Chinese Immigration Regulation Bill, 323, 359, 363, 364, 366 (?).			
Mudgee Turf Club Bill, 327.			
Supreme Court (Additional Judge) Bill, 332, 355, 472.			
Valedictory Address to His Excellency Sir Hercules Robinson, 343.			

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I.—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
D			
DIVISIONS (<i>continued</i>) :—			
Seat of Michael Fitzpatrick, Esquire, 354.			
Felons Apprehension Act Amendment Bill, 358, 365.			
The Office of Colonial Treasurer, 376.			
Grants of Land held by Sir Daniel Cooper, 393 (?).			
Metropolitan Railway Extension Bill, 398.			
Barrington Gold Field, 463.			
Hospital in Macquarie-street, 467.			
Gold-mining Leases, 483, 592.			
Printing for Mr. Heaton at the Government Printing Office, 492.			
Parliamentary Powers and Privileges Bill, 512.			
Amendment of the Land Law, 535.			
Lands Acts Further Amendment Bill, 559, 569 (?).			
Petition of Patrick and Michael Griffin, 565.			
Major Spalding, 610.			
Tolls and Ferry Dues, 618.			
Foreign Criminals Influx Prevention Bill, 636.			
The Legislative Council, 656 (?).			
IN COMMITTEE OF THE WHOLE :—			
Weekly Report of, Nos. 1 to 34	1	677	
Lunacy Bill, 677.			
Railway Refreshment Rooms Bill, 678, 714.			
Drunkards Punishment Act Amendment Bill, 679, 680.			
Sydney Corporation Bill, 681, 682, 683, 697 (?), 698 (?), 699, 704 (?), 707, 708, 709 (?), 710 (?), 713, 731, 732 (?), 733 (?), 734 (?).			
Birds and Animals Protection Bill, 685, 699, 700 (?), 711.			
International Exhibition in Sydney, 686.			
City of Sydney Improvement Bill, 686, 687.			
Duplication of the Port Darwin Telegraph Cable, 690, 691 (?), 692 (?), 693 (?), 696.			
Small Debts Act Further Extension Bill, 701, 702, 740 (?).			
Sydney Infirmary and Dispensary Bill, 702.			
Bridge across the Myall River, at Buladelah, 705.			
Felons Apprehension Bill, 715.			
Copyright Bill, 718.			
Parliamentary Powers and Privileges Bill, 719, 720 (?), 739, 747.			
Chinese Immigration Regulation Bill, 722 (?), 724, 725 (?), 728.			
Additional Judge of the Supreme Court, 724.			
Supreme Court (Additional Judge) Bill, 724, 727, 737 (?), 750 (?).			
Redfern to Hunter-street Tramway Bill, 725,			
Loan Fund Amalgamation Bill, 738, 739.			
Mudgee Turf Club Bill, 743 (?), 744 (?).			
Lands Acts Further Amendment Bill, 749, 750, 751 (?), 752 (?), 753, 754 (?), 755, 757 (?), 758, 759 (?), 765 (?), 766 (?), 767 (?), 768 (?), 769 (?), 770, 771, 772 (?), 773 (?), 774 (?).			
Supreme Court Temporary Judge Bill, 777.			
Appropriation Bill, 787.			
Public Works Loan Bill, 790.			
SUPPLY —GENERAL ESTIMATES FOR 1879 :—			
<i>International Exhibition</i> , 703, 746.			
<i>Sydney Corporation</i> , 717.			
<i>Legislative Council</i> , 720, 721 (?).			
<i>Permanent and Volunteer Military Forces—General Staff</i> , 721 (?).			
<i>Naval Brigade</i> , 723.			
<i>Agent General for the Colony</i> , 729.			
<i>Immigration</i> , 729, 730.			
<i>Industrial Schools</i> , 730.			
<i>Charitable Allowances—Sydney Infirmary</i> , 730.			
<i>Quarantine</i> , 731, 735 (?).			
<i>Board of Pharmacy</i> , 736.			
<i>Tug-boat for the Macleay, Bellinger, and Nambucca Rivers</i> , 736.			
<i>Advance to Treasurer</i> , 736.			
<i>Department of Justice and Public Instruction</i> , 741 (?).			
<i>Prothonotary</i> , 742.			
<i>Salary short paid to Sir Alfred Stephen, C.B.</i> , 742.			
<i>Colonial Architect</i> , 745 (?), 746.			
<i>Public Works and Buildings</i> , 761 (?) 762 (?).			
<i>Railways—Existing Lines—Working Expenses</i> , 763.			
<i>Permanent and Volunteer Military Forces—Artillery Force</i> , 775.			
<i>Conditional Lands Sales—Commissioners of Inquiry</i> , 779.			
<i>Electric Telegraphs</i> , 780.			
<i>Secretary for Lands—Law Expenses in case Mate v. Nugent</i> , 780 (?).			
SUPPLEMENTARY ESTIMATES FOR 1878 AND PREVIOUS YEARS :—			
<i>Charitable Allowances—Benevolent Society</i> , 781.			
<i>Colonial Secretary—Miscellaneous</i> , 781.			
<i>Customs—Acting Collector</i> , 783.			
FURTHER ESTIMATE—ACCUMULATED SURPLUS :—			
<i>International Exhibition</i> , 785.			
LOAN ESTIMATE, 1879 :—			
<i>Railway from Wallerawang to Mudgee</i> , 788.			
<i>Railway from Redfern to Circular Quay</i> , 788.			
<i>Railway to Suburbs—Randwick, Waverley, and Woollahra</i> , 788.			
<i>Railway Stores and Materials</i> , 788.			
DIVORCE BILL (See also "MATRIMONIAL CAUSES ACT AMENDMENT BILL") :—			
Motion made (<i>Mr. Hurley, Hartley</i>) for leave to bring in, 16.			
DOG ACT :—			
Petition from Inhabitants of Mulbring and Mount Vincent, praying that the operation of the Act may not be continued in those districts, presented, 146	7	981	
DOMAINS AND BOTANIC GARDENS :—			
General report on present condition of, laid on Table, 392	7	871	

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I.—SESSION 1878-9.	PAPERS.	
	VOL.	PAGE.
D		
DONNELLY, JOHN (See also "COMMON, WAGGA WAGGA.") :— Leave given on petition to be heard by counsel or attorney before the Select Committee on Wagga Wagga Common, 538	4	695
DOUBLE BAY :— Motion made (<i>Mr. Macintosh</i>) for correspondence, reports, plans, &c., from 1830 to date, in reference to purchase or exchange for other land of the land situate between the Steyne and western boundary of land granted to Captain Piper, abutting on Marine Parade, 172 ; Return to Order, laid on Table, 425		
DRAINING FLOODED LANDS, MACLEAY RIVER :— Motion made (<i>Mr. R. B. Smith</i>) for petitions, letters, surveys, reports, &c., having reference to, 192.	4	921
DREDGE (See "HARBOURS AND RIVERS"; also "SAMSON.")		
DRIVER, RICHARD, ESQUIRE :— Appointment of, as Deputy Chairman of Committees, 12.		
DRUNKARDS PUNISHMENT ACT AMENDMENT BILL :— Motion made (<i>Mr. Jacob</i>) for leave to bring in, 31; presented and read 1 ^o , 31; read 2 ^o , committed, reported with Amendments, Report adopted, 61; read 3 ^o , passed, and sent to Council, 77.		
DUBBO MECHANICS INSTITUTE TRUSTEES BILL :— Petition presented (<i>Mr. Pilcher</i>) for leave to bring in, 250; leave given, presented, and read 1 ^o , 254; referred to Select Committee, 265.		
DUNCAN, MR. W. A. :— Motion made (<i>Mr. W. C. Browne</i>) for copies of correspondence, &c., having reference to leave of absence of, and the appointment of an Acting Collector, 337; Return to Order, laid on Table, 458	3	513
DUNSHEE, MR. TIDE-WAITER :— Motion made (<i>Mr. McElhone</i>) for correspondence respecting alleged outrage on, 458.		
Motion made (<i>Mr. McElhone</i>) for copies of letters, correspondence, &c., in reference to applications for appointments of, or by, 482; Return to Order, laid on Table, 603	3	537
Motion made (<i>Mr. McElhone</i>) for copies of letters, minutes, or memorandums respecting general conduct of, 531.		
DUPLICATION OF CABLE (See "TELEGRAPH.")		
DUTY ON GOLD ABOLITION BILL :— Motion made (<i>Mr. Baker</i>) for leave to bring in, 6; leave again given, 430; presented and read 1 ^o , 431; House counted out on Mr. Baker proceeding to move 2 ^o , 610; read 2 ^o , committed, reported with an Amendment, and Report adopted, 626; read 3 ^o , and sent to Council, 631; returned without Amendment, 640; Assent reported, 643.		
E		
EAST MAITLAND (See "ELECTORAL, also BY-LAWS.")		
EAST MACQUARIE :— Resignation of W. H. Suttor, Esq., for Electorate of, 661.		
EDUCATION :— PUBLIC SCHOOLS :— Return to Order (<i>Session 1877-8</i>), laid on Table, 51		699
Report for 1878, laid on Table, 497		629
DENOMINATIONAL SCHOOLS :— Report for 1878, laid on Table, 497		687
SYDNEY GRAMMAR SCHOOL :— Report for 1877, laid on Table, 94		847
HIGH SCHOOL FOR GIRLS :— Motion made (<i>Mr. Windeyer</i>) for Committee of the Whole to consider expediency of Government taking necessary steps for establishment and partial endowment of, in Sydney, 184; Order of the Day postponed, 216, 221; House in Committee, and Resolution agreed to, 260.		
NEWCASTLE SCHOOL BOARD :— Motion made (<i>Captain Onslow</i>) for all correspondence between the Council, the Newcastle School Board, and any other person, respecting the appointment of additional members to, 251; Return to Order, laid on Table, 383		725
COUNCIL OF :— Return showing the attendances of members of, at meetings in 1877 and 1878, laid on Table, 268.	3	695
SITE FOR PUBLIC SCHOOL, MOLONG :— Motion made (<i>Mr. Macintosh</i>) for all correspondence, &c., in reference to purchase of or exchange of, 288; Return to Order, laid on Table, 596		
PUBLIC SCHOOLS AT BALMAIN :— Motion made (<i>Mr. Fitzpatrick</i>) for copies of correspondence between the Council of Education and the local trustees, touching the want of accommodation, 315; Return to Order, laid on Table, 628		769
PUBLIC :— Motion made (<i>Dr. Bowker</i>) that the Government should bring in a Bill for placing Educational matters in the hands of a responsible Minister, and Debate interrupted by intervention of Government Business, 315; Order of the Day postponed, 328, 389, 535, 593.		
ALLOWANCE FOR HOUSE RENT TO DENOMINATIONAL SCHOOL TEACHERS :— Motion made (<i>Mr. Greenwood</i>) for correspondence between Teachers and the Council of Education, having reference to, 444; Return to Order, laid on Table, 520		747
CHURCH AND SCHOOL ESTATES :— Statement showing distribution of revenue of, for 1877, on account of, laid on Table, 526		745
AMENDED ESTIMATE FOR PUBLIC INSTRUCTION :— Message No. 26 and Amended Estimate, in reference to, laid on Table, 564	2	553
RESIDENCES FOR TEACHERS OF DENOMINATIONAL SCHOOLS :— Return respecting, laid on Table, 568		
HOUSE RENT TO DENOMINATIONAL SCHOOL TEACHERS :— Motion made (<i>Mr. Stuart</i>) for allowances for, and Debate interrupted by Government Business, 632.	3	751
TRAVELLING EXPENSES OF CERTAIN TEACHERS :— Return respecting, laid on Table, 666		
	3	753

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
E			
EDWARDS, MR. H. T. (See "ADMINISTRATION OF JUSTICE.")			
ELECTORAL (See also "ELECTIONS AND QUALIFICATIONS COMMITTEE") :—			
EAST MAITLAND :—			
Speaker informs House of issue and return of Writ for election of Member in room of Stephen Scholey, deceased, endorsed with election of H. S. Badgery, Esquire, 1; H. S. Badgery, Esquire, sworn, 1.			
ROLL :—			
Return showing the number of Electors on, of each Electoral District for 1878-9, laid on Table, 51	3	883	
Do. do. entitled to vote in the several Gold Fields Electoral Districts for 1878-9, laid on Table, 51.....	3	885	
MUDGE :—			
Resignation of Sir John Robertson as Member for, reported, and Seat declared vacant, 207; issue and return of Writ reported, 219; Mr. Rouse sworn as Member, 254.			
Mr. Speaker laid upon the Table Election Petition addressed to him, from William Wilton and others, electors, objecting and protesting against the election of Richard Rouse, Esquire, as Member for said Electoral District, on four different grounds, and praying that the return of R. Rouse may be declared null and void, and that David Buchanan may be declared duly elected, and referred to Committee of Elections and Qualifications, 263; Report brought up and read by Clerk, 353.....			
CANTERBURY :—			
Acceptance of office as Colonial Secretary and Premier by Sir Henry Parkes announced, 215; resignation reported, and Seat declared vacant, 217; issue and return of Writ reported, and Member sworn, 219.			
THE LACHLAN :—			
Acceptance of office as Colonial Treasurer by Mr. Watson announced, 215; resignation reported, and Seat declared vacant, 217; issue and return of Writ reported, and Member sworn, 219.			
THE TUMUT :—			
Acceptance of office of Secretary for Lands by Mr. Hoskins announced, 215; resignation reported, and Seat declared vacant, 217; issue and return of Writ reported, and Member sworn, 219.			
BATHURST :—			
Acceptance of office as Minister of Justice and Public Instruction by Mr. F. B. Suttor announced, 215; resignation reported, and Seat declared vacant, 217; issue and return of Writ reported, and Member sworn, 219.			
CENTRAL CUMBERLAND :—			
Acceptance of office as Secretary for Public Works by Mr. Lackey announced, 215; resignation reported, and Seat declared vacant, 217; issue and return of Writ reported, and Member sworn, 219.			
GOLD FIELDS SOUTH :—			
Acceptance of office as Minister for Mines by Mr. Baker announced, 215; resignation reported, and Seat declared vacant, 217; issue and return of Writ reported, and Member sworn, 219.			
THE UNIVERSITY :—			
Acceptance of office of Attorney General by Mr. Windeyer announced, 215; resignation reported, and Seat declared vacant, 217; issue and return of Writ reported, and Member sworn, 219.			
THE GWYDIR :—			
Motion made (<i>Mr. Dangar</i>) for all correspondence relative to construction and maintenance of public tanks in, 245.			
EAST MACQUARIE :—			
Resignation of W. H. Suttor, 661.			
ELECTIONS AND QUALIFICATIONS COMMITTEE :—			
Speaker's Warrant appointing, laid on Table, 6, 220; maturity of, reported, 25, 239; Members sworn 27, 31, 47, 51, 239, 240; first meeting appointed, 188; Speaker reported that no Member had attended a meeting called for, and no provision being made in the Act for the case, appointed time and place of next meeting, 239, 240; leave given to adjourn for a longer period than seven days, 211.			
SEAT OF EDWARD COMBES, ESQUIRE, MEMBER FOR ORANGE.			
Motion made (<i>Mr. McElhone</i>) that question whether Mr. Combes has accepted an office of profit under the Crown, within the spirit and meaning of the Constitution Act, be referred to, 185; Report brought up, read by Clerk, and Seat declared vacant by House, 265; Mr. Kerr elected, 325; sworn, 329; Letter from Mr. Combes respecting Seat read by Clerk, 471.....			
ELECTION PETITION, MUDGE :—			
Mr. Speaker laid on Table, from William Wilton and others, electors, objecting and protesting against the election of Richard Rouse, Esq., as Member, on four different grounds, and praying Richard Rouse's election may be declared null and void, and that David Buchanan be declared duly elected, and referred to Committee, 263; Report brought up, read by Clerk, and Seat given to Mr. Buchanan, 353.....			
SEAT OF MICHAEL FITZPATRICK, ESQUIRE, MEMBER FOR YASS PLAINS.			
Motion made (<i>Mr. Garrett</i>) to refer question as to whether Mr. Fitzpatrick was legally elected, he being in possession of a pension from the Crown, 354; Report brought up and read by Clerk, 388.....			
SEAT OF JOHN SUTHERLAND, ESQUIRE, MEMBER FOR PADDINGTON.			
Motion made (<i>Mr. McElhone</i>) to refer question as to whether Mr. Sutherland is entitled to retain his Seat, he being partner in a firm having a contract with the Government, 483; Motion amended by substituting the word "Eskbank" for the words "Lithgow Valley," 520; Report brought up and read by Clerk, 568; papers handed in before Committee returned to Auditor General, 646.....			
ELECTORAL BILL :—			
Motion made (<i>Mr. Fitzpatrick</i>) for Committee of the Whole, 8; House in Committee, Resolution agreed to, 13.			
"ELLORA" (See "IMMIGRATION.")			
EMPLOYÉS (See "RAILWAYS.")			
EMPLOYMENT OF MEMBERS BY THE GOVERNMENT :—			
Motion made (<i>Sir Henry Parkes</i>) to rescind Resolution of 21 December, 1875, which prohibited, and negatived, 404.			
ENDOWMENT OF MUNICIPALITIES (See "MUNICIPALITIES, ENDOWMENT OF.")			
ENGINES (See "RAILWAYS.")			
ENTRANCE TO THE TWEED RIVER :—			
Motion made (<i>Mr. Gray</i>) for Committee of the Whole, that £15,000 be placed on Supplementary Estimates for 1878 for improvement of, and by leave withdrawn, 185.			

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
E			
EQUITY BILL (See "THE EQUITY BILL.")			
ESTATE OF THE LATE ROBERT HANCOCK (See "HANCOCK, ROBERT.")			
ESTIMATES:—			
Message No. 11, transmitting, for 1879, and Supplementary for 1878 and previous years (<i>Mr. Cohen</i>), laid on Table, 114			121
For 1879, and Supplementary for 1878 and previous years (<i>Mr. Cohen</i>), laid on Table, 114			123, 253
Schedule to Estimates-in-Chief (<i>Mr. Cohen</i>), showing total remuneration received by Public Officers who hold more than one office, or have any special allowance, quarters, &c., laid on Table, 114			265
Do. (<i>Mr. Watson</i>), do. 260			481
Of Ways and Means for 1879 (<i>Mr. Cohen</i>), laid on Table, 129			603
Do. (<i>Mr. Watson</i>), do 269			731
Do. Explanatory Statement, laid on Table, 129, 269			719, 873
Message No. 23, transmitting Further Supplementary for 1878 (<i>Mr. Cohen</i>), laid on Table, 185			327
Further Supplementary for 1878 (<i>Mr. Cohen</i>), laid on Table, 185			328
Message No. 34, requesting return of, for 1878-9, with a view to substitution of others, taken into consideration, read by Clerk, and Address to Governor, returning Estimates which accompanied Message No. 11, agreed to, 259			329
Message No. 35, transmitting, for 1879, and Supplementary for 1878 and previous years (<i>Mr. Watson</i>), laid on Table, 259			331
For 1879, and Supplementary for 1878 and previous years (<i>Mr. Watson</i>), laid on Table, 259			333, 469
Message No. 37, transmitting Estimate of Expenditure on account of Public Works and other Services proposed to be defrayed out of the Accumulated Surplus on the Consolidated Revenue Fund, laid on Table 268			547
On account of Public Works and other Services, proposed to be defrayed out of the Accumulated Surplus on the Consolidated Revenue Fund, laid on Table, 268			549
Return showing amounts previously voted for works mentioned on pages 108 to 112, on for 1879, laid on Table, 434	2		1197
Message No. 26, requesting Return of, for Public Instruction, and substituting other, laid on Table, 564			553
Amended, for Public Instruction, laid on Table, 564			554
Message No. 31, transmitting Additional, for 1879, and Further Supplementary for 1878 and previous years, laid on Table, 588			555
Additional for 1879, and Further Supplementary for 1878 and previous years, laid on Table, 588			557, 567
Message No. 32, transmitting Further, on account of Public Works and other Services proposed to be defrayed out of the Accumulated Surplus on the Consolidated Revenue Fund, laid on Table, 589			573
Further, on account of Public Works and other Services proposed to be defrayed out of the Accumulated Surplus on the Consolidated Revenue Fund, laid on Table, 589			575
Message No. 37, transmitting Further, for 1879, laid on Table, 612			579
Further, for 1879, laid on Table, 612			581
Message No. 38, transmitting Further, on account of Public Services proposed to be defrayed out of Accumulated Surplus on Consolidated Revenue Fund, laid on Table, 617			585
Further, on account of Public Services proposed to be defrayed out of Accumulated Surplus on Consolidated Revenue Fund, laid on Table, 617			587
Message No. 42, transmitting Loan, for 1879, laid on Table, 636			591
Loan, for 1879, laid on Table, 636			593
Message No. 43, transmitting Additional Loan for 1879, laid on Table, 640			597
Additional Loan for 1879, laid on Table, 640			599
Prepared by the Colonial Architect. Motion made (<i>Mr. Cameron</i>) for Return showing number of, and for which further sums have had to be voted, 592.			
EVIDENCE (See "BANKERS BOOKS EVIDENCE BILL.")			
EXHIBITION (See "INTERNATIONAL EXHIBITION.")			
EXHIBITION BILL (See "SYDNEY INTERNATIONAL EXHIBITION BILL.")			
EXHIBITS:—			
Laid on Table:—			
Samples of coral as, 94.			
Plans, sections, books of reference, railway extension Juneo to Narrandera, 160.			
Plans showing proposed improvements to Circular Quay, 618.			
EXPLANATORY ABSTRACTS (See "FINANCE.")			
EXPLANATORY STATEMENT (See "ESTIMATES.")			
EXTENSION OF THE RAILWAY INTO THE CITY (See "METROPOLITAN RAILWAY EXTENSION BILL.")			
F			
FARES (See "RAILWAYS.")			
FEES (See "DISTRICT COURTS ACT OF 1858.")			
FELONS APPREHENSION BILL:—			
Standing Orders suspended, motion made (<i>Sir Henry Parkes</i>) for leave to bring in, presented and read 1 ^o , read 2 ^o (on Division), committed, reported with Amendments, Report adopted, read 3 ^o , passed and sent to Council, 293; returned by Council with Amendments, 303; Order of the Day postponed, 304; Council's Amendments agreed to, amended, new Clause proposed, and Report adopted, 306; Message to Council, 306; Message from Council agreeing to Amendments and consequential new Clause, but amending new Clause, 307; Amendment agreed to, and Message to Council, 307; Assent reported, 318.			
FELONS APPREHENSION ACT AMENDMENT BILL:—			
Received from Council and read 1 ^o , 343; read 2 ^o , 358; committed, reported without Amendment, and Report adopted, 359; read 3 ^o , and returned to Council, 365; Assent reported, 395.			
FERRY DUES AND TOLLS:—			
Motion made (<i>Mr. Lackey</i>) for rescission of Resolutions of 1 May and 17 July, 1877, abolishing, 618; previous Question moved, and resolved in the affirmative, 618.			

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
F			
FINANCE (See also "CONSOLIDATED REVENUE FUND BILL"; also "APPROPRIATION BILL"; also "PUBLIC WORKS LOAN BILL") :—			
SUPPLY :—			
Sessional Order passed, 7.			
Motion made (<i>Mr. Cohen</i>) for House to go into Committee, 122.			
Do. (<i>Sir Henry Parkes</i>) do. 225.			
House in Committee, 129, 204, 216, 225, 268, 302, 316, 333, 366, 376, 380, 383, 394, 418, 422, 435, 445, 450, 523, 526, 531, 542, 559, 570, 582, 584, 589, 597, 600, 603, 604, 610, 613, 618, 640 (?).			
Resolutions reported, 129, 204, 216, 225, 268, 302, 384, 450, 542, 603, 618, 640.			
Resolutions agreed to, 129, 204, 216, 225, 268, 302, 384, 450, 542, 603, 625, 647.			
Order of the Day discharged, 666.			
Contingent Motion moved (<i>Mr. W. H. Suttor</i>) respecting railway from Raglan to Mudgee, and negatived, 366.			
Amendment moved (<i>Mr. Buchanan</i>) respecting apprehension of the Kelly gang, and negatived, 418.			
Amendment moved (<i>Mr. Buchanan</i>) for Address respecting reprieve of the Hatfield bushrangers, and the criminals Medcalf and Wilkinson, and the execution of Alfred, an aboriginal, and withdrawn, 582; same Amendment moved and agreed to, 584; Return to Address, laid on Table, 618.			
Messages from the Governor referred to Committee of, 122, 185, 204, 215, 224, 259, 268, 301, 381, 443, 541, 588, 589, 603.	3		315
Chairman reports no Quorum in Committee, 526, 589, 597.			
WAYS AND MEANS :—			
Sessional Order passed, 7.			
Motion made (<i>Mr. Cohen</i>) for House to go into Committee, 122.			
Do. (<i>Mr. Watson</i>) do. 226.			
Do. (do.) do., and by leave withdrawn, 305.			
House in Committee, 129, 147, 150, 161, 216, 226, 269, 293, 302, 304, 306, 307, 316, 384, 450, 542, 603, 625, 647.			
Resolutions reported, 161, 216, 226, 302, 316, 384, 450, 543, 603, 625, 647.			
Resolutions agreed to, 161, 216, 226, 302, 316, 384, 450, 543, 603, 625, 647.			
Estimates of, for 1879 (<i>Mr. Cohen</i>), laid on Table, 129.			603
Do. (<i>Mr. Watson</i>), do. 269.			731
Explanatory Statement of the Public Accounts as embodied in, laid on Table, 129, 269.			719, 873
Order of the Day discharged, 666.			
ESTIMATES :—			
Message No. 11, transmitting, for 1879, and Supplementary, for 1878 and previous years (<i>Mr. Cohen</i>), laid on Table, 114.			121
For 1879, and Supplementary for 1878 and previous years (<i>Mr. Cohen</i>), laid on Table, 114.			123, 253
Schedule to Estimates-in-Chief (<i>Mr. Cohen</i>) showing the total remuneration received by Public Officers who hold more than one office or have special allowances, laid on Table, 114.			265
Message No. 23, transmitting further Supplementary for 1878 (<i>Mr. Cohen</i>), laid on Table, 185.			327
Further Supplementary for 1878 (<i>Mr. Cohen</i>), laid on Table, 185.			328
Message No. 34, requesting Return of Estimates transmitted by Message No. 11, laid on Table, 259; taken into consideration, read by Clerk, and Address returning Estimates agreed to, 259.			329
Message No. 35, transmitting, for 1879, and Supplementary for 1878 and previous years (<i>Mr. Watson</i>), laid on Table, 259.			331
For 1879, and Supplementary for 1878 and previous years (<i>Mr. Watson</i>), laid on Table, 259.			333, 469
Schedule to Estimates-in-Chief (<i>Mr. Watson</i>) showing the total remuneration received by Public Officers, who hold more than one office or have special allowances, laid on Table, 260.			481
Of Ways and Means for 1879 (<i>Mr. Cohen</i>), laid on Table, 129.			603
Do. (<i>Mr. Watson</i>) do. 269.			731
Do. Explanatory Statement of Public Accounts as embodied in, laid on Table, 129, 269.			719, 873
Message No. 31, transmitting Additional, for the year 1879, and Further Supplementary, for 1878 and previous years, laid on Table, 588.			555
Additional, for 1879, and Further Supplementary, for 1878 and previous years, laid on Table, 588.			557, 567
Message No. 37, transmitting on account of Public Works and other Services proposed to be defrayed out of the Accumulated Surplus on the Consolidated Revenue Fund, laid on Table, 268.	2		573
On account of Public Works and other Services proposed to be defrayed out of Accumulated Surplus on the Consolidated Revenue Fund, laid on Table, 268.			575
Message No. 32, transmitting Further, on account of Public Works and other Services proposed to be defrayed out of the Accumulated Surplus on the Consolidated Revenue Fund, laid on Table, 589.			547
Further, on account of Public Works and other Services proposed to be defrayed out of the Accumulated Surplus on the Consolidated Revenue Fund, laid on Table, 589.			549
Message No. 37, transmitting Further for 1879, laid on Table, 612.			579
Further Estimate for 1879, laid on Table, 612.			581
Message No. 38, transmitting Further, on account of Public Services proposed to be defrayed out of Accumulated Surplus on Consolidated Revenue Fund, laid on Table, 617.			585
Further, on account of Public Services proposed to be defrayed out of the Accumulated Surplus on Consolidated Revenue Fund, laid on Table, 617.			587
Message No. 42, transmitting Loan for 1879, laid on Table, 636.			591
Loan for 1879, laid on Table, 636.			593
Message No. 43, transmitting Additional Loan for 1879, laid on Table, 640.			597
Additional Loan for 1879, laid on Table, 640.			599
Return showing amounts previously voted for works mentioned on pages 108 to 112 on, for 1879, laid on Table, 434.			1197
ESTIMATE FOR PUBLIC INSTRUCTION :—			
Message No. 26, requesting return of, and substituting other, laid on Table, 564.			553
Amended, laid on Table, 564.			554
AGREEMENT WITH THE BANK OF NEW SOUTH WALES :—			
Correspondence respecting renewal of, with the Government, laid on Table, 603.			1183

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I.—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
F			
FINANCE (continued):—			
VOTE OF CREDIT:—			
Message No. 24, for Services for 1878 and 1879, laid on Table, 204			1201
Do. 25, do. do., 215			1203
Do. 27, for January, laid on Table, 224			1205
Do. 38, for February, do., 301			1207
Do. 7, for March, do., 381			1209
Do. 12, for April, do., 443			1211
Do. 21, for May, do., 541			1213
Do. 33, for June, do., 603			1215
APPLICATION OF BALANCE:—			
Minute of the Governor and Executive Council, authorizing transfer from one Head of Service to another, laid on Table by Mr. Speaker, 185, 254			1185, 1187
BANK LIABILITIES AND ASSETS:—			
General Abstract of, for Quarter ended 30 June, 1878, laid on Table, 2	2		1193
Do. do. 30 September, 1878, laid on Table, 156			1195
SAVINGS BANKS:—			
Return respecting the Savings Bank of New South Wales, laid on Table, 128			1189
Statement of Accounts of Government, 1st January to 31st December, 1878, laid on Table, 379			1191
PUBLIC ACCOUNTS:—			
Abstracts of, for 1877, with Auditor General's Report thereon, laid on Table by Speaker, 5			885
Do. 1878, do. do. do. 645			1017
Explanatory Statement of, as embodied in the Ways and Means for 1878, laid on Table, 129, 269			719, 873
Report of the Board of Audit on, laid on Table, 220			1163
EXPLANATORY ABSTRACTS:—			
Of sums estimated and voted			1217
FINANCIAL STATEMENT:—			
House in Committee of Ways and Means to enable Colonial Treasurer (<i>Mr. Cohen</i>) to make, 129. Do. do. do. (<i>Mr. Watson</i>) do., 269.			
FISHING, NET:—			
Motion made (<i>Mr. Hurley, Hartley</i>) for leave to bring in Bill to prevent, 288. Petition from Residents, in favour of, in Lake Macquarie, presented, 411.	7		965
FISHERIES (See "OYSTER FISHERIES.")			
FITZGERALD, CLAIM OF MESSRS. KELLEHER AND (See "POLICE.")			
FITZPATRICK, MICHAEL, ESQUIRE:—			
Retention of Seat by, referred to Committee of Elections and Qualifications, 354; Report brought up, and read by Clerk, 388	2		47
FITZ ROY DOCK:—			
Statement showing the value of establishment, laid on Table, 444.			
FLOOD, DAMAGE BY, TO PROPERTY IN DARLING HARBOUR:—			
Motion made (<i>Mr. Macintosh</i>) for all Petitions, correspondence, &c., having reference to, on premises belonging to Messrs. Biddell, Zollner, and others, 265; Return to Order, laid on Table, 568	4		963
FLOODED LANDS (See "MACLEAY RIVER.")			
FOOD (See "ADULTERATION OF FOOD PREVENTION BILL.")			
FORAN, THOMAS (See "RESERVES.")			
FORMAL BUSINESS:—			
Sessional Order passed, 7.			
FOREIGN CRIMINALS INFLUX PREVENTION BILL:—			
Motion made (<i>Sir Henry Parkes</i>) for Committee of the Whole, 566; House in Committee, and Resolution agreed to, 570; presented and read 1 ^o , 570; Order of the Day postponed, 583; read 2 ^o , and committed, 636; Chairman reported no Quorum in Committee, 637 (?); progress reported, 637.			
FORMS OF CROWN GRANTS:—			
Motion made (<i>Mr. Copeland</i>) for a copy of those issued since the passing of the "Crown Lands Alienation Act of 1861," 523; Return to Order, laid on Table, 541	4		423
FRANKING PARLIAMENTARY CORRESPONDENCE (See "PARLIAMENT.")			
FREE PUBLIC LIBRARY (See "PUBLIC LIBRARY," also "BY-LAWS.")			
FURTHER ESTIMATES (See "ESTIMATES.")			
FURTHER SUPPLEMENTARY ESTIMATES (See "ESTIMATES.")			
FUSEL OIL:—			
Return of White Spirits, Spirits of Wine, and, taken out of Bond, laid on Table, 228	2		1243
G			
GAME BILL (See "ANIMALS PROTECTION BILL.")			
GAOLS (See also "PRISONS;" also "ADMINISTRATION OF JUSTICE"):—			
DARLINGHURST:—			
Motion made (<i>Mr. Hurley, Hartley</i>) that instructions be issued that the Rotunda in, be opened on Saturdays for Lectures, and negatived, 17.			
Motion made (<i>Mr. Shepherd</i>) for copies of all letters, reports, documents, &c., having reference to Lectures on Temperance in, and by leave withdrawn, 68.			
Correspondence respecting Lectures in, laid on Table, 188	3		1395
ACCOMMODATION FOR THE INSANE:—			
Correspondence respecting treatment of, and Special, in Country Lock-ups and Gaols, laid on Table, 74	3		925
BERKHA:—			
Report of Royal Commission appointed to inquire into and report upon management of, with Minutes of Evidence and Appendices, laid on Table, 181	3		1033
Motion made (<i>Mr. Garrett</i>) for correspondence and applications having reference to the appointment of a Presbyterian Chaplain, 655.			
PARRAMATTA:—			
Report on Food supplied to, laid on Table, 482	7		673
GARDEN PALACE (See "INTERNATIONAL EXHIBITION.")			

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I.—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
G			
GARDNER, JAMES :—			
Petition from, respecting Wentworth Wharf, presented, 348	4	999	
Motion made (<i>Mr. Macintosh</i>) for correspondence, &c., having reference to alleged loss sustained by, at Wentworth Wharf, 397; Return to Order, laid on Table, 492	4	1001	
GARSED, MR. JOHN (See also "LANDS.") :—			
Motion made (<i>Mr. Hurley, Hartley</i>) for reappointment of Select Committee, to inquire into case instituted against, and that progress Report of last Session be referred, negatived on Division, 90.			
Motion made (<i>Mr. Hurley, Hartley</i>) for letter addressed to Premier from, and any other letters having reference to that letter, 177.			
Copies of letters from, addressed to the Honorable J. S. Farnell, laid on Table, 417	3	283	
GENERAL BUSINESS :—			
Sessional Order as to precedence of, passed, 7.			
Interrupted by Government Business on Tuesday, 315, 332, 354, 418, 484, 497, 523, 539, 550, 632.			
GILMOUR, BEARD, AND SMITH :—			
Motion made (<i>Mr. Coonan</i>) for copies of tenders, letters, &c., having reference to applications of, for new country in the district of Wellington, 411.			
GIRLS (See "EDUCATION.")			
GLASS, MR. JAMES :—			
Motion made (<i>Mr. Bennett</i>) for Select Committee to inquire into claims of, to land at Miller's Creek, and withdrawn, 550.			
Motion made (<i>Mr. Bennett</i>) for copies of papers, letters, &c., with reference to purchase of certain land by, 568.			
GLEBE BOROUGH BILL (See "THE GLEBE BOROUGH BILL.")			
GLEBE ISLAND (See "ABATTOIRS, GLEBE ISLAND.")			
GLEN ALICE POST OFFICE (See "POSTAL.")			
GLEN INNES (See "TELEGRAPH.")			
GLENMORE ROAD (See "ROADS.")			
GOLD (See also "DUTY ON GOLD ABOLITION BILL"; also "RUDDER, MR. E. W.")			
VOTE IN AID OF PROSPECTING FOR :—			
Regulations relating to, laid on Table, 2	4	737	
BARRINGTON, FIELD :—			
Return of applications for mining leases on, since January, 1878, giving particulars, laid on Table, 171	4	725	
Motion made (<i>Mr. Copeland</i>) for papers in connection with report of discovery of, and reward for, 394; Return to Order, laid on Table, 458	4	729	
Motion made (<i>Mr. Copeland</i>) for Committee of the Whole for sum to be placed on Estimates for reward for discovery of, 463; Order of the Day postponed, 493; Order of the Day discharged, 535.			
ELECTORS ON FIELDS :—			
Return showing number of, laid on Table, 51.	3	885	
REWARDS FOR THE DISCOVERY OF A PAYABLE FIELD IN THE ALBERT DISTRICT :—			
Motion made (<i>Mr. Copeland</i>) for Committee of the Whole that £5,000 be placed on Estimates for providing, under certain conditions, &c., and by leave withdrawn, 265.			
CONDITIONAL PURCHASES ON FIELDS :—			
Return to Order (Session 1877-8), laid on Table, 375	4	233	
MINING LEASES :—			
Motion made (<i>Mr. Copeland</i>) to amend regulations, and House counted out, 412; motion again made and negatived, 482.			
Motion made (<i>Mr. Beyers</i>) respecting regulation to reduce the maximum area, and Debate interrupted by Government business, 550; Debate resumed, and Motion negatived, 592.			
PROSPECTING FOR :—			
Return showing expenditure on account of, laid on Table, 515.			
EXPORT DUTY ON :—			
Petition from Barrington Gold Field in favour of abolition of, presented, and read by Clerk, 581	4	739	
Petition from Adelong Gold Field presented, 581		739	
Petition from Peel River Gold Field presented, 581		739	
Petition from Gold Miners, Hill End, presented, 596		741	
Petition from Rocky River Gold Field presented, 613		743	
Petition from Araluen Gold Field presented, 613		743	
GOLD FIELDS SOUTH (See "ELECTORAL.")			
GOODCHAP, C. A. :—			
Motion Made (<i>Mr. McElhone</i>) for copies of correspondence having reference to conditional purchase of, at Springwood, 331; Return to Order, laid on Table, 581	4	283	
GOULBURN (See "ROADS"; also "CITY OF GOULBURN GAS AND COKE COMPANY'S INCORPORATION BILL," also "RAILWAYS.")			
GOVERNMENT :—			
BUSINESS :—			
Sessional Order as to precedence of, 7.			
Sessional Order relating to precedence of, on Tuesday after 7 o'clock, 289.			
Interruption of General Business by, on Tuesday, 315, 332, 354, 418, 484, 497, 523, 539, 550, 632.			
SAVINGS BANK :—			
Return respecting, laid on Table, 128	2	1189	
Statement of Accounts of, from 1st January to 31st December, 1878, laid on Table, 379	2	1191	
ASYLUMS FOR INFIRM AND DESTITUTE :—			
Report from Manager of, relative to expenditure for 1877, laid on Table, 2	3	969	
ADVERTISEMENTS :—			
Information respecting present system with regard to the insertion of, in newspapers, laid on Table, 164	7	953	
Motion made (<i>Mr. Bowman</i>) for all correspondence respecting, for land sales, in <i>Town and Country Journal</i> , and <i>Sydney Mail</i> , 184.			
PRINTING OFFICE :—			
Correspondence relating to the printing and publication of "The Australian Dictionary of Dates and Men of the Time" at, laid on Table, 454, 603, 640	7	905, 909, 917	
Motion made (<i>Mr. McElhone</i>) respecting printing of book for Mr. Heaton, and Debate interrupted by Government business, 484; Debate resumed, Previous Question moved and withdrawn, and question amended, 492.			

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I.—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
G			
GOVERNMENT (continued):—			
CONTRACTS, PAMPHLET COPY OF:—			
Motion made (<i>Mr. McElhone</i>) for 1877, 1878, and 1879, 365; Return to Order, laid on Table, 486	7	729	
CONTRACTORS FOR THE SUPPLY OF GENERAL STORES:—			
Return showing names of, during 1876, 1877, and 1878, laid on Table, 375	7	791	
MR. JAMES KIDMAN:—			
Correspondence respecting quality and quantity of supplies by, laid on Table, 375	7	761	
INSTITUTIONS:—			
Motion made (<i>Mr. W. Davies</i>) for copies of successful tender for supply of articles to, 371.			
Motion made (<i>Mr. McElhone</i>) for particulars of quantities of supplies to, 431.			
OFFICERS AS MEMBERS OF COMMISSIONS OR BOARDS OF INQUIRY:—			
Motion made (<i>Mr. McElhone</i>) respecting payment of fees to, when the meetings are held during office hours, 565.			
STORES DEPARTMENT:—			
Report of Board appointed to inquire into charges preferred by <i>Mr. J. F. Nash</i> against (Part 1), laid on Table, 576	3	395	
GOVERNOR (See also "MESSAGES"):			
Message from, delivered by Usher of the Black Rod, 1.			
Opening Speech of, 2. Address in reply, 3. Reply to Address in reply, 5.			
Prorogation Speech of, delivered, 667.			
Valedictory Address to <i>Sir Hercules Robinson</i> , 342. Presentation of Address, and Reply read by Speaker, 357.			
Message No. 1, from Lieutenant-Governor, informing Assembly of assumption of the Government by, 361	2	1	
GOVERNOR'S SIGNATURE BILL:—			
Motion made (<i>Captain Onslow</i>) for leave to bring in, 444; presented and read 1 ^o , 462; Motion made for 2 ^o , and House counted out, 520.			
GOVERNOR'S SIGNATURE BILL (No. 2):—			
Motion made (<i>Captain Onslow</i>) for leave to bring in, 565; presented and read 1 ^o , 568; Motion being made for 2 ^o , and House counted out, 629.			
GRAFTON (See "TELEGRAPH," also "BY-LAWS.")			
GRAMMAR SCHOOL (See "SYDNEY GRAMMAR SCHOOL.")			
GRANTS, OLD, OF LAND, CONTAINING SPECIAL RESERVATIONS:—			
Papers respecting, laid on Table, 609	4	485	
GRANT OF THE AUSTRALIAN AGRICULTURAL COMPANY:—			
Motion made (<i>Mr. Copeland</i>) for copy of original Crown Grant of, 398.			
GRANTS OF LAND HELD BY SIR DANIEL COOPER:—			
Motion made (<i>Mr. McElhone</i>) for copies of deeds of, 393. Return (<i>in part</i>) to Order, laid on Table, 650	4	455	
Motion made (<i>Mr. McElhone</i>) for re-survey of, and withdrawn on <i>Mr. Speaker</i> ruling that motion involved a charge on the Consolidated Revenue, 393, 394.			
GRAPE VINES AND GRAPE IMPORTATION PROHIBITION BILL:—			
Motion made (<i>Mr. Farnell</i>) for leave to bring in, 8; presented and read 1 ^o , 9; Order of the Day postponed, 27; read 2 ^o , committed, reported with Amendments, and Report adopted, 37; read 3 ^o , passed, and sent to Council, 40; returned without Amendment, 100; Assent reported, 128.			
GREENWOOD, JAMES, ESQUIRE, M.P.:—			
Challenges Votes on the third reading of the Lands Acts Further Amendment Bill, 569.			
GREVILLE, MR. HENRY JAMES:—			
Motion made (<i>Mr. McElhone</i>) for correspondence, minutes, &c., in reference to a deficiency in the moneys received by, 444. Return to Order, laid on Table, 549	3	523	
GRIFFIN, P. AND M. (See "ADMINISTRATION OF JUSTICE.")			
GRIMLY, PETER (See "MINERAL AND MINING.")			
GULF CREEK (See "LANDS.")			
GUMLY GUMLY COMMON:—			
Petition from householders, praying that it may be declared a public reserve, presented, 318	4	697	
GWYDIR, THE (See "ELECTORAL.")			
H			
HACKETT AND ARMSTRONG, MESSRS.:—			
Petition from, that they purchased the right, title, and interest in and to certain land, parish of Merran, county of Wakool, and that such purchases have been declared void; presented, 105; Ordered to be printed, 110	4	535	
HAMILTON (See "BY-LAWS.")			
HANCOCK, ROBERT:—			
Letter from the Curator of Intestate Estates, respecting the estate of the late, laid on Table, 425	3	351	
Motion made (<i>Mr. McElhone</i>) respecting the receipt of sum out of estate of, by <i>Mr. Slattery</i> , Curator of Intestate Estates, 565.			
HANSARD:—			
Correspondence respecting proposed establishment of Official Report of Proceedings and Debates in Parliament, laid on Table, 36	2	97	
HARBOURS AND RIVERS:—			
Memorandum of Engineer-in-Chief, respecting a Petition from crews of dredge "Newcastle" and tender "Ajax," for an increase of pay, laid on Table, 152	4	1009	
HARPER, MR. NEIL, J.P. (See "ADMINISTRATION OF JUSTICE.")			
HARRINGTON, MISS (See "CROWN LANDS.")			
"HAWKESBURY" (See "IMMIGRATION.")			
HAY (See "RAILWAYS," also "BY-LAWS.")			
HEATON, MR. (See "MEN OF THE TIME AND AUSTRALIAN DICTIONARY OF DATES.")			
"HEREFORD" (See "IMMIGRATION.")			
HIGH SCHOOL FOR GIRLS (See "EDUCATION.")			
HOLDEN'S CONDITIONAL PURCHASES (See "CROWN LANDS.")			
HORDERN AND SONS:—			
Papers respecting seizure of case of perfumed spirits imported by, laid on Table, 603	2	1247	

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
H			
HOSKINS, THE HONORABLE JAMES, ESQUIRE, M.P. :—			
Acceptance of Office as Secretary for Lands announced, 215; Resignation reported, and seat as Member for The Tumut declared vacant, 217; issue and return of Writ reported, and Member sworn, 219.			
HOSPITALS, COLONIAL :—			
Statistical information respecting, laid on Table, 53.....	3	973	
HOSPITAL IN MACQUARIE-STREET (See also "SYDNEY INFIRMARY") :—			
Motion made (<i>Mr. Day</i>), respecting Bill before the House, and representation of the Government on the board meetings, and negatived, 467.			
HOUSE, ADMISSION TO THE BODY OF :—			
Motion made (<i>Mr. Farnell</i>), That William McArthur, Esquire, Member for Lambeth, in the Imperial Parliament, now present, be accommodated with a chair on the floor of the House, 164.			
HOUSE-RENT TO DENOMINATIONAL SCHOOL TEACHERS (See "EDUCATION.")			
HUDSON BROTHERS, MESSRS. :—			
Motion made (<i>Mr. Cameron</i>) for Return showing contracts obtained, without tender by, with detailed particulars, from November, 1877, to date, 239; Return to Order, laid on Table, 666.	7	795	
Motion made (<i>Mr. McElhone</i>) for Return, showing amount paid to, or other persons, for work done without contract or tender, during the years 1875, 1876, 1877, and 1878, and during the time Mr. Sutherland was Minister for Works, in the Government of Mr. Farnell, 566.			
HYDE PARK :—			
Motion made (<i>Mr. Hurley, Hartley</i>), That Government should take necessary steps to cause the Head Quarters or other Bands to perform two evenings in the week in, 239.			
I			
IMBECILE ASYLUM, NEWCASTLE :—			
Motion made (<i>Mr. McElhone</i>) for correspondence, &c., in reference to the birth of a child at, and no Tellers for the Ayes on division, 660.			
IMMIGRATION (See also "CHINESE.")			
Further Return to Address (<i>Session 1876-7</i>), laid on Table, 2, ship "Erato".....		393	
Do. (do.), respecting ships "La Hogue" and "Hawkesbury," laid on Table, 81.....		403	
Do. (do.), respecting ship "Smyrna," laid on Table, 94.....		407	
Do. (do.), do. "Pericles," do. 171.....		413	
Do. (do.), do. "La Hogue," do. 207.....		417	
Do. (do.), do. "Hersford," do. 220.....		421	
Do. (do.), do. "Northampton," do. 232.....		427	
Do. (do.), do. "Blair Athole," do. 375.....		431	
Do. (do.), do. "Clyde," do. 454.....		435	
Do. (do.), do. "Ellora," do. 482.....	7	439	
Do. (do.), do. "Peterborough," do. 564.....		443	
Do. (do.), do. "Samuel Plimsoll," do. 659.....		447	
Report from the Agent for, for 1877, laid on Table, 2.....		379	
Do. 1878, laid on Table, 296.....		385	
List of Articles supplied by Mr. J. Kidman to ship "Smyrna" while in Quarantine, with prices, laid on Table, 119.....		455	
Petition from the Working Men's Defence Association, objecting to further expenditure for, presented, 520.....		457	
Correspondence respecting mismanagement, laid on Table, 545.....		451	
Report of Agent on Vessels arrived and to arrive, laid on Table, 583.....		459	
Motion made (<i>Captain Oastlow</i>) for correspondence having reference to Captains of ships carrying their wives with them, 655.			
IMPERIAL CIVIL SERVICE :—			
Minutes of the Lords of the Treasury respecting, laid on Table, 645.....	3	543	
IMPORTED STOCK ACT OF 1871 :—			
Regulations under, laid on Table, 7, 425.....	7	635, 637	
IMPOUNDING ACT AMENDMENT BILL :—			
Motion made (<i>Mr. Jacob</i>) for leave to bring in, 16; presented and read 1 ^o , 17; read 2 ^o , committed, reported without amendment, report adopted, 47; read 3 ^o , passed, and sent Council, 51; returned with amendments, 364; Bill laid aside in consequence of Council inserting new clause which involved a charge upon the Public Revenue, 412.			
IMPOUNDING ACT AMENDMENT BILL (No. 2) :—			
Leave given to bring in on original leave, and read 1 ^o , 420; read 2 ^o , committed, reported with an amendment, and report adopted, 458; read 3 ^o and sent to Council, 462; returned without amendment, 531; assent reported, 542.			
IMPROVEMENTS (See "CROWN LANDS.")			
INFIRM AND DESTITUTE, GOVERNMENT ASYLUMS FOR :—			
Report from Manager of, relative to Expenditure for 1877, laid on Table, 2.....	3	969	
INFIRMARY, SYDNEY (See also "SYDNEY INFIRMARY AND DISPENSARY BILL"; also "HOSPITAL IN MACQUARIE-STREET") :—			
Motion made (<i>Mr. Greenwood</i>), That the establishment should be in the highest state of efficiency, and by leave withdrawn, 51.			
Motion made (<i>Mr. Fitzpatrick</i>), That it is expedient that the Directors should have permission to remove the main buildings in Macquarie-street, 74.			
Letter from Dr. Renwick, Vice-President, respecting the disposal of the materials of the old building, laid on Table, 239.....	3	939	
Correspondence respecting the refusal to admit Christina Ogilvie into, laid on Table, 562.....	3	941	
INQUESTS :—			
Circular Letter to Coroners respecting attendance of Medical Practitioners at, laid on Table, 250..	3	307	
INQUESTS IN THE MAITLAND DISTRICT :—			
Motion made (<i>Mr. Eckford</i>) for correspondence between the Government and Dr. Morson, with reference to holding of, 522; Return to Order, laid on Table, 564.....	3	293	
Motion made (<i>Mr. Badgery</i>) for correspondence not already published, 628; Return to Order, laid on Table, 666.....	3	299	

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
I			
INSANE:—			
Report from Inspector of, for 1877, laid on Table, 57	3	889	
Correspondence respecting the treatment of, and special accommodation for the, in country lock-ups and gaols, laid on Table, 74	3	925	
Report on Parramatta Lunatic Asylum, laid on Table, 220	3	907	
Do. do. for 1878, laid on Table, 310	3	917	
Report on food supplied to, and Gaol, Parramatta, laid on Table, 482	7	673	
Memorial of Attendants regarding evidence given as to the quality of food supplied, laid on Table, 555	3	923	
INSOLVENCY, SEQUESTERED ESTATES:—			
Return to Address (Session 1877-8) laid on Table, 128	3	251	
INSOLVENT COURT, MR. BOOTY, BAILIFF IN:—			
Motion made (Mr. McElhone) for Return, showing particulars of fees charged and received by, 535; Return to Order, laid on Table, 640	7	883	
INSPECTOR OF LAND OFFICES (See "CIVIL SERVICE.")			
INSPECTORS OF CONDITIONAL PURCHASES (See "CIVIL SERVICE.")			
INTERNATIONAL EXHIBITION:—			
SYDNEY:—			
Motion made (Mr. Copeland) for all Correspondence between the Agricultural Society and the Government relative to, 31.			
Motion made (Mr. Copeland) for Committee of the Whole to consider Address, that Government bring in a Bill to provide for holding, and negatived on Division, 47.			
Motion made (Mr. Hurley, Hartley) for Committee of the Whole to consider Address, that £6,000 be appropriated for special prizes in connection with, and by leave withdrawn, 89.			
Motion made (Mr. Fitzpatrick) for Committee of the Whole for Address, &c., that there be granted to the Agricultural Society of New South Wales an amount equal to sum raised by private contributions (not exceeding £10,000) to enable that Society to hold an, 96; House in Committee, point of Order reported, on an Amendment to remove the condition of payment, and on which the Chairman had given his opinion that it was in Order; Mr. Speaker ruled that the Amendment could not be moved, and Committee resumed, Resolution reported and agreed to, 100.			
Motion made (Mr. Fitzpatrick) for copy of letter of the Colonial Architect to the Colonial Secretary, submitting plan or sketch of, 462; Return to Order, laid on Table, 462	7	655	
Statement respecting iron supplied by Mr. Macintosh for, laid on Table, 492	7	661	
Motion made (Mr. Farnell) for copies of agreement or contract or other papers in reference to the arrangement made with Mr. John Young for supervision of erection of, 492; Return to Order, laid on Table, 555	7	657	
Copy of letter from the Under Secretary, Colonial Secretary's Office, to Colonial Architect in reference to, laid on Table, 600	7	653	
PARIS:—			
Motion made (Mr. McElhone) for copies of Papers, &c., in reference to the appointment of the Commissioner and Secretary to, 323; Return to Order, laid on Table, 421	7	663	
INTERRUPTION TO PROCEEDINGS OF THE HOUSE:—			
Crown Lands Bill, 164.			
INTOXICATING LIQUORS (See "SUNDAY TRAFFIC IN INTOXICATING LIQUORS.")			
INVENTIONS, LETTERS OF REGISTRATION OF:—			
Return in continuation of Address, laid on Table, 555	6	937	
INVERELL (See "BY-LAWS.")			
INVERELL FREE CHURCH OF EASTERN AUSTRALIA LAND SALE BILL:—			
Assent to, reported (passed in Session 1877-8), 19.			
IRON, SALE OF OLD:—			
Motion made (Mr. Sutherland) for Papers having reference to, to D. Williams, Esquire, 420; Return to Order, laid on Table, 666	5	239	
ISLANDERS SHIPPING ENGAGEMENT BILL:—			
Received from Council and read 1 ^o , 147; Order of the Day postponed, 229, 240, 304; read 2 ^o , committed, reported with Amendments, and Report adopted, 626; read 3 ^o and returned to Council, 631; Message from Council agreeing to Amendments, 637; Assent reported, 654.			
ITALIAN TARIFF:—			
Despatch respecting laid on Table, 612	2	1253	
J			
JAMES, MR. H. K. (See "REGISTERS.")			
JAVA (See "TELEGRAPH.")			
JEFFS, SAMUEL, THE CASE OF (See "ADMINISTRATION OF JUSTICE.")			
JERILDERIE:—			
Motion made (Mr. Barbour) for Return, showing quantity of Land within a radius of 50 miles of, sold during the past seven years, 496; Return to Order, laid on Table, 612	4	521	
JOSEPH, HYAM (See "ADMINISTRATION OF JUSTICE.")			
JUNEE (See "RAILWAYS.")			
JURORS FEES (See "ADMINISTRATION OF JUSTICE.")			
JURY LISTS, DENILQUIN:—			
Petition from the Inhabitants of the Towns and District of the Murray complaining of the present mode of compiling, presented, 22; ordered to be printed, 26	3	179	
Return to Order (Session 1877-8), laid on Table, 51	3	135	
Motion made (Mr. Hurley, Hartley) for a Select Committee to inquire into action taken by Magistrates, Denilquin, in revising, appointed by Ballot, 89; Names added, 245; Motion made (Mr. Hurley, Hartley) for leave to visit Denilquin and sit during any adjournment, and negatived, 284; Report brought up, 522	3	141	
Motion made (Mr. Hurley, Hartley) for Committee of the Whole, that £250 be placed on Additional Estimate for 1879 to defray expenses of witnesses before Select Committee, 172; Order of the Day postponed, 216; House in Committee and Resolution agreed to, 221.			
JUSTICES ACTS FURTHER AMENDMENT BILL:—			
Motion made (Mr. Dangar) for leave to bring in, 67; presented and read 1 ^o , 70; Order of the Day postponed, 105, 123, 138, 216, 222, 261; Motion made for 2 ^o , 279; and negatived on Division, 280; Order of the Day discharged, on Division, and Bill withdrawn, 280.			

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
J			
JUSTICES APPEAL BILL:—			
Motion made (<i>Mr. Terry</i>) for leave to bring in, 22; presented and read 1 ^o , 22; Order of the Day postponed, 47; Motion made for 2 ^o and negatived, Order of the Day discharged, and Bill withdrawn, 105.			
K			
KELLEHER AND FITZGERALD, CLAIM OF MESSRS. (See "POLICE.")			
KELLY AND WOODS (See "RESERVES.")			
KEMPSEY (See "TELEGRAPH.")			
KERR, ANDREW TAYLOR, ESQUIRE:—			
Return of, as Member for Orange, reported, 325; sworn, 329.			
KERR, THOMAS, CONDITIONAL PURCHASE OF (See "CROWN LANDS.")			
KIDMAN, MR. CHARLES:—			
Disorderly conduct of, in gallery, 342, 376, 398.			
KIDMAN, MR. JAMES:—			
List of articles supplied by, to the immigrant ship "Smyrna," and prices of same, while in Quarantine, laid on Table, 119		7	455
Correspondence respecting quantity and quality of supplies by, laid on Table, 375		7	761
KING'S FALLS (See "BRIDGES.")			
KINGSGROVE (See "ROADS.")			
L			
LACHLAN THE (See "ELECTORAL.")			
LACKEY, THE HONORABLE JOHN, ESQUIRE, M.P.:—			
Acceptance of office as Secretary for Public Works announced, 215; Resignation reported, and Seat as a Member for Central Cumberland declared vacant, 217; issue and return of Writ reported, and Member sworn, 219.			
"LA HOGUE" (See "IMMIGRATION.")			
LAING, MR. JOHN:—			
Return showing amount received by, as master of dredge "Samson," laid on Table, 482		4	1003
Information respecting, laid on Table, 538, 663		4	1005, 1007
LAKE MACQUARIE, NET FISHING IN:—			
Petition from residents in favour of, presented, 411		7	965
LAKEMAN AND ARMSTRONG, MESSRS.:—			
Petition from, that they applied, under the 25th clause of the Crown Lands Alienation Act, to purchase lands, parish of Windowran, county of Wakool, and that their applications were refused, presented, 105; ordered to be printed, 109		4	537
LAKEMAN, ARMSTRONG, AND COUPER (See "CROWN LANDS.")			
LANDS (See also "CROWN LANDS," also "LAND LAWS," also "RAILWAYS") :—			
AT CORNER OF PITT AND BRIDGE STREETS:—			
Motion made (<i>Mr. Hurley, Hartley</i>), that Select Committee be appointed to inquire into, on which Commercial Chambers are built, and Progress Report of last Session referred, 18.			
OFFICE, DISPUTED DECLARATIONS BY MEMBERS:—			
Motion made (<i>Captain Onslow</i>) for all papers relating to any disputed declarations made in reference to conditional purchases by Members of Parliament, 22.			
TAKEN FOR RAILWAY PURPOSES:—			
Motion made (<i>Captain Onslow</i>) for a Return showing extent, names of owners, amounts demanded, paid, costs in arbitration cases, &c., 36; Return to Order, laid on Table, 337		5	191
ADJOINING THE GENERAL POST OFFICE:—			
Further correspondence respecting, laid on Table, 60		5	691
APPLICATIONS FOR, AT GULF CREEK:—			
Motion made (<i>Mr. Hurley, Hartley</i>), for all papers, minutes, &c., relating to, of Messrs. Banks, Lester, and Farquhar, and also of Messrs. Griffiths and Gaffney, 77; Return to Order laid on Table, 260		4	745
AGENTS:—			
Motion made (<i>Mr. McElhone</i>) that no Land Agent be allowed to hold personal interviews with the Minister for Lands. Heads of Departments, or Clerks, on Land Agency business; and all business be by letter only, and negatived, on Division, 110.			
OFFICE AT ALBURY:—			
Motion made (<i>Mr. Thompson</i>) for copies of Reports, &c., relating to irregularities in, 315; Return to Order laid on Table, 331		4	505
DEPARTMENT:—			
Correspondence respecting resignation of Mr. James Thomson on Royal Commission laid on Table, 160; Correspondence relating to the appointment of a Board to inquire into working of, laid on Table, 283		4	213, 195
Report of Royal Commission, laid on Table, 331		4	1
Motion made (<i>Mr. Garrett</i>) for particulars of appointments in, made by him, 337; Return to Order, laid on Table, 417		3	547
Return showing number of officers and servants employed in connection with, during 1878, laid on Table, 434		3	511
Returns showing number of persons dismissed and appointed since Mr. Hoskins took office, laid on Table, 659		3	561
APPOINTMENTS IN CONDITIONAL SALES BRANCH:—			
Copy of application for twenty-two additional clerks, laid on Table, 353		3	509
OFFICE AT URALLA:—			
Motion made (<i>Mr. Copeland</i>) for correspondence having reference to appointment of, 482.			
OFFICES, ARMIDALE, WALCHA, GLEN INNES, INVERELL, BINGERA, AND WARRIALDA:—			
Return (<i>in completion</i>) showing the total area of land selected, and number of selections made from 1 March, 1877, to 1 March, 1878, laid on Table, 592		4	305, 307
OFFICE AT CONDOBOLIN:—			
Motion made (<i>Mr. Coonan</i>) for copies of petitions, letters, &c., having reference to establishment of, 430.			

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
L			
LANDS (continued):—			
APPOINTMENTS IN DEPARTMENT OF:—			
Motion made (<i>Mr. McElhone</i>) for particulars of, 431.			
DISTRICT ARMIDALE:—			
Motion made (<i>Mr. Copeland</i>) for correspondence having reference to sub-division of, 482.			
SOLD TO MR. DINES:—			
Motion made (<i>Mr. McElhone</i>) for correspondence, minutes, &c., in reference to, 515.			
CONTAINING SPECIAL RESERVATIONS:—			
Papers respecting Old Grants of, laid on Table, 609	4	485	
ALIENATED DURING THE YEAR 1878:—			
Return showing and the number of conditional purchases transferred, lapsed, and forfeited during the same year, laid on Table, 554	4	421	
TAKEN UP BY MR. SMITH FOR SERICULTURE:—			
Motion made (<i>Mr. McElhone</i>) for copies of papers, correspondence, &c., in reference to, 546.			
SALES AT ARMIDALE, WALCHA, &c.:—			
Return (<i>in part</i>) to Order (Session 1877-8) laid on Table, 531	4	305, 307	
LANDS ACTS FURTHER AMENDMENT BILL (See also CROWN LANDS BILL):—			
Motion made (<i>Mr. Hoskins</i>) for Committee of the Whole, 225; House in Committee and Resolution agreed to, 240; presented and read 1 ^o , 268; Order of the Day postponed, 316, 398, 421; Motion made for 2 ^o , and Debate adjourned, 431; Debate resumed and adjourned, 435; Amendment on Motion for 2 ^o proposed, and debate adjourned, 445; amendment negatived, 450; read, 2 ^o and committed, 450; House again in Committee, 468, 475; Message, No. 15, 483; House again in Committee, 484, 486, 489, 506, 511, 515, 523; Order of the Day postponed 526, 531; House again in Committee, 539, 542, 546; reported with Amendments, 546; recommitted and further considered in Committee, 551; further considered in Committee and reported, 2 ^o , with further Amendments, 555; recommitted, 2 ^o , further considered in Committee, reported, 3 ^o , with a further Amendment, and report adopted, 559; Motion made for 3 ^o , and Mr. Greenwood challenged votes of Sir Henry Parkes and Mr. Baker on Division, and Motions negatived, 569; read, 3 ^o , and sent to Council, 569	4	525	
Petition from Upper Darling Districts against certain provisions in, presented, 379	4	531	
Petition from Henry Brown, Chairman of Public Meeting of Citizens of Sydney against the Bill, presented, 526	4	533	
LANDS ACTS AMENDMENT ACT DECLARATORY BILL:—			
Received from Council and read, 1 ^o , 659.			
LAND LAWS:—			
ADMINISTRATION OF THE:—			
Motion made (<i>Mr. Baker</i>) That the delay in reforming the, is productive of great loss, and that Government should make such changes as will expedite the transaction of business, &c., and negatived, 22.			
Petition from Free Selectors and Residents of District of Young, that a Bill may be introduced to remedy certain defects in, as to improved conditional purchases, presented, 177	4	529	
AMENDMENT OF THE:—			
Motion made (<i>Mr. McElhone</i>) for Committee of the Whole, to consider Resolutions, and Debate interrupted by Government business, 332; Order of the Day postponed, 349, 371, 412, 478; Debate resumed and Motion negatived, 534.			
LAND ORDERS (See "VOLUNTEERS.")			
LANG, THE LATE JOHN DUNMORE, WIDOW OF:—			
Motion made (<i>Sir John Robertson</i>) for Committee of the Whole, to consider Address to Governor, that £3,000 be placed on Supplementary Estimates for, 157; Order of the Day discharged, 173.			
LAYFIELD, GRAY, AND OTHERS (See "CROWN LANDS.")			
LEARY, JOSEPH, ESQUIRE:—			
Leave of absence to, 545.			
LEAVE OF ABSENCE:—			
Motion made (<i>Sir John Robertson</i>) for, for remainder of present Session to Member for East Sydney, Mr. Stuart, and Member for Orange, Mr. Combes, previous Question moved, and by leave withdrawn, original Question by leave withdrawn, 172.			
To Mr. Dangar, 511.			
To Mr. Leary, 545.			
LECTURES IN DARLINGHURST GAOL:—			
Motion made (<i>Mr. Hurley, Hartley</i>) that instructions be issued that the Rotunda be opened on Saturdays for, and negatived, 17.			
Motion made (<i>Mr. Shepherd</i>) for copies of all letters, documents, &c., having reference to, and by leave withdrawn, 68.			
Correspondence respecting, laid on Table, 188	3	1395	
LEGISLATIVE COUNCIL, THE:—			
Motion made (<i>Sir Henry Parkes</i>) respecting frustration of labours of Assembly by, principle of nomination in constitution of, and introduction of Bill to make it responsible to the people, 650; Contingent Amendment moved (<i>Mr. Buchanan</i>) to abolish, and that a single Chamber is preferable to an elective second Chamber, and Debate adjourned, 650; Debate resumed, Amendment negatived, and original Motion agreed to, 655.			
Return showing names of Members of, with dates of appointment, laid on Table, 659	2	107	
LETTERS OF REGISTRATION OF INVENTIONS:—			
Return in continuation of Address adopted on 10 May, 1861, a.m., laid on Table, 555	6	937	
LIABILITIES AND ASSETS (See "BANK LIABILITIES AND ASSETS.")			
LIBRARY COMMITTEE:—			
Sessional Order, 8, 228.			
LICENSED PUBLICANS ACT (See "SALE OF LIQUORS LICENSING ACT AMENDMENT BILL.")			
LICENSING ACT (See "PUBLICANS LICENSING ACT.")			
LIEUTENANT-GOVERNOR:—			
Message informing Assembly of assumption of the Government by, 361	2	1	
LIGHT-HOUSES:—			
Motion made (<i>Mr. Cameron</i>) for Return showing names of vessels cleared at ports of Sydney and Newcastle, for ports coming under agreement with Victoria, for maintenance of certain, 510; Return (<i>in part</i>) to Order, laid on Table, 663	4	975	
LISMORE (See "DISTRICT COURT, LISMORE.")			
LIVE STOCK AND AGRICULTURE:—			
Returns of, for year ending 31 March, 1879, laid on Table, 592	7	627	

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
L			
LOAN BILL (See "METROPOLITAN GUARANTEED LOAN BILL"; also "PUBLIC WORKS LOAN BILL.")			
LOAN ESTIMATES (See "ESTIMATES.")			
LOAN FUNDS AMALGAMATION BILL:—			
Motion made (<i>Mr. Watson</i>) for leave to bring in, 397; presented and read 1°, 398; read 2°, committed, reported without Amendment, and Report adopted, 404; read 3°, and sent to Council, 411; returned without Amendment, 434; Assent reported, 449.			
LOAN, PUBLIC:—			
Motion made (<i>Mr. Greenwood</i>) for correspondence respecting, recently placed on the market at the minimum of 97 per cent., 510; Return to Order laid on Table, 603; Further Return laid on Table, 650		2	1171, 1181
LOCK-UPS (See "INSANE.")			
LONG BAY (See "RESERVES.")			
LUNACY BILL:—			
Motion made (<i>Mr. Fitzpatrick</i>) for Committee of the Whole, 8; House in Committee, resolution agreed to, Message from Governor, and Bill presented and read 1°, 13; read 2°, committed, Message referred, 36; House again in Committee, 41, 54; reported with Amendments, 54; recommitted, reported 2°, with further Amendments, and Report adopted, 71; read 3°, passed and sent to Council, 74; returned with Amendments, 193; Order of the Day postponed, 204; Amendments agreed to, and Message to Council, 229; Assent reported, 249.			
Petition from G. A. Tucker, alleging that his position as proprietor of a licensed house is affected by the Bill before Parliament, and praying relief, presented, 41; ordered to be printed, 46.		3	931
LUNATIC (See "INSANE"; also "PARRAMATTA LUNATIC ASYLUM.")			
M			
MACINTOSH, JOHN, ESQUIRE, M.P.:—			
Statement respecting iron supplied by, for the Exhibition Building, laid on Table, 492		7	661
MACLEAY, MESSRS. CLARK AND (See "CROWN LANDS.")			
MACLEAY RIVER:—			
Motion made (<i>Mr. R. B. Smith</i>) for letters, petitions, surveys, reports, &c., respecting draining flooded lands, 192.			
MACPHERSON (See "POLICE.")			
MACQUARIE-STREET LAND RESUMPTION BILL:—			
Motion made (<i>Sir Henry Parkes</i>) for Committee of the Whole, 589; House in Committee, and Resolution agreed to, 613; presented and read 1°, 613; Message No. 39, 618; read 2°, committed, reported with Amendments, and Report adopted, 626; read 3°, and sent to Council, 631; returned without Amendment, 646; Assent reported, 657		7	881
MAGISTRATES, POLICE, OR STIPENDIARY (See "POLICE.")			
MAIL SERVICE (See "POSTAL.")			
MAITLAND (See also "ELECTORAL"):—			
INQUESTS IN THE DISTRICT OF:—			
Motion made (<i>Mr. Eckford</i>) for correspondence between the Government and Dr. Morson, in reference to holding of, 522; Return to Order, laid on Table, 564		3	293
Motion made (<i>Mr. Badgery</i>) for correspondence not already published, 628; Return to Order, laid on Table, 666		3	299
MAIZE (See "STANDARD WEIGHT FOR MAIZE BILL.")			
MANAGEMENT OF CHARITABLE INSTITUTIONS:—			
Motion made (<i>Mr. O'Connor</i>) respecting unsatisfactory state of, and withdrawn, 596.			
MANILLA, BRIDGE OVER THE NAMOI AT:—			
Petition from residents for, presented, 526		5	1023
MANNING, MR. JAMES (See "WATER SUPPLY.")			
MANNING RIVER OYSTER BEDS:—			
Inspector's reports on, laid on Table, 562		7	925
Motion made (<i>Mr. W. C. Browne</i>) for further correspondence relating to, 629.			
MARRIAGES (See "REGISTERS"; also "CLERGY RETURNS TRANSFER BILL.")			
MARRIED WOMEN'S RELIEF BILL:—			
Motion made (<i>Mr. Windeyer</i>) for leave to bring in, presented and read 1°, 12; read 2°, committed, reported without Amendment, and Report adopted, 122; motion made that Bill be read 3°, and Debate adjourned, 135; Debate further adjourned, 173; Order of the Day postponed, 215; read 3°, passed, and sent to Council, 220; returned with Amendments, 288; Amendments agreed to and Message to Council, 327; Assent reported, 362.			
MARINE PARADE (See "DOUBLE BAY.")			
MARSUPIALS:—			
Petition from residents of New England District that large tracts of country are rendered valueless by reason of the ravages of, presented, 22; ordered to be printed, 27		7	891
Petition from residents of New England District, with similar prayer, presented, 81; ordered to be printed, 83		7	893
Petition from residents of The Gwydir District, with similar prayer, presented, 160		7	889
MARSUPIALS DESTRUCTION BILL:—			
Motion made (<i>Mr. Dillon</i>) for Committee of the Whole to consider expediency of bringing in, and no Tellers for the Noes on division, 90; House in Committee, and Resolution agreed to, 106; Message No. 15, recommending, 128; presented and read 1°, 220; read 2° and committed, 245; Order of the Day postponed, 261, 296, 328, 349, 371, 412; House again in Committee and House counted out, 452; Order of the Day postponed, 492, 535; Order of the Day discharged, and Bill withdrawn, 593		7	895
MATRIMONIAL CAUSES (See "COSTS IN MATRIMONIAL CAUSES BILL.")			
MATRIMONIAL CAUSES ACT AMENDMENT BILL:—			
Motion made (<i>Mr. Harley, Hartley</i>), for leave to bring in, 22; presented and read 1°, 22; read 2°, committed, reported without Amendment, Report adopted, 47; Order of the Day postponed, 52; read 3°, passed, and sent to Council, 67; returned without Amendment, 242; reserved for Royal Assent, 267.			

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
M			
MATRIMONIAL CAUSES ACT AMENDMENT ACT:—			
Despatch disallowing, laid on Table, 7		7	859
McARTHUR, WILLIAM, ESQUIRE:—			
Member of the House of Commons, admitted to the Body of the House, 164.			
McCULLOCH, ANDREW HARDIE, JUNR., ESQUIRE, M.P. (See UNDERWOOD'S ESTATE DISTRIBUTION BILL.)			
McDONALD RIVER (See "BRIDGES.")			
McDOUGALL, MR. ANDREW:—			
Petition from, respecting grant of land alleged to have been promised him by Sir Thomas Brisbane presented, 635		4	541
McEVoy, MR. EDWARD (See "TELEGRAPH.")			
MEDICAL BILL:—			
Motion made (<i>Dr. Bowker</i>) for leave to bring in Bill, 46; presented and read 1 ^o , 268; Order of the Day postponed, 349; Order of the Day discharged, and Bill withdrawn, 370.			
Petition from Sydney, Bathurst, and West Maitland against, presented, 349.		7	961
Petition from Pharmaceutical Council praying for certain Amendments in, presented, 583.		7	963
MEDICAL BILL (No. 2):—			
Motion made (<i>Dr. Bowker</i>) for Committee of the Whole, 444; House in Committee, and Resolution agreed to, 458; read 1 ^o , 459; Order of the Day postponed, 493, 535; Order of the Day discharged, and Bill withdrawn, 593.			
MEDCALF, CRIMINAL CONDEMNED FOR RAPE (See "ADMINISTRATION OF JUSTICE.")			
MEETING OF THE HOUSE:—			
Ringling of Bell before (<i>Sessional Order</i>), 8.			
MEMBERS:—			
Of Legislative Assembly as Witness before Select Committee (<i>Underwood's Estate Distribution Bill</i>), 36, 37.			
Of Legislative Council do. (<i>Mudgee Turf Club Bill</i>), 274.			
Sworn, 1, 219 (?), 254, 329, 353.			
Of Elections and Qualifications Committee sworn by the Clerk, 27, 31, 47, 51, 239, 240.			
LAND TAKEN UP BY:—			
Motion made (<i>Mr. McElhone</i>) for Return showing names of, who have taken up land by after auction selection, 331.			
EMPLOYMENT OF BY THE GOVERNMENT:—			
Motion made (<i>Sir Henry Parkes</i>) to rescind Resolution of 21st December, 1875, which prohibited, and negatived, 404.			
CONDITIONAL PURCHASES HELD BY:—			
Return respecting, laid on Table, 609		4	309
MEN OF THE TIME, AND AUSTRALIAN DICTIONARY OF DATES:—			
Correspondence relating to the printing and publication of at the Government Printing Office, laid on Table, 454		7	905
Motion made (<i>Mr. McElhone</i>) respecting, and Debate interrupted by Government business, 484; Debate resumed, previous Question moved and withdrawn, and Question amended, 492.			
Motion made (<i>Mr. Fitzpatrick</i>) for correspondence between the Government and Mr. Heaton, with respect to the printing and publication of, 568; Return to Order, laid on Table, 603		7	909
Motion made (<i>Mr. O'Connor</i>) for correspondence received by the Government between 26 June and 1 July inclusive, 613; Return to Order, laid on Table, 640		7	917
MERRIWA CREEK (See "BRIDGES.")			
MESSAGES:—			
TRANSMISSION OF, BETWEEN THE TWO HOUSES:—			
Sessional Order passed, 7.			
FROM THE GOVERNOR:—			
Summoning Assembly to Council, 1, 667.			
Taken into consideration in the House, 259.			
No. 1. Lunacy Bill, 13.			
2. Assent to Inverell Free Church of Eastern Australia Land Sale Bill (passed Session 1877-8), 19.			
3. Sydney Corporation Bill, 36.		7	199
4. Patent Bill, 51.		6	1125
5. Stock Sale Yards Bill, 53.			
6. Customs Regulation Bill, 54.			
7. Crown Lands Bill, 94.		4	523
8. Duplication of the Port Darwin Telegraph Cable, 94.		5	807
9. Water and Sewerage Bill, 94.		7	113
10. Parliamentary Powers and Privileges Bill, 99.		2	3
11. Estimates of Expenditure for 1879, and Supplementary Estimates for 1878 and previous years, 114.		2	121
12. Clergy Returns Transfer Bill, 124.		7	877
13. Assent to Grape-vines and Grapes Importation Prohibition Bill, 128.			
14. Roads Bill, 128.		5	987
15. Marsupials Destruction Bill, 128.		7	895
16. Water Conservation Bill, 129.		7	107
17. Municipalities Act Amendment Bill, 133.		7	179
18. Copyright Bill, 141.		7	887
19. Assent to The Glebe Borough Bill, 160.			
20. Do. Tonnage Rates and Public Wharfs Amendment Bill, 161.			
21. Do. Costs in Matrimonial Causes Bill, 184.			
22. Do. Commercial Banking Company of Sydney Incorporation Acts Extension Bill, 185.			
23. Further Supplementary Estimate for 1878, 185.		2	327
24. Vote of Credit (proposed change of Administration), 204.		2	1201
25. Do. (do. do.), 215.		2	1203
26. Assent to Consolidated Revenue Fund Bill, 219.			
27. Vote of Credit (January, and International Exhibition, &c.), 224.		2	1205
28. Assent to Consolidated Revenue Fund Bill (No. 2), 239.			
29. Do. Clergy Returns Transfer Bill, 239.			
30. Do. Lunacy Bill, 249.			
31. Do. Parramatta Town Hall Bill, 249.			
32. Chinese Immigration Regulation Bill, 250.		7	461

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I.—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
M			
MESSAGES (continued):—			
FROM THE GOVERNOR (continued):—			
33. Provision for further expenses in Sydney Corporation Bill, 250	7	201	
34. Requesting withdrawal of Estimates for 1878-9, 259	2	329	
35. Estimates of Expenditure for 1879, and Supplementary Estimates for 1878 and previous years, 259	2	331	
36. Reserving for Royal Assent Matrimonial Causes Act Amendment Bill, 267.			
37. Estimates of Expenditure on account of Public Works and other Services proposed to be defrayed out of the Accumulated Surplus on the Consolidated Revenue Fund, 268	2	547	
38. Vote of Credit (February, &c.), 301	2	1207	
39. Assent to Consolidated Revenue Fund Bill (No. 3), 306.			
40. Do. Redmond's Estate Bill, 306.			
41. Do. Primitive Methodist Church Temporalities Bill, 306.			
42. Do. Felons Apprehension Bill, 318.			
43. Supreme Court (Additional Judge) Bill, 337	3	353	
44. Assent to Animals Protection Bill, 339.			
45. Do. Moore's Estate Bill, 339.			
FROM THE LIEUTENANT-GOVERNOR:—			
1. Assumption of the Government of the Colony by Sir Alfred Stephen, 361	2	1	
2. Redfern to Hunter-street Tramway Bill, 361	5	451	
3. Metropolitan Railway Extension Bill, 361	5	245	
4. Assent to City of Goulburn Gas and Coke Company's Incorporation Bill, 361.			
5. Do. Orange Town Hall Site Sale Bill, 362.			
6. Do. Married Women's Relief Bill, 362.			
7. Vote of Credit (March), 381	2	1209	
8. Assent to Consolidated Revenue Fund Bill (No. 4), 388.			
9. Do. Felons Apprehension Act Amendment Bill, 395.			
10. Do. Adulteration of Food Prevention Bill, 395.			
11. Do. Small Debts Acts Further Extension Bill, 430.			
12. Vote of Credit (April), 443	2	1211	
13. Assent to Loan Funds Amalgamation Bill, 449.			
14. Do. Consolidated Revenue Fund Bill (No. 5), 458.			
15. Lands Acts Further Amendment Bill, 483	4	525	
16. Assent to Redfern to Hunter-street Tramway Bill, 486.			
17. Do. Chippendale Roman Catholic Church Land Sale Bill, 510.			
18. Do. Customs Regulation Bill, 510.			
19. Do. Copyright Bill, 510.			
20. Do. Bank Liabilities and Assets Publication Act Extension Bill, 525.			
21. Vote of Credit (May), 541	2	1213	
22. Assent to Contractors Debts Bill, 542.			
23. Do. Impounding Act Amendment Bill (No. 2), 542.			
24. Do. Consolidated Revenue Fund Bill (No. 6), 550.			
25. Do. City of Sydney Improvement Bill, 550.			
26. Requesting return of portion of Estimates having reference to public instruction, with a view to substitution of Amended Estimate, 564	2	553	
27. Supreme Court Temporary Judge Bill, 568	3	355	
28. Assent to Transfer of Conditional Purchases Declaratory Bill, 575.			
29. Do. Patents Law Amendment Bill, 588.			
30. Do. Cohen's Enabling Bill, 588.			
31. Additional Estimates of Expenditure for 1879, and Further Supplementary Estimates for 1878 and previous years, 588	2	555	
32. Further Estimate of Expenditure on account of Public Works and other Services proposed to be defrayed out of the Accumulated Surplus on the Consolidated Revenue Fund, 589	2	573	
33. Vote of Credit (June), 603	2	1215	
34. Assent to Consolidated Revenue Fund Bill (No. 7), 609.			
35. Do. Supreme Court Temporary Judge Bill, 609.			
36. Sydney International Exhibition Bill, 612.			
37. Further Estimate for 1879 on account of Public Works, 612	2	579	
38. Further Estimate of Expenditure on account of Public Services proposed to be defrayed out of the Accumulated Surplus on the Consolidated Revenue Fund, 617	2	585	
39. Macquarie-street Land Resumption Bill, 618	7	881	
40. Assent to Sydney Corporation Bill, 627.			
41. Metropolitan Guaranteed Loan Bill, 632	2	1199	
42. Loan Estimate for 1879, 636	2	591	
43. Additional Loan Estimate for 1879, 640	2	597	
44. Assent to Waratah Council Chambers Resumption Bill, 643.			
45. Do. Duty on Gold Abolition Bill, 643.			
46. Do. Islanders Shipping Engagement Bill, 654.			
47. Do. Metropolitan Guaranteed Loan Bill, 657.			
48. Do. Sydney International Exhibition Bill, 657.			
49. Do. Macquarie-street Land Resumption Bill, 657.			
FROM ASSEMBLY TO COUNCIL:—			
Transmitting Grape-vines and Grapes Importation Prohibition Bill, 40.			
Impounding Act Amendment Bill, 51.			
Matrimonial Causes Act Amendment Bill, 67.			
Lunacy Bill, 74.			
Drunkards Punishment Act Amendment Bill, 77.			
The Glebe Borough Bill, 89.			
Parliamentary Powers and Privileges Bill, 114.			
Tonnage Rates and Public Wharfs Amendment Bill, 119.			
Clergy Returns Transfer Bill, 138.			
Costs in Matrimonial Causes Bill, 141.			
Customs Regulation Bill, 146.			
Parramatta Town Hall Bill, 157.			
Sydney Infirmary and Dispensary Bill, 157.			
City of Sydney Improvement Bill, 177.			
Consolidated Revenue Fund Bill, 217.			

M

MESSAGES (continued) :—

FROM ASSEMBLY TO COUNCIL (continued) :—

- Transmitting Married Women's Relief Bill, 220.
- Consolidated Revenue Fund Bill (No. 2), 226.
- Small Debts Act Further Extension Bill, 224.
- Primitive Methodist Church Temporalities Bill, 224.
- Redmond's Estate Bill, 228.
- City of Goulburn Gas and Coke Company's Incorporation Bill, 264.
- Felons Apprehension Bill, 293.
- Orange Town Hall Site Sale Bill, 302.
- Bank Liabilities and Assets Publication Act Extension Bill, 302.
- Consolidated Revenue Fund Bill (No. 3), 303.
- Supreme Court (Additional Judge) Bill, 358.
- Patents Law Amendment Bill, 365.
- Chinese Immigration Regulation Bill, 366.
- Copyright Bill, 376.
- Consolidated Revenue Fund Bill (No. 4), 384.
- Sydney Corporation Bill, 393.
- Loan Funds Amalgamation Bill, 411.
- Transfer of Conditional Purchases Declaratory Bill, 421.
- Redfern to Hunter-street Tramway Bill, 425.
- Consolidated Revenue Fund Bill (No. 5), 451.
- Chippendale Roman Catholic Church Land Sale Bill, 462.
- Impounding Act Amendment Bill (No. 2), 462.
- Contractors Debts Bill, 493.
- Cohen's Enabling Bill, 511.
- Consolidated Revenue Fund Bill (No. 6), 543.
- Lands Acts Further Amendment Bill, 569.
- Supreme Court Temporary Judge Bill, 576.
- Consolidated Revenue Fund Bill (No. 7), 604.
- Waratah Council Chambers Resumption Bill, 617.
- Macquarie-street Land Resumption Bill, 631.
- Duty on Gold Abolition Bill, 631.
- Appropriation Bill, 636.
- Metropolitan Guaranteed Loan Bill, 636.
- Sydney International Exhibition Bill, 636.
- Public Works Loan Bill, 655.
- Returning Commercial Banking Company of Sydney Incorporation Acts Extension Bill, without Amendment, 164.
- Moore's Estate Bill, with an Amendment, 264.
- Animals Protection Bill, with Amendments, 274.
- Felons Apprehension Act Amendment Bill, without Amendment, 365.
- Adulteration of Food Prevention Bill, without Amendment, 376.
- Islanders Shipping Engagement Bill, with Amendments, 631.
- Agreeing to Amendments in Clergy Returns Transfer Bill, 225.
- Lunacy Bill, 229.
- Parramatta Town Hall Bill, 232.
- Redmond's Estate Bill, 280.
- Primitive Methodist Church Temporalities Bill, 285.
- Married Women's Relief Bill, 327.
- City of Goulburn Gas and Coke Company's Incorporation Bill, 328.
- Redfern to Hunter-street Tramway Bill, 468.
- Customs Regulation Bill, 484.
- Bank Liabilities and Assets Publication Act Extension Bill, 492.
- Cohen's Enabling Bill, 562.
- Patents Law Amendment Bill, 573.
- Supreme Court Temporary Judge Bill, 600.
- Agreeing to some Amendments, amending others, and proposing a new Clause in the Felons Apprehension Bill, 306.
- Agreeing to Amendment in new Clause inserted by Assembly consequent on Council's Amendments in the Felons Apprehension Bill, 307.
- Amending an Amendment, disagreeing from Amendments, and agreeing to the remainder, in the Parliamentary Powers and Privileges Bill, 318.
- Insisting on disagreement from Council's Amendment in the Parliamentary Powers and Privileges Bill, and requesting Free Conference, 405.
- Desiring to be informed of the action of the Council with respect to the Parliamentary Powers and Privileges Bill, 454.
- Disagreeing from an Amendment, and agreeing to the other Amendments in the Small Debts Act Further Extension Bill, 332.
- Not insisting upon disagreement from Council's Amendment in the Small Debts Act Further Extension Bill, 412.
- Disagreeing from and agreeing to Amendments in the Supreme Court (Additional Judge) Bill, 418.
- Still insisting upon its disagreements in the Supreme Court (Additional Judge) Bill, and expressing dissent with terms of Message of 24th April, 472.
- Agreeing to some, disagreeing from others, and amending one of the Council's Amendments in the Sydney Corporation Bill, 527.
- Agreeing to the Amendment last proposed by the Council, with an Amendment, in the Sydney Corporation Bill, 570.
- Not insisting upon Amendment upon Council's Amendment, and agreeing to the Council's Amendments upon the further proviso in the Sydney Corporation Bill, 600.
- Agreeing to some, and amending an Amendment in the City of Sydney Improvement Bill, 539.
- Disagreeing from some and agreeing to the other Amendments in the Transfer of Conditional Purchases Declaratory Bill, 539.
- Granting leave to Member of Legislative Assembly to appear as Witness before Select Committee of Legislative Council on Underwood's Estate Distribution Bill, 37.
- Asking leave for Member of Legislative Council to appear as Witness before Select Committee of Legislative Assembly on Mudgee Turf Club Bill, 274.

M

MESSAGES (continued):—

FROM COUNCIL TO ASSEMBLY:—

- Transmitting Underwood's Estate Distribution Bill, 36.
- Birds and Animals Protection Bill, 37.
- Commercial Banking Company of Sydney Incorporation Acts Extension Bill, 96.
- Bankers Books and Cheques Bill, 135.
- Islanders Shipping Engagement Bill, 147.
- Adulteration of Food Prevention Bill, 147.
- Moore's Estate Bill, 228.
- Felons Apprehension Act Amendment Bill, 343.
- The Equity Bill, 484.
- Criminals Commuted Punishment Bill, 646.
- Lands Acts Amendment Act Declaratory Bill, 659.
- Returning Grape-vines and Grapes Importation Prohibition Bill, without Amendment, 100.
- The Glebe Borough Bill, without Amendment, 147.
- Tonnage Rates and Public Wharfs Amendment Bill, without Amendment, 150.
- Costs in Matrimonial Causes Bill, without Amendment, 163.
- Clergy Returns Transfer Bill, with Amendments, 192.
- Lunacy Bill, with Amendments, 193.
- Parramatta Town Hall Bill, with Amendments, 204.
- Consolidated Revenue Fund Bill, without Amendment, 217.
- Consolidated Revenue Fund Bill (No. 2), without Amendment, 229.
- Matrimonial Causes Act Amendment Bill, without Amendment, 242.
- Primitive Methodist Church Temporalities Bill, with Amendments, 268.
- Redmond's Estate Bill, with an Amendment, 268.
- Parliamentary Powers and Privileges Bill, with Amendments, 275.
- Married Women's Relief Bill, with Amendments, 288.
- Small Debts Act Further Extension Bill, with Amendments, 289.
- Consolidated Revenue Fund Bill (No. 3), without Amendment, 303.
- Felons Apprehension Bill, with Amendments, 303.
- City of Goulburn Gas and Coke Company's Incorporation Bill, with Amendments, 318.
- Orange Town Hall Site Sale Bill, without Amendment, 338.
- Impounding Act Amendment Bill, with Amendments, 364.
- Consolidated Revenue Fund Bill (No. 4), without Amendment, 385.
- Supreme Court (Additional Judge) Bill, with Amendments, 398.
- Loan Funds Amalgamation Bill, without Amendment, 434.
- Patents Law Amendment Bill, with Amendments, 444.
- Consolidated Revenue Fund Bill (No. 5), without Amendment, 455.
- Redfern to Hunter-street Tramway Bill, with Amendments, 455.
- Bank Liabilities and Assets Publication Act Extension Bill, with Amendments, 463.
- Customs Regulation Bill, with Amendments, 463.
- Chippendale Roman Catholic Church Land Sale Bill, without Amendment, 486.
- Copyright Bill, without Amendment, 486.
- City of Sydney Improvement Bill, with Amendments, 497.
- Sydney Corporation Bill, with Amendments, 504.
- Contractors Debts Bill, without Amendment, 526.
- Transfer of Conditional Purchases Declaratory Bill, with Amendments, 526.
- Impounding Act Amendment Bill (No. 2), without Amendment, 531.
- Consolidated Revenue Fund Bill (No. 6), without Amendment, 546.
- Cohen's Enabling Bill, with Amendments, 549.
- Supreme Court Temporary Judge Bill, with an Amendment, 596.
- Consolidated Revenue Fund Bill (No. 7), without Amendment, 604.
- Duty on Gold Abolition Bill, without Amendment, 640.
- Waratah Council Chambers Resumption Bill, without Amendment, 640.
- Metropolitan Guaranteed Loan Bill, without Amendment, 646.
- Sydney International Exhibition Bill, without Amendment, 646.
- Appropriation Bill, without Amendment, 646.
- Macquarie-street Land Resumption Bill, without Amendment, 646.
- Public Works Loan Bill, without Amendment, 666.
- Agreeing to Amendments in Moore's Estate Bill, 276.
- Agreeing to Amendments in the Animals Protection Bill, 302.
- Agreeing to Amendments on Council's Amendments and to consequential new clause, but proposes to amend new clause, in the Felons Apprehension Bill, 307.
- Agreeing to Amendment on Council's Amendment, not insisting on others, and insisting on another, in the Parliamentary Powers and Privileges Bill, 380.
- Agreeing to Free Conference on the Parliamentary Powers and Privileges Bill, 421.
- Informing of the course adopted by the Council in not considering the report of its own Managers of the Free Conference on the disagreements between the two Houses on the Parliamentary Powers and Privileges Bill, reported by Mr. Speaker, and removed from the records, on the motion of Sir Henry Parkes, 511.
- Insisting upon Amendment in the Small Debts Act Further Extension Bill, 383.
- Insisting upon its Amendments disagreed to by the Assembly in the Supreme Court (Additional Judge) Bill, 455.
- Adhering to Amendments in the Supreme Court (Additional Judge) Bill, and Bill laid aside, 512.
- Agreeing to Assembly's Amendment upon the Council's Amendments in the City of Sydney Improvement Bill, 539.
- Not insisting upon its Amendments disagreed to by the Assembly in the Transfer of Conditional Purchases Declaratory Bill, 559.
- Not insisting upon its Amendment disagreed to by the Assembly, proposing another Amendment, and agreeing to the Assembly's Amendment upon the Council's Amendment, in the Sydney Corporation Bill, 559.
- Disagreeing from Assembly's Amendment upon the Council's Amendment, and agreeing to Assembly's Amendment upon the Council's Amendment with an Amendment in the Sydney Corporation Bill, 588.
- Agreeing to Amendments in the Islanders Shipping Engagement Bill, 637.
- Granting leave to Member of Legislative Council to appear and be examined before Select Committee of Assembly on the Mudgee Turf Club Bill, 276.
- Requesting that leave be given to examine Member of Assembly before Select Committee of Council on Underwood's Estate Distribution Bill, 36.

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
M			
METHODIST CHURCH BILL (See "PRIMITIVE METHODIST CHURCH BILL.")			
METROPOLITAN CATTLE SALE YARDS (See "STOCK SALE YARDS BILL.")			
METROPOLITAN GUARANTEED LOAN BILL:—			
Motion made (<i>Sir Henry Parkes</i>) for Committee of the Whole, 613; House in Committee, and Resolution agreed to, 625; presented and read 1°, 625; Message No. 41, 632; read 2°, committed, reported with Amendments, and Report adopted, 633; read 3°, and sent to Council, 636; returned without Amendment, 646; Assent reported, 657	2	1199	
METROPOLITAN RAILWAY EXTENSION BILL:—			
Motion made (<i>Mr. Lackey</i>) for Committee of the Whole, 274; House in Committee and Resolution agreed to, 289; presented and read 1°, 328; Order of the Day postponed, 358; Message No. 3, 361; Motion made for 2° and Debate adjourned, 380; read 2° and committed, 398	5	245	
METROPOLITAN WATER SUPPLY AND SEWERAGE BILL (See also "WATER AND SEWERAGE BILL") :—			
Motion made (<i>Mr. Fitzpatrick</i>) for Committee of the Whole, 8.			
MERRIWA CREEK (See "BRIDGES.")			
METHODIST CHURCH (See "PRIMITIVE METHODIST CHURCH TEMPORALITIES BILL.")			
MIDNIGHT:—			
Sittings after:—58, 115, 120, 143, 173, 324, 333, 338, 344, 355, 366, 376, 380, 385, 394, 404, 418, 422, 435, 439, 445, 450, 468, 472, 475, 484, 486, 489, 506, 511, 515, 523, 526, 531, 539, 542, 546, 551, 555, 559, 566, 570, 582, 584, 589, 597, 600, 604, 640, 651.			
MILBURN CREEK COPPER MINE:—			
Motion made (<i>Mr. Cohen</i>) for copy of the Report of the Geological Surveyor on, 603; Return to Order, laid on Table, 609	4	861	
MILITARY (See also "DEFENCES OF THE COLONY"; also "VOLUNTEERS") :—			
MAJOR SPALDING :—			
Motion made (<i>Mr. McElhone</i>) for correspondence, memorandums, relating to insolvency of, and negatived, 610.			
Motion made (<i>Mr. McElhone</i>) respecting position of, in, and negatived, 646.			
MILITARY AND CIVIL CRICKET GROUND:—			
Return to Order (<i>Session 1877-8</i>), laid on Table, 534	7	92	
MINERAL AND MINING (See also "CROWN LANDS") :—			
RENT IN ARREAR ON LEASES.			
Motion made (<i>Mr. Dillon</i>) for Return of all lands forfeited during last four years, and of lands now held by Lessees and not forfeited, 46; Return to Order, laid on Table, 273		839	
PETER GRIMLY'S SELECTION AT IRONBARKS :—			
Motion made (<i>Mr. O'Connor</i>) for copies of all correspondence, &c., between Mining Department and P. Grimly respecting, 67; Return to Order, laid on Table, 133		841	
MINING ACT OF 1874 :—			
Regulations under, for cutting Water-races through leased lands, laid on Table, 109		903	
COAL MINES REGULATION ACT OF 1876 :—			
Opinion of Mr. Attorney-General Windeyer on certain points submitted by the Honorable the Minister for Mines, 39 Vic. No. 31, laid on Table, 224.	4		
Opinion of Mr. Attorney-General Dalley, on certain points submitted by the Honorable Minister for Mines, 39 Vic. No. 31, laid on Table, 224.			
LAND CONDITIONALLY PURCHASED OR CONVERTED INTO CONDITIONAL PURCHASES :—			
Return showing the number of acres of, during each year from 1872 to 1878 inclusive, laid on Table, 250		835	
CONDITIONAL PURCHASES :—			
Numerical Return respecting, laid on Table, 587		837	
MINERAL CONDITIONAL PURCHASES :—			
Motion made (<i>Mr. Copeland</i>) for leave to bring in Bill, 581.			
MINING LEASES REGULATIONS (See "GOLD.")			
MINISTERIAL OFFICES :—			
Motion made (<i>Sir Henry Parkes</i>) to re-affirm Resolution of the Assembly that it is not desirable that a Minister of the Crown should be a Director or Manager of any private Banking, Insurance, or Loan Company, and negatived on Division, 110.			
MINISTERIAL STATEMENT :—			
Made to the House by Mr. Farnell, 27, 197, 199, 201, 203, 207, 209, 213, 215.			
Do. Sir Henry Parkes, 220, 471.			
MINISTRY, WANT OF CONFIDENCE IN THE (See also "ADMINISTRATION") :—			
Motion made (<i>Sir Henry Parkes</i>) that an Address be presented to the Governor that this House declines to proceed with public business while the present Ministers retain office, 211.			
MINOR ROADS (See "ROADS.")			
MINT, ROYAL, SYDNEY BRANCH :—			
Report of Deputy Master of the Mint on Gold Coinage of, for Year ended 30 June, 1878, laid on Table, 220	7	1013	
Despatch, laid on Table, 331	7	1015	
MINUTES OF THE LORDS OF THE TREASURY :—			
Relating to the Imperial Service, laid on Table, 645	3	543	
MOLONG (See also "EDUCATION") :—			
Motion made (<i>Mr. J. Davies</i>) for copies of papers, &c., respecting the selection of a site for a Post and Telegraph Office at, 323; Return to Order, laid on Table, 603	5	643	
MOORE'S ESTATE BILL:—			
Received from Council and read 1°, 228; read 2°, committed, reported with an Amendment, and Report, adopted, 261; read 3°, passed and returned with an Amendment, 264; Amendment agreed to by Council, 276; Assent reported, 339.			
MORANGARELL (See "TELEGRAPH.")			
MUDGE (See also "ELECTORAL") :—			
CLERK OF PETTY SESSIONS AT :—			
Motion made (<i>Mr. Hurley, Hartley</i>) for printing of Report of the Commissioner appointed to inquire into certain charges made against (<i>Session 1870-1</i>), 318	3	499	
ELECTORATE OF :—			
Seat given to Mr. Buchanan on disqualification of Mr. Rouse, 353; sworn, 353.			

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9.	PAPERS.	
	VOL.	PAGE.
M		
MUDGE TURF CLUB BILL:—		
Standing Order No. 61 suspended, 152; Petition presented (<i>Sir John Robertson</i>) for leave to bring in, 152; leave given, 156; presented and read 1 ^o , 157; referred to Select Committee, 161; Message to Council for attendance of Hon. G. H. Cox as witness, 274; and reply granting leave, 276; Report brought up, 302; read 2 ^o and committed, 327; Order of the Day postponed, 349; House again in Committee and no Quorum reported, 371 (°); progress reported, 371; Order of the Day postponed, 412; House again in Committee and no Quorum reported 6 ^o and House counted out, 439.....	7	839
MUNDOORAN (See "TELEGRAPH.")		
MUNFORD (See "BLOMFIELD AND MUNFORD.")		
MUNICIPAL COUNCIL OF SYDNEY:—		
Report on Sewerage and Water Supply for 1878, laid on Table, 331.....	7	109
Papers on the financial condition of the Sydney Corporation, laid on Table, 331.....	7	203
MUNICIPALITIES ACT AMENDMENT BILL:—		
Message from Governor, recommending, 133; Motion made (<i>Mr. Fitzpatrick</i>) for Committee of the Whole, 141; Order of the Day discharged, 233	7	179
MUNICIPALITIES, ENDOWMENT OF:—		
Motion made (<i>Mr. Stuart</i>) for Return showing particulars of, 354.		
MURRAY, LIEUTENANT (See "VOLUNTEERS.")		
MURRAY RIVER (See "CUSTOMS.")		
MUSEUM:—		
COLONIAL, IN LONDON:—		
Correspondence respecting, laid on Table, 583	3	875
SYDNEY:—		
Report for 1878, laid on Table, 522.....	3	857
MUTTAMA RUN (See "CROWN LANDS.")		
MYALL RIVER (See "BRIDGES.")		
N		
NAMOI-NARRABRI TIMBER RESERVE:—		
Reports from Surveyors and others relative to, together with plan, laid on Table, 486	4	651
NARRANDERA (See "RAILWAYS"; also "CROWN LANDS.")		
NASH, MR. J. F.:—		
Report of the Board appointed to inquire into charges preferred by, against the Government Stores Department (PART I), laid on Table, 576	3	395
NECROPOLIS:—		
Letter from Honorary Secretary respecting alleged failure to provide a grave in the Wesleyan Cemetery in time for the reception of a corpse, laid on Table, 137	7	951
NET FISHING:—		
Motion made (<i>Mr. Hurley, Hartley</i>) for leave to bring in Bill to prevent, 288.		
Petition from residents of Lake Macquarie in favour of, presented, 411	7	965
NEUTRAL HARBOUR (See "RECLAMATION OF LAND.")		
NEW ADMINISTRATION, FORMATION OF:—		
Letters in reference to, by Sir John Robertson, submitting proposed names to His Excellency the Governor, read to the House, 203.		
Mr. Farnell informs the House of, by Sir Henry Parkes, 215; resignations reported and Seats declared vacant, 217 (°); issue and return of Writs reported and Members sworn, 219 (°).		
NEWCASTLE (See also "BY-LAWS"):—		
PAVING AND PUBLIC VEHICLES REGULATION ACT:—		
By-laws under, laid on Table, 36, 220.....	7	239, 245
SCHOOL BOARD:—		
Motion made (<i>Captain Onslow</i>) for correspondence between the Council of Education, and any other person regarding the appointment of additional members to, 251; Return to Order, laid on Table, 383.....	3	725
EXPORT OF COAL:—		
Return showing during the years 1876, 1877, and 1878, laid on Table, 576	4	859
PORT OF:—		
Motion made (<i>Mr. Cameron</i>) for Return showing names of Vessels cleared from port of, for ports coming under the agreement with Victoria for the maintenance of certain light-houses, 510; Return (<i>in part</i>) to Order, laid on Table, 663.....	4	975
"NEWCASTLE" DREDGE (See "HARBOURS AND RIVERS.")		
NEW CALEDONIA (See "CONVICTS.")		
NEW ENGLAND (See "RAILWAYS.")		
NEWSPAPERS (See "ADVERTISEMENTS.")		
NOBLE, QUARTER-MASTER (See "VOLUNTEERS.")		
NO QUORUM (See "QUORUM.")		
NO REPORT:—		
From Committee of the Whole, 233, 279, 439.		
"NORTHAMPTON" (See "IMMIGRATION.")		
NO TELLERS:—		
On Division, 90 (°), 225, 582, 660.		
NUISANCES PREVENTION ACT OF 1875:—		
BY-LAWS UNDER, LAID ON TABLE:—		
Borough of The Glebe, 2.....	7	223
Borough of Grafton, 2	7	221
Municipal District of Hay, 273	7	225
Borough of Newcastle, 288	7	209

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
O			
O'DWYER, WILLIAM (See "PUCKA WIDGEE RUN.")			
OGILVIE, CHRISTINA :—			
Correspondence respecting the refusal to admit, into the Sydney Infirmary, laid on the Table, 562	3	941	
OLIVER, MR. C. (See "CIVIL SERVICE.")			
OPENING OF THE SESSION (See "PARLIAMENT.")			
OPENING SPEECH (See "GOVERNOR.")			
OPINION (See "ATTORNEY GENERAL.")			
ORANGE (See "ELECTIONS AND QUALIFICATIONS COMMITTEE.")			
ORANGE TOWN HALL SITE SALE BILL :—			
Petition presented (<i>Mr. Lynch</i>) for leave to bring in, 239; leave given, presented, and read 1 ^o , 242; referred to Select Committee, 245; Report brought up, 260; read 2 ^o , committed, reported without Amendment, and Report adopted, 296; read 3 ^o and passed, 301; and sent to Council, 302; returned without Amendment, 338; Assent reported, 362	7	833	
ORDER (See "POINTS OF ORDER.")			
ORDERS OF THE DAY :—			
Restored, 111, 185.			
Discharged, 47, 61, 105, 106, 173, 225 (3), 229, 232, 233 (7), 279, 280, 327, 349, 370 (2), 492, 493, 535 (2), 593 (2), 604, 666 (2).			
ORDNANCE LANDS TRANSFER BILL :—			
Presented and read 1 ^o <i>pro forma</i> (<i>Mr. Farnell</i>), 2.			
ORTON, ARTHUR (See "ADMINISTRATION OF JUSTICE.")			
OYSTER BEDS, MANNING RIVER :—			
Inspector's Reports, laid on Table, 562	7	925	
OYSTER BEDS AT THE MANNING AND SHOALHAVEN RIVERS :—			
Motion made (<i>Mr. W. C. Browne</i>) for further correspondence relating to, 629.			
OYSTER FISHERIES :—			
Motion made (<i>Mr. Farnell</i>) for leave to bring in Bill to deal with, 134; House in Committee and Resolution agreed to, 138.			
P			
PADDINGTON (See "ROADS"; also "ELECTIONS AND QUALIFICATIONS COMMITTEE.")			
PARIS EXHIBITION (See "INTERNATIONAL EXHIBITION.")			
PARKES, THE HONORABLE SIR HENRY, K.C.M.G., M.P. :—			
Administration of, and acceptance by, of office of Colonial Secretary and Premier announced to the House, 215; resignation reported, and Seat as Member for Canterbury declared vacant, 217; issue and return of Writ reported, and Member sworn, 219.			
Vote of, challenged on third reading of the Lands Acts Further Amendment Bill by <i>Mr. Greenwood</i> , and Motion negatived, 569.			
PARKS (See "RESERVES.")			
PARLIAMENT (See also "ASSEMBLY"; also "COUNCIL") :—			
Proclamation opening Second Session read by the Clerk, 1.			
Governor's Opening Speech, 2; Address in reply, 3; Governor's reply to Address in reply, 5.			
Prorogation Speech, 667.			
Employment of Members, 404.			
Return of Conditional Purchases held by Members, laid on Table, 609	4	309	
Motion made (<i>Captain Onslow</i>) for all papers relating to any disputed declarations made in reference to Conditional Purchases by Members, 22.			
POWERS AND PRIVILEGES OF :—			
Motion made (<i>Mr. Farnell</i>) to refer subject to joint Standing Orders Committee, and by leave withdrawn, 12.			
HANSARD, OR OFFICIAL REPORT OF DEBATES IN :—			
Correspondence respecting proposed establishment of, laid on Table, 36	2	97	
FRANKING CORRESPONDENCE OF MEMBERS :—			
Motion made (<i>Mr. Day</i>) that the Government should provide a stamp at Legislative Assembly to frank free of postage letters written by Members, on public business, during sittings of Parliament, and negatived, 143.			
PARLIAMENTARY POWERS AND PRIVILEGES BILL :—			
Motion made (<i>Mr. Farnell</i>) for Committee of the Whole, 58; House in Committee and Resolution agreed to, 71; presented and read 1 ^o , 81; Message from the Governor recommending, 99; read 2 ^o , committed, reported with Amendments, Report adopted, 100; read 3 ^o , passed, and sent to Council, 114; returned with amendments, 275; Order of the Day postponed, 297, 304; Amendments considered, agreed to and disagreed to, and reported, 316; recommitted, Amendment amended, reported, and Report adopted, 316; Message to Council, 318; Message from Council agreeing and insisting, 380; House in Committee to consider Amendments, 404; Committee insists upon disagreement from Council's Amendment, 405; Message to Council to that effect, and requesting Free Conference, 405; Message from Council agreeing, 421; Conference held in back library, and Sir Henry Parkes reported on return, 425; Motion made (<i>Sir Henry Parkes</i>) for Committee of the Whole to consider steps to be taken in respect of recent proceedings, 454; House in Committee and Resolution agreed to, 454; Message to Council, 454; Message from Council informing of its course in not considering the report of its own Managers of the Free Conference on the disagreements between the two Houses, reported by <i>Mr. Speaker</i> , and removed from the records of the Assembly on Motion of Sir Henry Parkes, 511	2	3	
PARRAMATTA LUNATIC ASYLUM :—			
Report on, laid on Table, 220	3	907	
Do. for 1878, laid on Table, 310	3	917	
Report on Food supplied to, and Gaol, laid on Table, 482	7	673	
Memorial of Attendants regarding evidence given as to the quality of Food supplied, laid on Table, 555	3	923	

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I.—SESSION 1878-9.	PAPERS.	
	VOL.	PAGE.
P		
PARRAMATTA TOWN HALL BILL:—		
Petition presented (<i>Mr. Taylor</i>) for leave to bring in, 6; leave given, presented and read 1 ^o , 12; referred to Select Committee, 22; Report brought up, 71; Order of the Day postponed, 91; read 2 ^o , committed, reported without Amendment, and Report adopted, 153; read 3 ^o , passed, and sent to Council, 157; returned with Amendments, 204; Order of the Day postponed, 215, 220; Amendments agreed to, and Message to Council, 232; Assent reported, 249.	7	803
PASTORAL AND AGRICULTURAL ASSOCIATIONS (See "CROWN LANDS.")		
PASTORAL LEASE (See "CROWN LANDS.")		
PATENTS:—		
Motion made (<i>Captain Onslow</i>) for a Return showing number issued, sum paid as fees, and names of persons receiving the fees, 305; Return to Order, laid on Table, 383	6	1127
Return to Address, of 1861, in continuation, laid on Table, 555	6	937
PATENT BILL:—		
Motion made (<i>Mr. Macintosh</i>) for Committee of Whole, and for Address to Governor for Message recommending, 8; House in Committee, and Resolution agreed to, Bill presented and read 1 ^o , 23; Order of the Day postponed, 47; Message from Governor recommending, 51; read 2 ^o and committed, 78; House again in Committee, 105; Order of the Day postponed, 153, 216, 221, 261; House again in Committee, 296; Order of the Day discharged and Bill withdrawn, 370	6	1125
PATENTS LAW AMENDMENT BILL:—		
Motion made (<i>Mr. Windey</i>) for Committee of the Whole, 337; House in Committee and Resolution agreed to, 343; Order of the Day for 2 ^o postponed, 355; read 2 ^o , committed, reported with an Amendment, and Report adopted, 358; read 3 ^o , and sent to Council, 365; returned with Amendments, 444; Amendments agreed to, and Message to Council, 573; Assent reported, 588.		
PATTERSON, HEW BLACKWOOD (See "CROWN LANDS.")		
PATTERSON, ROBERT (See "PUCKA WIDGEE RUN.")		
"PATRIARCH" (See "CIMBA' SHIP")		
PEARL, CONSTABLE (See "POLICE.")		
PEEL RIVER LAND AND MINERAL COMPANY:—		
Motion made (<i>Mr. Copeland</i>) for copy of the original Crown grant to, 354; Return to Order, laid on Table, 383	4	847
PENRITH (See "BY-LAWS.")		
PENSIONERS (See "CIVIL SERVICE PENSIONERS DISQUALIFICATION BILL.")		
PERFUMED SPIRITS:—		
Papers respecting seizure of, imported by Messrs. Hordern & Sons, laid on Table, 603	2	1247
"PERICLES" (See "IMMIGRATION.")		
"PETERBOROUGH" (See "IMMIGRATION.")		
PETITIONS:—		
Motion made (<i>Mr. Greenwood</i>) that in future the Clerk as a matter of course shall cause to be printed all Petitions (excepting Petitions for Private Bills) presented, unless otherwise ordered, provided that when several Petitions to the same effect are presented only one shall be printed, and a <i>précis</i> of the others entered thereon, 129.		
PILOT STEAMER "CAPTAIN COOK":—		
Motion made (<i>Mr. Cameron</i>) for Select Committee to inquire into management of, 90; Report brought up, 628	4	1011
PITFALL AT WALLSEND COLLIERY (See "WALLSEND COLLIERY.")		
PITTY, JOSIAH (See "CROWN LANDS.")		
PLEASURE GROUNDS (See "RESERVES.")		
PLURALITY OF OFFICES (See "CIVIL SERVICE.")		
POINTS OF ORDER:—		
International Exhibition in Sydney (Powers of Committee to increase sum proposed in Resolution), 100.		
Town Clock, Deniliquin (Motion submitted twice in one Session), 172.		
Bridge across the Myall River, at Bulahdelah (reading books or newspapers), 233.		
Supreme Court (Additional Judge) Bill (clause within the title and scope of the Bill), 355.		
Chinese Immigration Regulation Bill (clause within the title and scope of the Bill), 359.		
Grants of land held by Sir Daniel Cooper (motion involving a charge upon the Public Revenue), 394.		
Impounding Act Amendment Bill (new clause inserted by Council, involving a charge upon the Public Revenue), 412.		
POINT PIPER ROAD (See "ROADS.")		
POLICE:—		
WILLIAM STAFFORD:—		
Petition from, relative to his dismissal from the Police Force, and praying an investigation, presented, 21; ordered to be printed, 26		577
Further papers relative to the case of, laid on Table, 146		579
DISTRICT OF CAMPBELLTOWN:—		
Return to Order (<i>Session 1877-8</i>), laid on Table, 51		603
MAGISTRATE, BINGERA, MR. P. BROUGHAM:—		
Return to Order (<i>Session 1877-8</i>), laid on Table, 51; Motion made (<i>Mr. McElhone</i>) that papers be printed, carried on Division, 89		357
Motion made (<i>Mr. McElhone</i>) in reference to position of as, and Debate interrupted by Government business, 523; Debate resumed and Motion negatived, 534.		
CLAIM OF MESSRS. KELLEHER AND FITZGERALD:—	3	
Motion made (<i>Mr. Greenwood</i>) for Select Committee to inquire into, 52; Return to Address (<i>Session 1877-8</i>), referred, 74.		
COMPENSATION TO MRS. WALLINGS:—		
Motion made (<i>Mr. Hurley, Hartley</i>) for Committee of the Whole to consider Address, &c., that £500 be placed on Estimates as, widow of late Senior-sergeant Wallings, shot on duty, and by leave withdrawn, 90		
FORCE:—		
Return showing the strength and distribution, on 30th September, 1878, laid on Table, 105		571
DEPARTMENT:—		
Report on, for 1878, laid on Table, 254		565
CLAIM OF CONSTABLE RICHARD PEARL:—		
Motion made (<i>Mr. Teece</i>) for Select Committee to inquire into, to be placed on Police Superannuation Fund, 142; Motion made (<i>Mr. Teece</i>) to refer documents in connection with, 318.		

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9		PAPERS.	
		VOL.	PAGE.
P			
POLICE (continued):—			
JOHN BYRON:—			
Petition from, praying for consideration of his case, presented, 332	3	627	
MAGISTRATES:—			
Motion made (<i>Mr. Jacob</i>) for Return showing number of, either police, or stipendiary, who have exercised the power of two Magistrates, 417.			
MAGISTRATE, WAGGA WAGGA (See "BAYLISS, MR. HENRY.")			
RAYMOND TERRACE:—			
Motion made (<i>Mr. Jacob</i>) for correspondence, minutes, reports, &c., relating to charges made by, against one Macpherson, 565; Return to Address, laid on Table, 655	3	607	
PORT DARWIN CABLE (See "TELEGRAPH.")			
PORT JACKSON, ALIENATED CROWN LANDS:—			
Further Return (<i>in part</i>) to Order (<i>Session 1875-6</i>), laid on Table, 2	4	917	
Return (<i>in part</i>) to Order (<i>Session 1876-7</i>), Reclamation of Land, laid on Table, 2	4	913	
PORTS OF SYDNEY AND NEWCASTLE:—			
Motion made (<i>Mr. Cameron</i>) for Return showing names of vessels cleared at, for ports coming under the agreement with Victoria for the maintenance of certain light-houses, 510; Return (<i>in part</i>) to Order, laid on Table, 663	4	975	
POSTAL (See also "TELEGRAPH.") :—			
Twenty-third Annual Report of the Postmaster General on the Department under his Ministerial control, being for 1877, laid on Table, 2		457	
Twenty-fourth Annual Report of the Postmaster General on the Department under his Ministerial control, being for 1878, laid on Table, 538		515	
LAND ADJOINING GENERAL POST OFFICE:—			
Further correspondence respecting, laid on Table, 60		691	
SAN FRANCISCO MAIL SERVICE:—			
Further papers respecting, laid on Table, 133		573	
FRANKING PARLIAMENTARY CORRESPONDENCE (See "PARLIAMENT.")			
GENERAL UNION:—			
Papers relating to the treaty, signed at Berne, on 9th October, 1874, in reference to the formation of a, laid on Table, 205	5	615	
COMMUNICATION BETWEEN UNITED KINGDOM AND THE AUSTRALASIAN COLONIES:—			
Correspondence concerning arrangements with the Imperial Government respecting, laid on Table, 205; further correspondence, laid on Table, 379		589, 611	
POST AND TELEGRAPH OFFICE, MOLONG:—			
Motion made (<i>Mr. J. Davies</i>) for copies of papers, &c., respecting the selection of a site for, 323; Return to Order, laid on Table, 603		643	
OFFICE, GLEN ALICE:—			
Motion made (<i>Mr. Hurley, Hartley</i>) for copies of papers, letters, or reports, &c., having reference to alleged misconduct of persons in charge of, 510.			
POSTAGES ON OUTWARD AUSTRALIAN AND NEW ZEALAND MAILS:—			
Motion made (<i>Mr. Burns</i>) for correspondence respecting the change in the amount payable to the English postal authorities, 528; Return to Order, laid on Table, 588		581	
POUNDS, SITES FOR:—			
Correspondence between the Bench at Glen Innes and the Department of Mines respecting, laid on Table, 583	7	921	
POWERS AND PRIVILEGES (See "PARLIAMENT.")			
PRECEDENCE:—			
OF GOVERNMENT BUSINESS:—			
Sessional Order, passed, 7.			
Sessional Order, relating to after 7 o'clock on Tuesday, 289.			
OF GENERAL BUSINESS:—			
Sessional Order, passed, 7.			
PRESBYTERIAN CHAPLAIN, BERRIMA GAOL:—			
Motion made (<i>Mr. Garrett</i>) for correspondence and applications having reference to, 655.			
PRE-EMPTIVE LEASE (See "CROWN LANDS.")			
PRESS BILL:—			
Motion made (<i>Mr. W. Davies</i>) for leave to bring in, 31; presented and read 1 ^o , 111; Order of the Day postponed, 173, 215, 220, 261, 296; Motion made for, 2 ^o ; and Debate adjourned, 328; Debate resumed and House counted out, 389.			
PREVIOUS QUESTION:—			
Motion made for, and withdrawn, 172, 284, 492.			
Resolved in the affirmative, 618.			
PRIMITIVE METHODIST CHURCH TEMPORALITIES BILL:—			
Petition presented (<i>Mr. J. Davies</i>) for leave to bring in, 109; leave given, 114; presented and read 1 ^o , 114; referred to Select Committee, 122; Report brought up, 149; Order of the Day postponed, 216; read 2 ^o , committed, reported without Amendment, and Report adopted, 221; read 3 ^o , passed, and sent to Council, 224; returned with Amendments 268; Council's Amendments agreed to and Message to Council, 285; Assent reported, 306	7	819	
PRINCESS ALICE OF HESSE, HER ROYAL HIGHNESS:—			
ADDRESS OF CONDOLENCE WITH HER MAJESTY THE QUEEN ON DECEASE OF:—			
Motion made (<i>Mr. Farnell</i>) for Select Committee to prepare, Committee retired, Address brought up and adopted, 209, Speaker reports presentation of to the Governor, 211.			
PRINTING (See "PETITIONS.")			
PRINTING FOR MR. HEATON ("See "MEN OF THE TIME, &c.")			
PRISONS (See also "GAOLS"):—			
LECTURES IN DARLINGHURST GAOL:—			
Motion made (<i>Mr. Hurley, Hartley</i>) that the Rotunda, Darlinghurst Gaol, should be opened on Saturdays for, and negatived, 17; Correspondence laid on Table, 188	3	1395	
COMPTROLLER GENERAL OF:—			
Annual Report from, for 1877, laid on Table, 119	3	1029	
PRIVILEGE:—			
Disorder by Mr. Charles Kidman during Debate, 342, 376, 398.			
PRIVILEGES ("See "PARLIAMENT.")			
PRIVY COUNCIL, APPEALS TO:—			
Return to Address (<i>Session 1877-8</i>), laid on Table, 51	3	201	
PROROGATION:—			
House informed of day of, 659.			
Speech made in Council, 667.			

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
P			
PROSPECTING FOR GOLD:—			
Regulations relating to the Vote in aid of, laid on Table, 2	4	737	
Return showing expenditure on account of, laid on Table, 515.			
PUBLIC (See also "RESERVES.") :—			
VEHICLES REGULATION ACT OF 1873 (See also "NEWCASTLE.") :—			
By-laws under, laid on Table, 2 ⁽²⁾ , 81, 146, 207, 564	7	227	
ACCOUNTS :—			
Abstracts of, of the Colony for 1877, with Auditor General's Report thereon, laid on Table, 5	2	885	
Do. do. for 1878, do. do. do. 645	2	1017	
Explanatory Statement of, as Embodied in the Ways and Means for 1879, laid on Table, 129, 269	2	719, 873	
Report of Board of Audit on, laid on Table, 220	2	1163	
WHARFS (See "TONNAGE RATES AND PUBLIC WHARFS AMENDMENT BILL")			
TANKS IN THE GWYDIR ELECTORATE :—			
Motion made (<i>Mr. Dangar</i>) for all Correspondence that has taken place relative to the construction and maintenance of, 245.			
CHARITIES :—			
Report of Inspector for 1878, laid on Table, 564	3	945	
EDUCATION (See "EDUCATION.")			
INSTRUCTION (See "EDUCATION.")			
SCHOOLS (See "EDUCATION.")			
LIBRARY :—			
Report for 1878, laid on Table, 338	3	851	
By-laws of St. Peters, laid on Table, 549	7	176	
Do. The Glebe, 663.	7	177	
WORKS AND BUILDINGS :—			
Return showing amounts previously voted for, on pages 103 to 112, on the Estimates for 1879, laid on Table, 434	2	1197	
LOAN :—			
Motion made (<i>Mr. Greenwood</i>) for correspondence respecting, recently placed on the market at the minimum of 97 per cent., 510; Return to Order, laid on Table, 603; Further Return laid on Table, 650	2	1171, 1181	
PUBLICANS ACT (See "SALE OF LIQUORS LICENSING ACT AMENDMENT BILL.")			
PUBLICAN'S LICENSE :—			
Copy of Opinion of Attorney General on Mr. Bernard Bogan's application for removal of, laid on Table, 450		975	
Copy of Opinion of Attorney General on the power of two Justices to grant transfer of, laid on Table, 603		973	
PUBLICANS LICENSING ACT :—			
Petition from Clergy and Laity of Church of England, Diocese of Bathurst, praying for an amendment of the law, presented and read by Clerk, 542		969	
Petition from Public Meeting, Orange, in favour of transferring the power of licensing from the Magistracy to the people, presented, 583	7	977	
PUBLIC VEHICLES REGULATION ACT AMENDMENT BILL :—			
Motion made (<i>Mr. Driver</i>) for leave to bring in, 568; presented and read 1 ^o , 569; read 2 ^o and committed, 577; Chairman reported no Quorum and House counted out, 577.			
PUBLIC VEHICLES REGULATION ACT REPEAL BILL :—			
Motion made (<i>Mr. J. Davies</i>) for leave to bring in, 6; presented and read 1 ^o , 17; Order of the Day postponed, 37; Order of the Day discharged and Bill withdrawn, 47.			
Petition from Waggonette Owners of Sydney against, presented, 46; ordered to be printed, 52		251	
Do. Omnibus Owners of Sydney do. 46; do. 51		253	
PUBLIC WORKS LOAN BILL :—			
Ordered (<i>Mr. Watson</i>) to be brought in, 647; presented and read 1 ^o , 647; read 2 ^o and committed, 650; reported with an Amendment and Report adopted, 651; read 3 ^o and Message to Council, 655; returned without Amendment, 666; Assented to in Council Chamber, 667.			
PUCKA WIDGEE RUN :—			
Motion made (<i>Mr. Barbour</i>) for all applications under Conditional Improvement and Improvement Clauses of the Land Act, by Robert Patterson, conflicting with Conditional Purchase application by William O'Dwyer, at Deniliquin, 1876, and all Papers connected therewith, 279.			
Q			
QUARTER SESSIONS AND DISTRICT COURTS AT BREWARRINA :—			
Motion made (<i>Mr. Dangar</i>) for copy of Mr. District Court Judge Murray's Report respecting holding of, 582; Return to Address, laid on Table, 635	3	349	
QUARTER SESSIONS, RICHMOND RIVER :—			
Motion made (<i>Mr. Driver</i>) for copies of petitions, letters, &c., relative to the establishment of, 471.			
QUAT QUATTA RESERVE :—			
Motion made (<i>Mr. McElhone</i>) for copies of correspondence, &c., in reference to the claim of J. Wallace, 315.			
QUEEN CHARLOTTE VALE CREEK (See "BRIDGES.")			
QUEEN, HER MAJESTY THE, ADDRESS OF CONDOLENCE TO, ON DEATH OF PRINCESS ALICE OF HESSE :—			
Motion made (<i>Mr. Farnell</i>) for Select Committee to prepare, Committee retired, Address brought up and adopted by the House, 209; Speaker reports presentation of, to His Excellency the Governor, 211.			
QUESTIONS AND ANSWERS :—			
Sessional Order respecting entry of, on Votes and Proceedings, passed, 8.			

Q

QUESTIONS :—

ARATTOIRS, GLEBE ISLAND :—
 Regulations for slaughtering, 85.
 Disposal of Offal, 409, 650.
 Allegations in the *Herald* as to management of, 433.
 Appointment of Mr. Bruce on Commission, 489.
 Pay of Commissioners, 508, 514, 522.
 Papers in reference to expenditure of money at, 616.
 ABBOTT, MR. T. K., Police Magistrate, Gunnedah, 611.
 ABERGLASSLYN :—Public School, 362.
 ABORIGINES :—Reserve for, Bunnerong, 155.
 ACCOUNTS :—Explanatory Statement of Public, 137.
 ACTING JUDGES :—Offers of appointments, 458, 645.
 ADAMS, MR. F. :—Conditional Purchase of, at Scone, 496.
 ADDITIONAL JUDGE FOR SUPREME COURT :—Appointment of, 526.
 ADELONG :—Common, 145.
 ADMINISTRATION OF JUSTICE (See also "POLICE") :—
 Quarter Sessions, Inverell, 34.
 Mr. Rogers, Crown Prosecutor, 55.
 Case against Mr. Neil Harper, J.P., 65.
 Mr. P. Brougham, P.M., Bingera, 20, 80.
 Administration of Intestate Estate of late Andrew McIlwaine, 80.
 Patrick and Michael Griffin, 86.
 Mr. Giles, C.P.S., Bombala, 87.
 Third District Court, Goulburn, 104.
 Mr. David Ferguson's appointment as J.P., 228.
 Police Magistrate and Quarter Sessions, Brewarrina, 232.
 Precedence of Civil over Criminal Cases, 232.
 Whipping Prisoners for Larrikinism, 305.
 Death of Patrick Cleary, alias Doyle, 309.
 Inquest on the body of Mrs. Brown, 379.
 Prisoners under committal at Wellington, 388.
 Mr. District Court Judge Meymott, 401.
 Police and Stipendiary Magistrates, 401, 417.
 Clerks of Petty Sessions sitting on the Bench, 417.
 Prisoners committed from Wellington to Mudgee, 420.
 Prisoners under sentence, 424.
 Acting Judges, 458.
 Charge of assault against Mr. Thomas Johnston, J.P., 469.
 The Hatfield bushrangers, 507.
 Business of the Supreme Court, 508.
 Charles and Thomas Love charged with arson at Bombala, 519.
 The case of Wilkinson and Medcalf, 567.
 The case of Robert Webster and George W. Warden, 654, 665.
 Mr. Isaac Shepherd, 662.
 Banco and Jury Courts, 666.
 ADVANCES :—
 To the Government by Bank of New South Wales, 76.
 To Loan Funds, 419.
 ADVERTISEMENTS :—Government, in newspapers, 34, 165, 580.
 AGENT GENERAL FOR THE COLONY :—Letter of Mr. Forster in the *Evening News*, 615.
 AGRICULTURAL SOCIETIES :—
 Grant of land to, 415, 424.
 Grants to, 553.
 "AJAX" :—
 Pay of men, 151.
 Collision of, with ship in Newcastle Harbour, 447.
 ALBURY :—Gaol, 313.
 ALIGNMENT OF STREETS :—Gulgong, 169.
 ALLEN, SIR G. W. :—Land purchased by, fronting Sydney Harbour, 282.
 ALLMAN, MR. :—Delay in paying road contracts by, 538.
 ANGLEDOOL :—Post Office at, 420.
 ANIMALS PROTECTION BILL :—Drafting of, 396, 518, 525.
 APPRAISERS :—
 Mr. Morris Asher, 25.
 Mr. John Edwards, 152.
 Appointment of, 402.
 Leave of absence to Mr. York, 404.
 Case of Messrs. Clark and Guest, 416.
 Land at Circular Quay, 518.
 Of land applied for by W. Officer, and Woolseley, Gibbs, and Co., 554.
 APPROACHES :—
 Bridge at Windsor, 103.
 Howlong Punt, 139.
 Wahgunyah Bridge, 140, 611.
 Belmore Bridge, West Maitland, 232.
 Railway Station, Gunnedah, 301.
 Jacob and Joseph Creek Bridge, 378.
 Goondiwindi Bridge, 382.
 Hexham Punt, 470.
 ARMIDALE :—Bridge in Marsh-street, 49, 65, 70. (?)
 ARMSTRONG, MR. DAVID H. :—Leave of absence to, 402.

QUESTIONS (continued) :—

ARRIVALS :—In Sydney by sea, and proportion quarantined, 271.
 ARTILLERY :—
 Practical gun drill of force, 602.
 Forage allowance to officers, 662.
 ASHER, MR. MORRIS :—Employment of, by Government, 26.
 ASHFIELD :—Public Park at, 600.
 ASYLUMS :—
 Maintenance of relatives, 53.
 Liverpool, death rate at, 263, 367.
 Randwick and Benevolent, 287.
 ATTORNEY GENERAL :—
 Opinion of, on additional Conditional Purchases, 387.
 Opinion of on transfer of a publican's license, 448, 525(?).
 Fees received by, and his Secretary, 644.
 AUCTION PURCHASES :—
 Of Crown lands, 76.
 E. D. Ogilvie's, county of Drake, 183.
 William Coggan, 321, 336.
 AUCTION SELECTION :—Lands withdrawn from, 564.
 AUDIT ACT :—Statutory discharges and receipts of payments in arrears, 76.
 AUSTRALASIAN STEAM NAVIGATION COMPANY :—
 Reclamation of land by, Darling Harbour, 21, 30, 347, 383.
 Pile-driving by, at Pyrmont, 70, 79.
 Erection of Fence at Pyrmont, 347.
 AUSTRALIAN CRICKETERS :—Payment of salaries to, during absence, 397.
 AUSTRALIAN DICTIONARY OF DATES (See "DICTIONARY OF DATES")
 AUSTRALIAN WINE :—
 British duties on, 381.
 Exported to English and New Zealand ports, 453.
 AYRES, JOSEPH :—Conditional purchase of, 429.
 BACK CREEK :—
 Cattle yards at station, 50.
 Telegraph line to Rockley, 50.
 Site for school, 331.
 School, 408.
 Water reserve at, 530.
 Court-house, 530.
 BAILIFFS :—
 Fees to District Court, 118.
 Fees to Insolvent Court, 521.
 Mr. Booty, Insolvent Court, 600.
 "BALCLUTHA" :—Boarding of, by Customs Officer, 163.
 BALDEROGGERA RUN :—Withdrawal of, from lease, 317.
 BANCO COURT :—Hearing of causes in, 666.
 BAND :—In Hyde Park, 273, 448.
 BANKS :—
 Advance to Government by Bank of New South Wales, 76.
 Liabilities Publication Act, 86.
 Publication of Assets and Liabilities, 99.
 Savings, 117.
 Letters of Credit on Bank of New South Wales, London, 145.
 Government Account, 244.
 Renewing and Modifying present Agreement, 513.
 BARADINE :—
 Courts of Petty Sessions, 325.
 Court-room, 477, 576.
 BARON, MRS. :—Compensation to, 30.
 BARRABA :—
 Road to Gunnedah, 93, 374, 401, 447, 591.
 Court-house, 530.
 Telegraph line to Bingera, 661.
 BARRACK WALL :—
 Opening of Green's Road and taking down of, 50.
 Paddington, and Toll-house, 348.
 BARRATTA RUN :—
 Conditional Purchase on, 121, 139.
 Enclosing Stock Routes, 171.
 Appraisement of, 345.
 Improvements on, 346.
 BARRINGTON :—
 Bridge over River, 113.
 Gold Field, 169, 337, 471, 485.
 BARRENJOEY :—Light-house, 277.
 BARWIN RIVER :—
 Clearing and Snagging, 175.
 Reserves, 176.
 Bridge, 453, 661.
 BATHURST :—
 Mr. J. B. Richards, late Land Agent at, 519.
 Telegram from, on Sunday, 639.

Q

QUESTIONS (*continued*):—

- BATHURST, LAKE :—
Road from Tarago, *via*, to Boro Road, 258.
Reserves at, 258.
- BAYLEY, MR. MARSHALL :—Appraisement by, of land at Circular Quay, 518.
- BAYLY, MR. N. P. :—Land taken up by, on the Pipe-clay Gold Fields, 579.
- BEACON :—Port Macquarie, 192.
- BEAZLEY :—Conditional Purchase of, at Albury, 60.
- BECK, MR. JAMES :—Refund to, 351.
- BEER'S DISABILITIES BILL :—Mr. W. H. Cooper's Letter respecting his Speech at Bar of the House, 156.
- BELL, MR. GEORGE :—Road through Conditional Purchase of, Narrabri, 278.
- BELLEVUE HILL, WAVERLEY :—Reserve on, 557, 644.
- BELMORE BRIDGE :—Approaches to, 232.
- BENDEMEER :—Land purchased by Frederick Peters, 166.
- BENEVOLENT ASYLUM :—
Randwick Asylum, 287, 586.
Christening of Foundlings, 430, 509.
- BENNETT, MARGARET EMILY :—Conditional Purchase of, 415, 514.
- BERNEY, MR. :—Acting Collector of Customs, 481, 526.
- BERTHING SHIPS :—At the Circular Quay, 133.
- BIBBENLUKE :—Road Bombala to, 156.
- BIG RIVER :—
Bridge, 29, 175, 408, 585.
Boat for Moree, 563.
- BILLABONG EAST RUN :—Withdrawal of from lease, 317.
- BINALONG :—Court-house, 43.
- BINGERA :—
Mr. P. Brougham, Police Magistrate, 20, 80.
Bridge over Big River, at 29, 175, 408, 585.
Post and Telegraph Office, 45.
Gold Fields Reserve, 45, 171.
Lock-up to be used as Gaol, 180, 340.
George Rutcliffe's Conditional Purchase, 264.
Land Sale, 387.
Police Barracks and Quarters, 388.
Court-house, 415.
Police Paddock, 424.
- BLACKVILLE :—
Site for Public School, 188.
Court of Petty Sessions, 191.
- BLACKMAN, MR. :—Payment for Overtime Work, 495.
- BLACK TRACKERS :—For hunting down the Kelly gang, 592.
- BLACKWOOD v. DOBBIN :—Decision of the Supreme Court in, 33.
- BLANCHFIELD, JOHN :—Conditional Purchase of, 557, 639.
- BLANKETS :—Correspondence respecting supply of, 616.
- BLAYNEY :—
Railway Trial Survey to Wilcannia, 103.
Post and Telegraph Office, 257.
- BLAXLAND'S GRANT, PARRAMATTA RIVER :—Purchase of Reserve on, 433.
- BLOXSOM, MR. :—Lessee of Ranger's Valley and Dundee Runs, 567, 580.
- BLUE MOUNTAINS :—
Railway Station, 263, 416.
Mr. Hay's Conditional Purchase, 282.
Train to, 335.
Main Western Road, 335.
- BOATS :—For Moree, Goangora, &c., 369, 563.
- BOATRACE :—Conduct of Masters of Steam Vessels at, 30.
- BOBULA CREEK :—Bridge over, 443.
- BOGGABILLA :—Police for, and Engonia, 73.
- BOGGABILL RUN :—Particulars of holding of, 30.
- BOGAN, BERNARD :—Application of for Removal of Publican's License, 448, 525(?).
- BOGAN RIVER :—Bridge over, 368.
- BOKHARA :—
Court-house at, or Gadooga, 85.
Allotments in Township, 428.
- BOMBALA :—
Court-house, 40, 108, 514.
Mr. Giles, Clerk of Petty Sessions, 87.
Road to Bibbenluke, 156.
Cases heard before Messrs. Edwards and Joseph, 326.
- BOMERA CREEK :—Bridges over, and Manilla River, 43.
- BOOTY, MR., BAILIFF IN INSOLVENT COURT :—Returns in Regard to, 600.
- BORDER DUTIES :—
Between New South Wales and Victoria, South Australia and Queensland, 34.
Between Victoria and New South Wales, 283, 368.
Between New South Wales and Queensland, 538.
- BORO :—Road, *via* Lake Bathurst to Braidwood Road, at Tarago, 258.

QUESTIONS (*continued*):—

- BOTANY :—
Fortifications, 166.
Reserves, 176, 292.
Telegraph Station, 580.
- BOTANICAL GARDENS :—Employés at, 171.
- BOUNDARIES :—Between Queensland and New South Wales, 55.
- BOURKE :—Post and Telegraph Office, 59.
- BOWLING ALLEY POINT :—Road between, and Nundle, 378.
- BRADLEY'S HEAD :—Quarantine Reserve, 403.
- BRAIDWOOD :—
Road to Windellima, 227.
Court-house, 487.
- BRANXTON :—Courthouse, 248, 521, 628.
- BREAKWATER :—At Lake Macquarie, 249.
- BREWARRINA :—
Police, 104, 419.
Clerk of Petty Sessions, 118, 336.
Land Office, 176, 433.
Land Sales at Yetman, Boggabri, Moree, and, 191.
Police Magistrate and Quarter Sessions, 232.
District Courts and Quarter Sessions, 377.
Court-house and Lock-up, 576.
- BRIDGES :—
Over Big River, Bingera, 29, 175, 408, 585.
Gwydir River, at Bundarra, 43, 223, 453.
Bomera Creek, and over Manilla River, Barraba, 43.
At Armidale, in Marsh-street, 49, 65, 70(?).
Campbell's River, 50.
River Murray, at Howlong, 70, 329, 612.
Approaches to, at Windsor, 103.
Fitzroy, Windsor, 103.
Over Myall River, at Bulahdelah, 113.
Gloucester River, 113.
Barrington, 113.
At Merriwa and Collaroy, 122.
Tolls on Roads, and Ferries, 139, 237, 401.
Approaches to Wahgunyah, 140, 611.
On Road, Gunning to Manaro, 151.
At Croydon, 171, 176.
Williams River, 175, 191, 347, 473, 486.
Parramatta River and Iron Cove, 179, 441.
Mungindi and Goondiwindi, 187, 362.
Williams River, at Seaham, 228.
Approaches to Belmore, West Maitland, 232.
Westbrook, near Singleton, 237.
Fish River, at O'Connell, 238, 300.*
Footpassenger over Parramatta River, 244, 575.
Namoi, at Manilla, 258, 382, 616.
Over the Castlereagh, at Coonamble, 336.
Wahgunyah, at Corowa, 347, 611.
Over the Namoi, 348.
Over Gulargumbone Creek, 368.
Over the Bogan, at Gongolgan, 368.
Over the Namoi, at Gunnedah, 374.
Over the Gap Creek, at Currabubula, 374, 409.
Approaches to, over Jacob and Joseph Creek, 378.
Myall Creek, 382.
Approaches to Goondavindi, 382.
Wagga Wagga, temporary, 388.
Across the Shoalhaven River, 409.
Muswellbrook, 424.
Over Bobula and Cobbygar Creeks, 443.
Dangar, over the Barwin River, 453, 661.
Over Jacob and Joseph Creek, 461.
Merriwa, Collaroy, and Cassilis, 571.
Cope's Creek, 572.
Parramatta Park, 575.
Over Parramatta River, 596.
Road Votes, expended on, 608.
At Tumberumba, 611.
Over Waterloo Creek, at Millie, 644.
Over the Cockburn River, at Tamworth, 654.
Over the Namoi, at Walgett, 661.
- BRISBANE VALLEY :—Reserve 264, 278.
- BROCKLESBY WEST :—Water Tanks for, 180.
- BROUGHAM, MR. P. :—Police Magistrate, Bingera, 20, 80.
- BROUGHTON, MR. THOMAS :—
Surveys for, 271.
Land purchases by, Muttama Run, 282, 283, 296.
- BROWN & RICHARDSON, MESSRS. :—Obstruction to Road by, 469.
- BROWN, H. H., & Co. :—Land Agents, 66.
- BROWN, MRS. :—Inquest on the body of, 379.
- BRUCE, MR., CHIEF INSPECTOR OF STOCK :—
Appointment of on Glebe Island Abattoir Commission, 489.
Forage allowance, 541.

Q

QUESTIONS (continued):—

BULAHDELAR :—
 Bridge over Myall River, 113.
 Gold Field, 408.
 BULLI :—Post Office, 383.
 BULLWA CREEK :—Reserve at, for quarrying Freestone, 231.
 BUNDARRA :—Bridge over Gwydir River, 43, 223, 453.
 BUNNERONG :—
 Destruction by Brickmakers of Road, 57.
 Road, Phelps's Grant to, 155.
 Aborigines Reserve, 155.
 BURROWA :—Commons, 176.
 BURWOOD :—Public School, 662.
 BUSHRANGERS, HATFIELD :—Reprieve of, 507.
 BYRON, JOHN :—Consideration of Petition of, 429.
 CABLE (See "TELEGRAPH.")
 CAMERON, MR. :—Interpreter of Oriental Languages, 429.
 CAMPBELL, HON. ALEXANDER :—Land offered to Government by, at Moss Vale, 579.
 CAMPBELL'S RIVER :—Bridge, 50.
 CAMPING PLACES :—For teams near Inland towns, 121.
 CANCELLATION :—Of Reserve in Murrumbidgee District, 159.
 CANNONBAR :—Telegraph Office, 146.
 CANTERBURY :—Road to Salt Pan Creek, 323.
 CAPEL, JOHN :—Conditional Purchase of, Piedmont, 93, 453, 561.
 CAPRETEE :—Road, Rylstone, *via* Bogie, to, 241.
 CARCOAR :—Post and Telegraph Office, 228.
 CARNE & CROPPER :—Inspectors of Conditional Purchases, 347, 462.
 CASEY, DENIS :—Application of, for a Lease at Flying Fox Island, 628.
 CASSILES :—
 District Court, 571.
 Bridge, 571.
 CATTLE SALE YARDS :—
 For Corporation, between Homebush and Haslem's Creek, 612.
 Grant for Site, near Homebush, 645.
 CATTLE YARDS :—Back Creek Railway Station, 50.
 CAVANAGH, MR. :—Conditional Purchase of, Coonabarabran, 85, 258.
 CAWLEY, WILSON, & FREW, MESSRS. :—Compensation to, 80.
 CEMETERIES :—
 Presbyterian, at Liverpool, 391.
 In The Gwydir Electorate, 429.
 CENTRAL POLICE COURT :—
 Number of Cases tried at, 454.
 Forgery by a Clerk connected with, 602.
 CHANDOS STREET, GUNNEDAH :—Road, 491.
 CHAPLAIN :—Of Darlinghurst Gaol, 254.
 CHAPMAN, WILLIAM :—Conditional Purchase, 139, 167.
 CHARITIES, PUBLIC :—
 Laying of Report on Table, 564.
 Reserve Fund of Benevolent Asylum and Randwick Asylum, 586.
 "CHIMBORAZO," S.S. :—Suspension of Certificate of Captain Vine Hall, 127.
 CHINESE, THE :—
 Estimated number in the Colony, 224.
 Miners Rights taken out by, 272.
 Anti-Chinese Meeting in Hyde Park, 273.
 Arrivals in Sydney by Sea and number quarantined, 281, 299.
 CHOWDER BAY :—Wharf, 482.
 CHURCHES :—
 Site for, at Larras Lake, 11.
 Payment of City Rates by, 554.
 Of England, Land for, Narrabri, 187.
 CHURCH AND SCHOOL LANDS :—
 Telegram to Dungog informing Land Agent, Dungog, that they could be conditionally purchased, 495.
 Upset price of, near Liverpool, 572.
 CIRCULAR QUAY :—
 Wharfage accommodation, 20, 258.
 Rates, 20.
 Rent for, 20.
 Berthing ships, 133.
 Appraisement of Land, 518.
 CIRCULAR RESPECTING RESERVES ON RUNS :—Issue and Copy of, 563.
 CITY OF NEWCASTLE :—Mr. Matthews late Chief Officer, 40.
 CITY RATES :—Payment of by places of public worship, 554.

QUESTIONS (continued):—

CIVIL SERVICE (See also "RAILWAYS.") :—
 Mr. Greaves, District Surveyor, 15.
 Mr. P. Brougham, 20, 80.
 Mr. Morris Asher, 26.
 Mr. Crook, employed in Department of Justice, 26.
 Compensation to Mrs. Baron, 30.
 Mr. Rogers, Crown Prosecutor, 55.
 Plurality of Offices, Amounts received by each officer, 69.
 Travelling expenses of Mr. Cracknell, 80.
 Mr. Giles, C.P.S. Bombala, 87.
 Salaries of professional staff in office of Engineer-in-Chief for Railways, 108.
 Clerks in Auction Branch, Department of Lands, 117.
 Mr. W. M. Ollivier, employed in, 149.
 Increases of salaries proposed in Registrar General's Department, 156.
 Civil Servants as Directors of Companies, 167, 602, 649.
 Messrs. Eagar and Kelly, Customs Department, 170.
 Landing-waiters, 244.
 Mr. Hanrahan, late Assistant Land Agent at Dubbo, 247, 253.
 Mr. McCracken, late Accountant in Telegraph Department, 272, 363.
 Mr. C. Oliver, Lands Department, 281, 301, 315, 331, 374, 375, 554.
 Employment of Mr. Keele, 281.
 Inquiry into Lands and Survey Departments, 314, 448.
 Mr. Edwin Ryan, late Clerk of Petty Sessions, Mudgee, 314.
 Land Agent at Hay, 314.
 Additional Clerks in Conditional Purchase Branch, 331.
 Clerk of Petty Sessions, Brewarrina, 336.
 Mr. Farnell, Registrar General's Office, 336.
 Clerk of Petty Sessions, Walgett, 352.
 Mr. C. E. Phillips, 367.
 Appointment of a third Tide Surveyor, 396.
 Total number of persons employed in Lands Department, 396.
 Leave of absence to Mr. Jones, Land Titles Office, 397.
 Government Land Agents and Appraisers, 402.
 Mr. David H. Armstrong, 402.
 Mr. York, 404.
 Leave of absence to Collector of Customs, 449.
 Messrs. Day and Oliver, Mines Department, 454.
 Mr. Berney, Acting Collector of Customs, 481.
 Mr. Bruce, Chief Inspector of Stock, 489, 541.
 Mr. Blackman, Lands Department, 495.
 Mr. E. L. Scott, Sheriff's Office, 496.
 Government Stores Department, 508.
 Compensation to Mr. Richards, late Land Agent at Bathurst, 519.
 Mr. Greville, Insolvent Court, 521.
 Leave of absence to Acting Collector of Customs, 526.
 Temporary Clerks in Lands Department, 558.
 Forgery by a clerk connected with the Central Police Court, 602.
 Fees under Small Debts Court, 602.
 Insolvency of Civil Servants, 607.
 Mr. Weekes, Clerk of Petty Sessions, Gundagai, 608.
 Cost of Lands Department for 1868, 615.
 Removal of Mr. Dunshee, 616.
 Mr. P. F. Richardson, 640, 654.
 Fees received by Officers in the Crown Solicitor's Department, 643.
 Fees received by the Attorney General and his Secretary, 644.
 Statement made by Mr. Hoskins respecting Officers in Lands Department, 645, 659.
 Examiner of Coal Fields and Inspector of Collieries, 662.
 CLARENCE TOWN :—
 Roads, 15, 336, 357, 448.
 Post and Telegraph Office, 113.
 Bridge over Williams River, 175, 191.
 CLARK, MR. :—Documents in reference to Water Supply, Sydney and Suburbs, laid before, 79.
 CLARK AND GUEST, MESSRS. :—Appraisement case between, 416.
 CLARKE AND MA. FAY, MESSRS. :—Lands sold to, 227.
 CLEARY, PATRICK :—Death of, 309.
 CLERKS (See "LANDS DEPARTMENT," also "RAILWAYS.")
 CLERKS OF PETTY SESSIONS :—
 Mr. Giles, Bombala, 87.
 For Brewarrina, 118, 336.
 Walgett, 352.
 Sitting on Bench, 417.
 CLOCK :—For Post and Telegraph Office, Parramatta, 244.

QUESTIONS (continued):—

- COAL :—
Supply of, for Railway Purposes, 282, 292, 392.
Trimming of, at Newcastle, 485, 507.
Exported from Newcastle, 575.
Examiner of Coal Fields, 662.
- COAL MINES REGULATION ACT :—Provisions of, 223.
- COBBYGAR CREEK :—Bridge, 443.
- COCKBURN RIVER :—Bridge at Tamworth, 654.
- COGGAN, WILLIAM :—Auction purchase of, 321, 336.
- COHEN'S CONDITIONAL PURCHASE :—Road from, at Uarby Creek, 537.
- COILA :—Public School, 299.
- COLLARBY :—Bridge, 122, 571.
- COLLIERY :—
Mount Pleasant, 279.
Inspector of Collieries, 662.
- COLLISION IN HARBOUR OF NEWCASTLE :—Between the "Ajax" and a ship, 447.
- COLLOPY, PRIVATE :—Volunteer Land Order, coming due to, deceased, 108.
- COMBES, MR. EDWARD :—
Amount drawn by, as Commissioner to Paris Exhibition, 53.
Pay and services of, 477, 587.
Property of, coming to the Colony, 607, 616, 658.
- COMMISSION :—
Royal, on Lands Department, 151, 192, 292, 314, 448.
Of the Peace, Mr. David Ferguson, J.P., 228.
- COMMISSIONERS OF LAND COURTS :—Return respecting, 402.
- COMMONS :—
Tamworth, 30.
Gunnedah, permanent and temporary, 50, 109, 170.
Depasturing Travelling Stock on, 64.
Gundaroo, permanent and temporary, 83.
WaggaWagga, Mr. Donnelly's claim to purchase portion, 79, 85, 292.
Adelong, 145.
Burrowa, 176.
Uralla, 278.
Powers of Trustees, 310.
Boundaries of, 339.
Rylstone, 585.
Warren, 586.
- COMMUNICATION BETWEEN SYDNEY AND ST. LEONARDS :—
Better means of, 650.
- COMPENSATION :—
To Mrs. Baron, 30.
To C. R. Lillyman and others, 73.
To Messrs. Larkins and Stevenson, 145.
- CONDITIONAL PURCHASES :—
Of Layfield, Gray, and others, 16 (?).
Parish of Bananalite, 21.
Joseph Wright, Moor Creek, 30.
On Gold Fields, 30, 257.
Emily Connell Laycock, at Grafton, 40, 165.
John Hoath, 49, 253.
Henry Steadman, Forbes, 56.
Patrick Nugent, 60.
Mr. Beazley, at Albury, 60.
Lapsed and forfeited, 63.
M'Farlane and Deasy, 64.
Jacob Steele, Bingera, 64.
Mr. Thompson, parish of Maroota, 64.
Miss Tickling, Warialda, 73.
Robert Patterson, Narrabri, 73.
Inspector of, for Gwydir District, 73.
Mr. Cavanagh, Coonabarabran, 85, 258.
John Capel, Piedmont, 93, 453, 561.
Gall Bros., Moree, 93.
Alexander Donaldson, Tamworth, 118.
Alfred Wood, Bullewa Creek, 118.
Forfeited, parishes of Barratta and Bannangalite, 121, 139.
James O'Dwyer, parish of Moonbria, Pucka Widgee Run, 121.
William Chapman, on Barratta Run, 139.
M. A. and T. Lee, 155.
Donaldson, Newcastle, 166.
John Engelbrath, Singleton, 166.
William Chapman, 167.
Survey of, Namoi River District, 169.
Mrs. Devine, at Albury, 180.
Branch Lands Office, 192.
Sale or transfer of land under, 241.
Mineral, held by Messrs. Parkes and Sutherland, 247, 514, 545.

Q

QUESTIONS (continued):—

- CONDITIONAL PURCHASES (continued):—
Legalization of, John Hoath, Walgett, and Jacob Steele, Bingera Gold Fields, 253.
Robert Rae, Edgeroi, 258, 561.
William Gallagher, Tunawana, 259.
George Rutcliffe, Bingera, 264.
Transfer of, 273.
Road through George Bell's, Narrabri, 278.
Mr. Hay, on the Blue Mountains, 282.
A. T. Simpson, Yetman, 282.
Inspector of, Warialda, 287.
James Fletcher, Wee Waa, 300.
Inspectors of, 301.
James Monaghan, 314.
Mr. Tonkins's, at Adelong, 321.
Daniel Coward, 326.
Patrick O'Neal, Binnaguy Run, 326.
Amounts paid to temporary Inspectors, 329.
Additional Clerks in Branch, 331.
Mrs. Hall, 341.
Mr. Waters, 341.
Messrs. Cropper and Carne, 347, 462.
Legalization of, 348.
T. M. Cross, 351.
Refund to Mr. Michael Power, 351.
Refund to Mr. James Beck, 351.
Philip Newman, 352.
Additional, without further residence, 357.
Thomas and John Field, 363.
Mr. Salter, 369.
At Yetman, 377.
Thomas Love, at Bombala, 378.
Opinion of Attorney General, on additional, 387.
Robert Edwards, 402, 514.
Gertrude Smith, 404.
Peter Nowland, 410.
Margaret Emily Bennett, 415, 514.
- Joseph Ayres, 429.
Moneys due to temporary Inspectors, 434.
John Molloy, 438.
On Oregon Run, 477.
Mr. Devory, at Mudgee or Cassilis, 478.
William Pearce, 485.
Mr. F. Adams's, at Scone, 496.
Forfeited and liable to Forfeiture, 513.
Mr. Rodgers's, Trialba, 513.
Condobolin Land Office, 409.
Messrs. Wallace, 515, 665.
On Reserve No. 41, 517.
Thomas Foran, and Kelly and Woods, 519.
Mr. Gray, at Hay, 529.
George Millgate, at Orange, 529.
Hans Frank, at Tamworth, 530.
James South, on Gunyerwaraldi, 532.
William Rae, 549.
John Blanchfield, 557, 639.
Benjamin Walters, 563.
Joseph Davis, at Cullengoin, 564.
T. H. Purvis, 572.
John Mulhearn, 585.
Number dealt with, and number taken up, during 1878, 599.
Levi Witcomb, 601.
Held by Members of Parliament, 608.
Number of Grants issued from the Crown, 608.
John Neven, 617.
William Davis, 628.
W. J. Dickinson, 639.
- CONDOBOLIN :—Land Office, 409.
- CONTRACTS FOR GOVERNMENT STORES :—
Names of Contractors, and amounts paid, 373.
Pamphlets showing Contract Prices, 487.
- "CAPTAIN COOK" :—Removal of Captain C. Smith, 232.
- COOK PARK :—Dedication and Proclamation, 277.
- COOK'S STATUE :—
Unveiling, 244.
Dwarf wall and iron railing, 635.
- COOLOONGOOLOOK :—Mining Leases on Gold Field, 373.
- COOMA :—
Railways, 315, 325, 424, 609.
Road, 299.
- "COONABARA" :—Manning of, 167, 171.
- COONABARABRAN :—
District Courts, 44.
Land Sale, 166.
Road to Gunnedah, 437, 617.

Q

QUESTIONS (continued):—

- COONAMBLE :—
 District Courts, 44.
 Land Agent, 104, 146, 254, 369, 428.
 Bridge, 336.
 Post and Telegraph Office, 341.
 COOPER, W. H. :—Letter respecting his speech at Bar of House on Beer's Disabilities Bill, 156.
 COOPER, SIR DANIEL :—Reserves on Waterloo Grant, owned by, 176, 227, 478.
 COOPER, WILLIAM O. :—Pre-emptive Lease of, at Collector, 572.
 COOTAMUNDRA :—Post and Telegraph Office, 273, 417.
 COPE'S CREEK :—
 Foot Bridge, 572.
 Revenue from District, 575.
 CORAL :—Specimens of, from seas through which Port Darwin Cable runs, 50.
 CORONER :—
 Police Magistrate and, Molong, 20.
 Inquests, 381.
 COROWA :—Bridge, 347.
 CORPORATION OF SYDNEY :—Expenditure by the Mayor under Act, 362.
 CORPORATION BILL :—Drafting of, 396.
 COUNCIL, LEGISLATIVE :—Particulars of appointments to, 649, 657.
 COUNTY :—Lithographs, 60.
 COUPER, ALEXANDER :—Selection of, Wagga Wagga, 353.
 COURT-HOUSE :—
 Walgett, 20, 183, 244, 661.
 Tenterfield, 34, 145, 156.
 Bombala, 40, 108, 514.
 Murrumburrah, 43.
 Binalong, 43.
 Cowra, 50, 533.
 Hill End, 59.
 Gadooga, 64, 85.
 Moss Vale, 70, 579.
 Wee Waa, 74.
 And Police Barracks, Jerry's Plains, 108.
 Warialda, 140, 340, 415.
 Richmond, 141, 152, 283.
 And Police Station, Quirindi, 184.
 Moree, 187.
 Branxton, 248, 521, 628.
 Forbes, 254.
 Windsor, 272.
 Narrandera, 273.
 Gunnedah, 300, 521.
 Bingera, 340, 415.
 Tamworth, 378.
 Jerry's Plains, 108, 408, 628.
 Rylestone, 474.
 Mogil Mogil, 477.
 Baradine, 477, 576.
 Braidwood, 487.
 Back Creek, 530.
 Barraba, 530.
 Brewarrina, 576.
 COURTS :—
 District, at Coonabarabran, Coonamble, &c., 44.
 District and Quarter Sessions, Narrabri, 66.
 Of Petty Sessions, Kunopla, 69.
 do. Manilla, 258.
 Third District, Goulburn, 104.
 Of Petty Sessions, Blackville, 191.
 Precedence of Civil over Criminal Cases in District, 232.
 Of Petty Sessions, Mogil Mogil and Baradine, 325.
 COWARD, DANIEL :—Conditional Purchase of, 326.
 COWPER WHARF :—Obstruction of, by Elliott and Co., 442.
 COWRA :—
 Land District, 20.
 Court-house, 50, 533.
 CRACKNELL, MR. :—Travelling Expenses of, 80.
 CRANE :—And Wharf, Darling Harbour, 127.
 CRICKETERS, AUSTRALIAN :—Payment of Salaries to during absence, 397.
 CRIMINAL CASES :—Precedence given to Civil over, by Mr. District Court Judge Josephson, 232.
 CRIMINAL LAW :—Bill to Consolidate and Amend next Session, 599.

QUESTIONS (continued):—

- CROOK, MR. :—Employed in Department of Justice, 26.
 CROOKHAVEN :—Recreation Reserve, 367.
 CROOKWELL :—Telegraph Line Goulburn to, 76.
 CROPPER AND CARNE :—Inspectors of Conditional Purchases, 347, 462.
 CROPPYENDY :—Road between, and Tugganboo, 420.
 CROSS, T. M. :—Conditional Purchase of, 351.
 CROWN LANDS (See also "CONDITIONAL PURCHASES," also "LAND," also "LAND AGENTS," also "LANDS DEPARTMENT," also "RESERVES.") :—
 Introduction of Land Bill, 11, 16, 70.
 Boggabill Run, 30.
 Decision of Supreme Court in case of Blackwood v. Dobbin, 33.
 Quat Quatta Reserve, 56, 329.
 Auction Purchases, 76.
 The case of Messrs. Wilson, Cawley, and Frew, 80.
 Applications for Land, county Ashburnham, by J. and L. Smith, 86.
 Pucka Widgee Run, 121.
 Purchase of Land under 2nd clause of Land Act of 1875, 122.
 Royal Commission, Lands Department, 151, 192, 292.
 Mr. John Edwards, Land Appraiser, 152.
 Yanko Cutting, 159.
 Cancellation of Reserve in Murrumbidgee District, 159.
 Land purchased by Frederick Peters, at Bendemeer, 166.
 Enclosing Stock Routes, Barratta Run, 171.
 E. D. Ogilvie's Auction Purchase, County of Drake, 183.
 Mr. James Duff's Pre-leases at Millie, 184.
 Conditional Sales Branch, Lands Office, 192.
 Sale or Transfer of Land under Conditional Purchase, 241.
 Improvements on, 243.
 Purchase in virtue of improvements, 243.
 Held under Pastoral Lease, 248.
 Mr. Henry Rickatson, Derulaman and Kerrarberry Stations, 263, 295.
 Taken up by Mr. Richardson, 272.
 Mr. Keele, Inspector of Conditional Purchases, 281.
 Mr. T. Broughton, Muttama Run, 282, 283, 296.
 Inquiry into Lands and Surveys Departments, 292.
 Forfeited Pre-leases, 296.
 Land Sale, Hartley, 309.
 Land Agent at Hay, 314.
 Balderogera Run, 317.
 Billabong East Run, 317.
 Auction Purchase of William Coggan, 321, 336.
 Governor's Signature to Crown Grants and Debentures, 321, 326.
 Auction Purchases of Messrs. Jennings and Shanahan, 329.
 Arrears of Rent due by Mr. James Tyson, 339.
 Baratta Run, 171, 345, 346.
 Applications of Land in virtue of Improvements, 346.
 Alexander Couper's Selection at Wagga Wagga, 353.
 Ring-barking Trees, 402.
 Sale of, from 12th November, 1878, to 31st December, 1878, 408.
 Land Office, Condobolin, 409.
 Allotments in Township of Bokhara, 428.
 Number of acres sold by auction, 429.
 Receipts for auction sales last quarter, 434.
 Deeds for Land at Walgett, 434.
 The case of John M'Fay, 449.
 Land sold at Warialda, 449.
 Mr. A. Munro's Improvement Purchase, 477.
 Land purchased by James Sevil, 488 (?).
 Grant of Land to Mr. Potter Macqueen, 517.
 District Survey Offices, 534.
 Alienated during the year 1878, 554.
 Appraised for W. Officer, and Woolsey, Gipps, & Co., 554.
 Pre-lease of Charles Raeuber, 562.
 Lands withdrawn from auction selection, 564.
 John Murray's Preemptive Lease, 567, 580.
 Pre-emptive Lease of William Oscar Cooper, 572.
 Land taken up by Mr. Bayly on the Pipeclay Gold Fields, 579.
 Mineral Selections, 580.
 Land Revenue for 1868, and cost of Lands Department for 1868, 615.
 Denis Carey's Application for a Lease at Flying-fox Island, 628.

Q

QUESTIONS (continued):—

CROWN PROSECUTOR:—Mr. Rogers, 55.
 CROWN SOLICITOR:—Fees received by Officers in Department of, 643.
 CROYDON:—Bridge at, 171, 176.
 CULGOA (See "ROADS.")
 CULLENGOIN:—Conditional Purchase of Joseph Davis, 564.
 CURATOR OF INTESTATE ESTATES:—Authority of to appoint Agents, 538.
 CURRABUBULA:—Bridge, 374.
 CUSTOMS:—
 Union, 21.
 Border Duties, 34, 283, 368.
 Boarding of s.s. "Wotonga" by Officers of, 146.
 Do "Balclutha" do. 163.
 White Spirits, Spirits of Wine, and Fusel Oil, taken out of Bond, 151.
 Messrs. Eagar and Kelly, Overtime, 170.
 Boarding Intercolonial Steamers at night or on Sundays, 170.
 Landing Waiters and Acting Landing Waiters in Sydney, 244.
 Mr. J. M'Donald, Acting Landing Waiter, 267.
 British Duties on Australian Wines, 381.
 Appointment of a Third Tide Surveyor, 396.
 Seizure of Perfumed Spirits, 447.
 Leave of Absence to Collector, 449.
 Mr. Berney, Acting Collector of Customs, 481, 526.
 Queensland Border Duties, 538.
 Removal of Mr. Dunshee, 616.
 CUSTOM HOUSE, NEWCASTLE:—Offices adjoining, 341.
 DAMAGE:—By flood to property in Darling Harbour, 87, 470, 567, 615.
 DAMS:—Bill to provide for construction of, 55, 301.
 DANGAR BRIDGE:—
 Road to the Narren River, 345.
 In time of flood, 453.
 Approaches to, 453, 661.
 DARLING HARBOUR:—
 Reclamation of Land by A.S.N. Co., 21, 30.
 Damage by flood in, 87, 470, 567, 615.
 Crane and Wharf, 127.
 Shed at Wharf, 127.
 Railway Crossing, 447, 572.
 DARLINGHURST GAOL:—
 Medical Officer, 5, 16.
 Chaplain, 254.
 DARLINGTON:—
 Public nuisance near, 595.
 DARTBROOK CREEK:—
 Road from Seone, 415.
 Road to Merriwa Road, 495.
 DAVIS, JOSEPH:—Conditional purchase of, at Cullengoin, 564.
 DAVIS, WILLIAM:—Conditional purchase of, at Cullengoin, 628.
 DAWES'S POINT:—Quarters at, 608.
 DAY, DR.:—Application of, as Gaol Surgeon, 16.
 DAY, MR.:—Department of Mines, 454.
 DAYS DALE:—Township of, 180.
 DEATH RATE:—Liverpool Asylum, 263, 367.
 DEAST, J.:—Conditional purchase of, 64.
 DEBENTURES:—
 Sale of Government, 69.
 Governor's Signature to, 321, 326.
 DECLARATIONS:—Alleged false, by Members of Parliament, in Lands Office, 11, 15, 83.
 DEEDS:—
 For Land purchased by E. Hawkins, Tumbarumba, 60
 Issued to Lillyman and Malone, 488
 DEFENCES:—
 Recommendations of Sir Wm. Jervois, 86, 164.
 Vacant Captaincies in Permanent Military Force, 104.
 Fortifications at Botany Bay, 166.
 Of the Colony, 314.
 Amount paid for services of Colonel Scratchley, 507.
 Harbour, Newcastle, 654.
 DENILIQUIN:—
 Land Sale 21, 346.
 Hydraulic Survey, 363.
 DE VINCE, DR.:—Medical Officer to the Railway Department, 488.
 DEVINE, MRS.:—Conditional Purchase at Albury, 180.
 DEVORY:—Conditional Purchase of, 478.

QUESTIONS (continued):—

DICKINSON, W. J.:—Conditional Purchase of, 639
 DICTIONARY OF DATES:—Printing of, at the Government Printing Office, 441, 443, 491, 496, 575, 602, 612, 639.
 DIRECTORS:—
 Civil Servants as, of Companies, 167, 602, 649.
 Of Banks holding office of Colonial Treasurer, 288.
 DISTILLATION:—Introduction of Bill, 122.
 DISTILLERIES, &C., TAMWORTH:—Inspectors of, 438.
 DISTRICT COURTS:—
 Coonabarabran, Coonamble, &c., 44.
 And Quarter Sessions, Narrabri, 66.
 Goulburn, 104, 478.
 Judges, Salaries of, 108, 113.
 Bailiffs, fees to, 118.
 Rocky Mouth, 310.
 And Quarter Sessions, Brewarrina, 377.
 Cassilis or Merriwa, 571.
 DISTRICT SURVEY OFFICES:—Establishment of in the North, 534.
 DIVORCE BILL:—Assent to, 611.
 DOMAIN:—Removal of gravel from, for the Mayor, 586.
 DONALDSON, ALEXANDER:—Conditional Purchase of, Tamworth, 118.
 DONALDSON, A. L.:—Conditional Purchase of, Newcastle, 166.
 DONNELLY, MR.:—Claim to purchase part of Wagga Wagga Common, 79, 85, 292.
 DOUBLE BAY:—
 Reserve, 43, 368.
 Plan of village, 107.
 Marine Parade, 368, 549, 558, 644.
 DOYLE:—Death of, 309.
 DRAFTING OF BILLS:—Corporation Bill, and Animals Protection Bill, 396.
 DRAINING:—Flooded lands, Macleay River, 188.
 DREDGES:—
 "Newcastle" and tender "Ajax," 151.
 Men employed on, 495, 666.
 "Samson," 458, 495, 522, 608, 658, 666.
 DRIFT TIMBER:—In the Murrumbidgee River, 403.
 DUFFY TOWN:—Site for Public School, 662.
 DRY CREEK:—Road, 561.
 DURBO:—
 Mr. Hanrahan, late Assistant Land Agent, 247, 253.
 District Surveyors Office, 369.
 Road to Coonamble, 368.
 Endowment of Municipality, 420.
 DUFF, MR. JAMES:—Pre-leases of at Millie, 184.
 DUFFER'S CREEK:—Water reserve at, 530.
 DUFFY, MR.:—Inspector of Permanent Way, Northern Line, 341.
 DULWICH:—Road to Singleton, 591.
 DUNGOG:—Post and Telegraph Office, 113.
 DUNDEE RUN:—John Murray's Pre-emptive Lease on, 567, 580.
 DUNSHEE, MR.:—Removal of from the Public Service, 616.
 DUTY:—Bill to abolish, on Gold, 299, 609.
 DUTIES ON AUSTRALIAN WINES:—British, 381.
 DYER, BENJAMIN BARNFIELD:—Patient in Gladesville Asylum, 530.
 DYKE:—At Rushcutters Bay, 191, 416, 496.
 EAGAR & KELLY, MESSRS:—Overtime, 170.
 EAST MAITLAND:—
 Gaol, 248.
 Police Barracks, 627.
 EBENEZER:—Complaints against Postmaster at, 309.
 EDGEROI RUN:—Robert Rae's Conditional Purchase at, 258.
 EDUCATION:—
 Site for Public School, parish of Wilmot, 15.
 Public School, Trunkley, 55.
 Do. Inglewood Forest, 57.
 Do. Muswellbrook, 70.
 Do. Mandurama, 85.
 Do. Site for, Rob Roy Gully, 93.
 Do. Jerry's Plains, 160, 567.
 Do. Site for, Blackville, 188.
 Do. do. Pokolbin, 231, 291, 491.
 Do. Turlingali, 238, 299.
 Establishment of Grammar Schools at Maitland, Bathurst, and Goulburn, 247.
 Meetings of the Council, and attendance of members thereat, 267.

Q

QUESTIONS (continued):—

EDUCATION (continued):—

- Site for Public School, Molong, 277.
- Public School, Turlingali and Coila, 299.
- School at Thorp's Pinch, 314.
- Public School, Grasstree, 321, 616.
- Stationery for Local School Boards, 323.
- Site for School at Back Creek, 331, 408.
- School Wallerawang, 352.
- Public School at Aberglasslyn, 362.
- School at Back Creek, 408.
- Public School at Jerrawa, 515.
- Residences of Denominational School Teachers, 530, 537, 554.
- Mission of Mr. Combes, 587.
- Schools of Medicine and Law, 595.
- Site for Public School at Nelanglo, 616.
- Religious Teaching in Public Schools, 661.
- Site for Public School, Drutt Town, 662.
- Public School, Burwood, 662.
- Travelling Expenses of Public School Teachers, 665.
- EDWARDS, MR. JOHN:—Land Appraiser, 152.
- EDWARDS, MR. H. T.:—Cases heard before, at Bombala, 326.
- EDWARDS ROBERT:—Conditional purchase of, 402, 514.
- ELIZABETH STREET:—Widening of, and Elizabeth Street, 223.
- ELLIOTT, & Co.:—Obstruction of Cowper Wharf by, 442.
- ELLY, THE LATE RICHARD:—Railway Guard, 21.
- EMPLOYEES:—
 - At Botanical Gardens, 171.
 - On Railways, 127, 347, 408, 428, 441, 488, 608.
- EMU PLAINS:—Railway Station, 296.
- ENCROACHMENT:—
 - On the Harbour by A. S. N. Co., Pyrmont, 21, 30, 70, 79.
 - On Footpath, King and Pitt Streets, 291, 473.
 - On Reserves, 423, 442.
- ENDOWMENT:—Of Municipal Council of Sydney, 237.
- ENGELBRATH, JOHN:—Conditional Purchase of, Singleton, 166.
- ENGINES:—Railway, 53, 151, 237, 545, 554.
- ENGINEER-IN-CHIEF FOR RAILWAYS:—Salaries of Professional Staff in Office of, 108.
- ENGONIA:—Police for Boggabilla and, 73.
- ESTATES:—Sequestrated, 86.
- ESTIMATES:—Preparation of, so as to show amount received by each Civil Officer, 69.
- "EVENING NEWS":—Telegrams to, 572.
- EXAMINER OF COAL FIELDS:—Threatened Suspension of, 662.
- EXHIBITION, INTERNATIONAL:—
 - Government Assistance towards, 34, 35, 176⁽²⁾.
 - Telegrams to England respecting, 180.
 - Cost of, and Contracts for, the Building, 237, 375.
 - Per centage paid to Mr. John Young in connection with Building, 267.
 - Letting of Contracts, by tender or otherwise, 273.
 - Drawings of Contracts, and other particulars, 279.
 - Timber, 358, 375.
 - Wages of labourers, 378, 381.
 - Exhibits, 403.
 - Hotel accommodation, 410.
 - Supply of Iron, 416, 491.
 - Amount expended on, 454, 514, 517, 595, 601.
 - Tenders, 471.
 - Bricks for Building, 522.
 - Employment of Mr. Wardell, 553.
 - Internal decorations, 557.
 - Entertainment to Workmen, 616.
 - Visit of Railway employees to, 649.
- EXPIRES FROM NEW CALEDONIA:—Papers having reference to, 352.
- EXPLANATORY STATEMENT:—Of Public Accounts, 137.
- "FAWN," STEAM LAUNCH:—Reported purchase of by Government, 482.
- FEES:—
 - To District Court Bailiffs, 118.
 - To Resident Medical Officers, Sydney Infirmary, 586.
 - Under Small Debts Act, at the Police Courts, 602.
 - Received by Officers in the Crown Solicitors Department, 643.
 - Received by the Attorney-General and his Secretary, 644.

QUESTIONS (continued):—

FENCING:—

- Bill to regulate, 55, 301.
- Railway Lines, Cootamundra to Wagga, and Quirindi to Gunnedah, 75.
- Erection of, at Pyrmont by the A. S. N. Company, 347.
- RUNS, 428.
- FERRIES:—
 - Tolls on Roads, Bridges and, 139, 237, 401.
- FERGUSON, MR. DAVID, J.P.:—Appointment to Commission of the Peace, 228.
- FIELD, MESSRS. THOMAS AND JOHN:—Conditional Purchases of, 363.
- FINLAY, MR.:—Railway Carriage occupied by, 44.
- FINANCE:—
 - The Financial Statement, 16.
 - Proposed Loan on London Market, 21, 145, 419.
 - Sale of Government Debentures, 69.
 - Advances to the Government by Bank of New South Wales, 76.
 - Trust Moneys, Loan Funds, 118.
 - Explanatory Statement of Public Accounts, 137.
 - Letters of Credit on Bank of New South Wales, London, 145.
 - Government Banking Account, 244.
 - Do Financial arrangements, 287, 300.
 - Advances to Loan Funds, 419.
 - Renewing or modifying present Bank agreement, 513.
 - Papers respecting Public Loan on Table, 592.
- FIRE ENGINE:—To Hospital for Insane, Parramatta, 558.
- FISH:—Destruction of, at Terrigal, and Lake Macquarie, 662.
- FISH RIVER:—Bridge over, at O'Connell, 238, 300.
- FISH RIVER CREEK:—Land applied for at, by Sarah Wilson, 563.
- FITZPATRICK, MICHAEL, ESQUIRE:—Pension of, 347.
- FITZROY BRIDGE:—Repair of, 103.
- FITZROY DOCK:—Wages of Gunsmiths, 474.
- FLETCHER, JAMES:—Conditional Purchase of, Wee Waa, 300.
- FLOODS:—
 - In the Hunter River, 35, 46, 271, 519.
 - Damage by, to property in Darling Harbour, 87, 470, 567, 615.
 - Protection to River Banks, West Maitland, from, 271.
- FLYINGFOX ISLAND:—Application of, for a lease at, 628.
- FOOTBRIDGE:—Parramatta, 244, 575.
- FOOTPATH:—Encroachment on, King and Pitt Streets, 291, 473.
- FORAGE ALLOWANCE:—To Officers of the Permanent Artillery, 662.
- FORAN, THOMAS:—Conditional Purchase of, 519.
- FORBES:—
 - Court-house, 254.
 - Post Office, 409.
 - Gaol, 438.
- FORFEITED:—
 - Lapsed and Conditional Purchases, 63.
 - Conditional Purchases, Parishes of Barratta and Bannangalite, 121.
 - Pre-leases, 296.
- FORTIFICATIONS:—86, 104, 164, 166, 314, 507, 654.
- FORSTER, MR., AGENT-GENERAL:—Letter of, in the *Evening News*, on expediency of Agents General being Members of the House of Commons, 615.
- FOUNDINGS:—Christening of, 430, 509.
- FRANK, SIEGFRIED:—Informations against, in connection with the totalisator, 509, 522.
- FRANK, HANS:—Conditional Purchase of, 530.
- FURNITURE:—
 - Court-house, Richmond, 283.
 - Court-house, Gunnedah, 300.
 - Telegraph Office, Singleton, 351, 659.
- FUSEL OIL:—White Spirits, Spirits of Wine, and, 151.
- GADDOGA:—Court-house, 64, 85.
- Village Reserve, 64.
- Land Sales, 273.
- Post and Telegraph Office, 429.
- GALLAGHAN, WILLIAM:—Conditional Purchase of, at Tanawana, 259.

Q

QUESTIONS (continued):—

- GALL, BROS. :—Conditional Purchase of, at Moree, 93.
 GALL, R. :—Road through Conditional Purchase of, 487.
 GAOL :—
 Darlinghurst, Medical Officer, 5, 16.
 Do. Chaplain, 254.
 Wellington, 11.
 Tenterfield, 34, 145, 156.
 Narrabri, 73.
 Bingera, 180.
 East Maitland, 249.
 Albury, 313.
 Increase of Pay to Warders, 424.
 Forbes, 438.
 Prison Labour, Mudgee, 587, 615.
 Lodging Allowance to Warders, 599.
 GAP CREEK :—Bridge over, 374, 409.
 GARRETT AND GREVILLE, MESSRS. :—Mineral Leases held by, in Newcastle District, 35, 40.
 GARSED, MR. JOHN :—Letter of, 119, 149, 408.
 GAS :—Lighting Railway Carriages with, 159.
 GENERAL GRANT :—Reception of, in Sydney, 509.
 GEOLOGICAL SURVEYOR :—Additional, and duties of, 45.
 GETT, PETER :—Employment of, on Roads, 358.
 GILES, MR. :—Clerk of Petty Sessions, Bombala, 87.
 GLADESVILLE ASYLUM :—Insanity of Benjamin Barnfield Dyer, 530.
 GLEBE ISLAND ABATTOIRS :—
 Regulations for slaughtering, 85.
 Disposal of Offal, 409, 650.
 Allegations in *Herald* as to Management of, 433.
 Appointment of Mr. Bruce on Commission, 489.
 Pay of Commissioners, 508, 514, 522.
 Papers in reference to Expenditure of Money at, 616.
 GLEN ALICE :—Post Office, 461.
 GLEN INNES :—
 Post Office Premises, 34.
 Sites for Pounds, 576.
 GLENMORE ROAD :—Amount for Repairs, 238, 448.
 GLOUCESTER RIVER :—Bridge over, 113.
 GOANGORA :—Boats for, 369.
 GOLD :—
 Mining Lease, Ironbarks, P. Grimley, 16.
 Mining Act, 74.
 Miners rights taken out by Chinese, 272.
 Mining leases, 272.
 Abolition of Duty on, 299, 609.
 Mining Leases, Coolooloolook, 373.
 Prospecting for, 383, 514.
 Mining on Police Paddock, Young, 404, 471, 533.
 Selections at Bulahdelah, 408.
 Quantity of, obtained from the Barrington Field, 485.
 Issue of Special Mining Leases, 628.
 Conditional Purchases on Fields, 30, 257.
 Amendment of the Mining Law, 50.
 Barrington, 169, 337, 471, 485.
 Bingera Reserve, 45, 171.
 Land taken up by Mr. N. P. Bayly, at Pipeclay, 579.
 GONGOLGAN :—Bridge, 368.
 GOONDIWINDI :—
 Bridges at Mungindi and, 187, 362, 382.
 GOORANGoola :—Road from, to Bowman's Creek, 171, 237.
 GOULBURN :—
 Public Buildings, 21.
 Telegraph Line to Crookwell, 76.
 Third District Court, 104.
 Road to Windellima, 227.
 Extension to Wagga Wagga, 427.
 Duties of Registrar, 478.
 GOVERNMENT :—
 Advertisements in Newspapers, 34, 165, 580.
 Pay of Workmen for Christmas Day and Good Friday, 457.
 Stores Department, 508, 514, 522, 592.
 Stamp used by Officials, 517.
 Debentures, 69.
 Banking Account, 244.
 Financial Arrangements, 287, 300.
 Contracts for Stores, 373, 487.
 Supplies to Institutions, 454.
 GOVERNMENT PRINTING OFFICE :—
 Publication of Non-official Books at, 441, 443, 491, 496(2), 575, 602, 612, 639.
 Printing of "The Queensland Magistrate," 602
 GOVERNOR'S SIGNATURE :—To Crown Grants and Debentures, 321, 326.

QUESTIONS (continued):—

- GRAFTON :—
 Telegraph contract, 46.
 Line to Kempsey, 57, 155.
 GRAMMAR SCHOOLS :—Establishment of, at Maitland, Bathurst, and Goulburn, 247.
 GRAMMAR SCHOOL, SYDNEY :—Alleged insult to Mr. Kenna, 666.
 GRANT, GENERAL :—Reception of, in Sydney, 509.
 GRANT OF LAND TO MR. POTTER MACQUEEN :—Area of, 517.
 GRASSTREE :—Public School, 321, 616.
 GRAVEL IN THE DOMAIN :—Removal of, for the Mayor, 586.
 GRAY, MR. :—Conditional Purchase of, at Hay, 529.
 GREAVES, MR. :—District Surveyor, 15.
 GREEN'S ROAD :—Taking down of Barrack Wall, 50.
 GREENFELL :—Water Supply for Young and, 20.
 GREVILLE, MR. :—Chief Clerk, Insolvent Court, 521.
 GREVILLE, MESSRS. GARRETT AND :—Mineral Leases held by, Newcastle District, 35.
 GRIFFIN, PATRICK AND MICHAEL :—Return to Address, respecting, 86.
 GRIMLEY, PETER :—Gold Mining Lease, Ironbarks, 16.
 GUEST AND CLARK :—Appraisement case between, 416.
 GULARGUMBONE :—
 Bridge, 368.
 Village Reserve, 378.
 GULGONG :—
 Alignment of Streets, 169.
 Land Office, 184.
 Post and Telegraph Office, and Police Buildings at, 558, 635.
 Water Supply, 567.
 Small Debts Court, 658.
 GUNDAGAI :—Mr. Weekes, Clerk of Petty Sessions at, 608.
 GUNDAROO :—
 Common, 83.
 Post Office, 580.
 GUNNEDAH :—
 Railway Extension to Narrabri, 49, 437.
 Commons, 50, 109, 170.
 Road from Barraba to, 93, 374, 401, 447, 591.
 School of Arts, 179, 423.
 Railway Werris Creek to, 282, 443, 665.
 Court-house, 300, 521.
 Approaches to Railway Station, 301.
 Road to Narrabri, 362.
 Bridge, 374.
 Telegraph line to Quirindi, 416.
 Chandos-street, 491.
 Mr. T. K. Abbott, Police Magistrate, 611.
 GUNNING :—
 Bridge on Road to Monaro, 151.
 Road to Queanbeyan, 538, 576.
 Road to Gundaroo, 563.
 GUNSMITHS AT FITZROY DOCK :—Wages of, 474.
 GUNTAWANG :—Road, 558.
 GUNYERWARALDI RUN :—James South's Additional Conditional Purchase on, 533.
 GWYDIR, THE :—
 Bridge over River at Bundarra, 43, 223, 453.
 Public Tanks in Electorate, 428, 448, 628.
 Cemeteries in Electorate, 429.
 Land Offices in district, 644.
 HALL, CAPTAIN VINE :—Suspension of Certificate of, by Marine Board, 127.
 HALL, MRS. :—Conditional Purchase of, 341.
 HANCOCK, THE LATE ROBERT :—Commission received from Estate of, 26.
 HANRAHAN, MR. :—Late Assistant Land Agent at Dubbo, 247, 253.
 HANSARD :—Establishment of, 666.
 HARBOUR DEFENCES :—
 Recommendations of Sir Wm. Jervois, 86, 164.
 Newcastle, 654.
 HARTLEY :—Land Sale, 309.
 HARPER, MR. NEIL, J.P. :—Case against, Court of Petty Sessions, Nowra, 65.
 HATFIELD BUSHRANGERS :—Reprieve of, 507.
 HAWKINS, EDWARD :—Land purchase at Tumbarumba, 60.
 HAY :—Weighing, at Parramatta Junction, 295.
 HAY, MR. :—Conditional purchase of, Blue Mountains, 282.
 HEATON, MR. :—Printing "Men of the Time" at the Government Printing Office for, 441, 443, 491, 496, 575, 602, 612, 639.

Q

QUESTIONS (continued) :—

- HEXHAM PUNT :—Approaches, 470.
 HILL END :—
 Purchase of Protestant Hall as Court-house, 59.
 Water Supply, 515.
 HIXSON, CAPTAIN :—Quarters at Dawes's Point, 608.
 HOATH, JOHN :—Conditional Purchase of, 49, 253.
 HOLIDAYS :—To Railway Employes, 127, 408.
 HOLROYD, MR., MASTER IN EQUITY :—
 Salary of as Acting Judge, 383.
 Business of during absence, 396.
 Increase of Salary to, 616.
 HOMEBUSH :—Purchase of Land between Parramatta and, 253.
 HOME RULE :—Prospecting Association, 156.
 HORSES :—Sale of Impounded, at Murrurundi, 521.
 HORSE-STEALING :—Rewards in cases of, 278.
 HOSPITAL :—
 Murrurundi, 75 (?), 104.
 Site, Walgett, 149, 443.
 Parramatta, 508.
 Fire Engine, Parramatta, 558.
 Sydney, 586, 587, 595, 653, 654.
 HOUSE RENTED FROM MR. SENIOR :—Particulars of, 391.
 HOWLONG :—
 Bridge across River Murray, 70, 329, 612.
 Approaches to Punt, 139.
 HUDSON BROTHERS :—
 Amount paid to, for building Telegraph Station at La Perouse, Botany, 580.
 Return ordered by the House, on Table, 592.
 HUME :—Sale of Roads in County of, 470.
 HUNTER RIVER :—
 Floods, 35, 46, 271, 519.
 Water Supply, for District, 243, 244, 491.
 Protection to Banks, West Maitland, 271.
 HYDE PARK :—
 Delay in erecting Dwarf Wall, &c., 118.
 Enclosure, 223.
 Band, 273, 448.
 Anti Chinese Meeting, 273.
 Dedication and Proclamation, 277.
 Regulations respecting Public Meetings, 396.
 HYDRAULIC SURVEY, DENILQUIN :—Completion of, 363.
 IMMIGRATION :—
 Goods supplied by Kidman and Son to ship "Smyrna," 117, 170.
 Arrivals in Sydney by sea, and proportion quarantined, 281.
 Provision for Employment of Immigrants, 581.
 Religion of Immigrants by "Samuel Plimsoll," 631.
 IMPORTATION :—Prohibition on, of Live Stock, 140.
 IMPOUNDING BILL :—Intention of Government respecting, 11.
 IMPROVEMENTS :—
 Purchase of portion Quat Quatta Reserve in virtue of, by Mr. Wallace, 56.
 On Crown Lands, 243.
 Purchase of Crown Lands in virtue of, 243.
 INFIRMARY, SYDNEY :—
 Fees to Resident Medical Officers, 586.
 Erection of, 587.
 Alleged unfit state of Surgeon to perform operation, 595.
 Case of Dr. Morgan, 653, 654.
 INGLEWOOD FOREST :—Public School, 57.
 INQUESTS :—
 On body of John Norris, 248.
 Do. Mrs. Brown, 379.
 Presence of Witnesses, 381.
 In Maitland District, 485.
 INSOLVENCY :—Sequestrated Estates, 86.
 INSOLVENT COURT :—
 Fees to Chief Clerk and Bailiff, 521.
 Returns in regard to Mr. Booty, 600.
 INSOLVENCIES :—Of Civil Servants, 607.
 INSPECTORS :—
 Of Conditional Purchases, for Gwydir District, 73.
 Do. do. Wialda, 287.
 Of Conditional Purchases, 301.
 Of Land Offices, Mr. Oliver, 281, 301, 315, 331, 374, 375, 554.
 Amounts paid to, 329.
 Distilleries, &c., Tamworth, 438.
 Of Collieries, 662.

QUESTIONS (continued) :—

- INTERCOLONIAL STEAMERS :—Boarding of, at night or on Sunday, 170.
 INTERNATIONAL EXHIBITION IN SYDNEY (See "EXHIBITION.")
 INTESTATE ESTATES :—Authority of Curator to appoint agents, 538.
 In the Maitland District, 485.
 INVERELL :—
 Quarter Sessions, 34.
 Boundaries of Land District, 508.
 IRON :—
 Sale of, at Newcastle, 410, 438.
 Do. Sydney, 612.
 Supply of, to the Government, for Exhibition, 416.
 IRONBARKS :—Railway to, 378.
 IRON COVE :—And Parramatta River Bridges, 179, 441.
 JACOB AND JOSEPH CREEK :—
 Road to Quirindi, 118.
 Approaches to Bridge, 378.
 Bridge, 461.
 JAMES, HENRY KERRISON :—Custody or possession of Registers of Births, Marriages, and Deaths by, 592.
 JENNINGS AND SHANAHAN, MESSRS. :—Auction purchases by, 329.
 JERRAWA :—Public School, 515.
 JERRY'S PLAINS :—
 Post and Telegraph Office, 108, 133, 180, 237, 331, 407, 554.
 Court-house and Police Barracks, 108.
 Public School, 160, 567.
 Police, 407.
 Court-house and Lock-up, 408, 628.
 JERVOIS, SIR WILLIAM :—Carrying out recommendations of, for Harbour Defences, 86, 164.
 JINDERA :—Water Supply, 313.
 JOBBINS'S ESTATE :—Trustees of, 608.
 JOHNSTON, MR. THOMAS ANDREW, J.P. :—Charge of assault against, 469.
 JONES, MR., LANDS TITLES OFFICE :—Leave of absence to, 397.
 JONES, W. :—Roadway at Conditional Purchase of, 420.
 JOSEPH, MR. HYAM :—Cases heard before, at Bombala, 326.
 JOUBERT, MR. :—Property of, coming to the Colony, 607, 616, 658.
 JUDGES :—
 Salaries of District Court, 108, 113.
 Offers of appointments as Acting, 458, 645.
 Additional, for Supreme Court, 526.
 JUDICATURE ACTS AND RULES :—Adaptation to this Colony of, 599.
 JUNCTION :—Of Railways with Victoria and Queensland, 33.
 JUNEE :—Railway, 5, 184.
 JURY :—Laws Amendment Act, Extension of, in Police District of Walgett, 59.
 JURY COURTS :—Hearing of causes, 666.
 JURORS :—Payment of, 146.
 KATOOMBA :—Road to Springwood, 475.
 KEELE, MR. :—Employment of, in Civil Service, 281.
 KELLOSHIEL :—Road to Sofala Road, 335.
 KELLY, MR. :—Conditional Purchase of, 519.
 KEMPSEY :—Telegraph line to Grafton, 57, 155.
 KENNA, MR. :—Alleged insult to, at Sydney Grammar School, 666.
 KERR, W. F. :—Mudgee Volunteers, 292.
 KIANDRA :—Road, 229.
 KIDMAN & SON, MESSRS. :—Stores supplied by, to Immigrant Ship "Smyrna," 117, 170.
 KING AND PITT STREETS :—Encroachment on footpath, 291, 475.
 KUNOPIA :—
 Village Reserve, 69.
 Courts of Petty Sessions, 69.
 Land Sales, 273.
 LACHLAN RIVER :—Navigation of, 352.
 LAING, MR. :—Master of Dredge "Samson," 458, 522, 608, 658.
 LAING'S POINT :—Land purchased at, for Military purposes, 481, 518.
 LAKE MACQUARIE :—
 Proposed Works at entrance of, 35, 46, 249.
 Destruction of Fish at, 662.
 LAMP ON TELEGRAPH POST, TAMWORTH :—Erection of, 485.

QUESTIONS (continued):—

LAND:—

District of Cowra, 20.
 Sale, Deniliquin, 21, 346.
 Reclamation of, by A.S.N. Company, Darling Harbour, 21, 30.
 Edward Hawkins's purchase, Tumbarumba, 60.
 Transfer of Volunteer Orders, 75.
 Applications for, by J. and L. Smith, County Ashburnham, 86.
 Orders, Volunteer, 75, 87 (2), 108, 227, 325, 339, 363, 387, 441, 457, 462, 478.
 Act of 1875, Purchase of land under 2nd clause, 122.
 Mr. John Edwards, Appraiser, 152.
 Application of Mr. A. Munro to purchase in County Jamieson, 160.
 Sale, Coonabarabran, 166.
 Office, Brewarrina, 176, 433.
 Purchased at Wagga Wagga for Railway purposes, 183.
 Office, Gulgong, 184.
 For Church of England purposes, Narrabri, 187.
 Sales of Town and Suburban Lots at Yetman, Boggabri, Brewarrina, and Moree, 191.
 Sold to Messrs. Macleay and Clarke, 227.
 Office, Parkes, 253.
 Purchase of, between Homebush and Parramatta, 253.
 Taken up by Mr. Richardson, 272.
 Sales, Kunopia and Gadogo, 273.
 Purchased by Sir G. W. Allen, fronting Sydney Harbour, 282.
 At Parramatta Junction, for Railway purposes, 287.
 William Simpson's application for, 300.
 Title to, at Ashfield, for Operative Building Society, 300.
 Occupied by Mr. Smith for Sericultural purposes, 374, 541.
 Sale, Bingera, 387.
 Office, Condobolin, 409.
 Exchange of, at Narrabri, 417.
 Purchased at Laing's Point, 481, 518.
 Survey of, under pre-lease, 508.
 District of Inverell, 508.
 Appraisal of, at Circular Quay, 518.
 Alienated during the year 1878, 554.
 Appraised for W. Officer, and Woolsey, Gibbs, & Co., 554.
 Applied for by Sarah Wilson, Fish River Creek, 563.
 Revenue for 1868, 615.
 Offices in The Gwydir District, 644.

LAND AGENTS:—

H. H. Brown & Co., 66.
 Coonamble, 104, 146, 254, 369, 429.
 Mr. Hanrahan, late Assistant at Dubbo, 247, 253.
 At Hay, 314.
 Appointment of, 402.
 Mr. J. B. Richards, Bathurst, 519.

LAND BILL:—Intention of Government respecting, 11, 16, 70.

LAND COURTS:—Commissioners, 402.

LANDING WAITERS:—

Number of, and of Acting, employed in Sydney, 244.
 Mr. J. McDonald, Acting, 267.

LANDS DEPARTMENT:—

Alleged False Declarations by Members, 11, 15, 83.
 Clerks in Auction Branch, 117.
 Royal Commission, 151, 192, 292, 314, 448.
 Conditional Purchase Branch, 192.
 Mr. C. Oliver—Travelling expenses, &c., 281, 301, 315, 331, 374, 375, 554.
 Total number of persons employed in, 396.
 Overtime to Mr. Blackman, 495.
 Temporary Clerks in, 558.
 Permission of Public to see Public Documents, 591.
 Cost of, for 1868, 615.
 Mr. P. F. Richardson, 640, 654.
 Statement made by Mr. Hoskins respecting Officers in, 645, 659.

LAND ORDERS (See "VOLUNTEERS.")

LANDS TITLES OFFICE:—

Application for Title for Operative Building Society, 300.
 Leave of Absence to Mr. Jones, 397.

LA PEROUSE:—

Reserve, Botany Bay, 292.
 Telegraph Building erected by Hudson Brothers, 580.

LAPSED:—And forfeited Conditional Purchases, 63.

LARKINS AND STEVENSON MESSRS.:—Compensation to, 145.

Q

QUESTIONS (continued):—

LARRAS LAKE:—Site for a Church, 11.
 LARRIKINISM:—Increase of, and whipping as remedy, 305.
 LAW AND MEDICINE:—School of, at the University, 595.
 LAW REFORM:—Preparation of Measures for next Session, 599.
 LAYCOCK, EMILY C.:—Conditional Purchase of, 40, 165.
 LAYFIELD, GRAY, & OTHERS:—Conditional Purchases of, 16(2).
 LAY Mr.:—Telegraph Inspector, 644.
 LEAVE OF ABSENCE:—To Volunteers in Country Corps, 163, 167.
 LEE, M. A. AND T.:—Conditional Purchases of, 155.
 LEGALIZATION:—Of certain Conditional Purchases, 253.
 LEGISLATIVE COUNCIL:—Particulars of appointment to, 649, 657.
 LETTERS OF CREDIT:—On Bank of New South Wales, London, 145.
 LIABILITIES:—Bank Assets and, Publication of, 99.
 LICENSES:—To cut Timber in The Williams Electorate, 241.
 LICENSING:—Publicans Act, 79.
 LIGHT HOUSE:—
 South Head, 254.
 Barrenjoey, 277.
 LIGHTING RAILWAY CARRIAGES:—With Gas, 159.
 LILLYMAN, C. R.:—Compensation to, and P. Malone, and J. Robertson, for Land sold them at Narrabri, 73.
 LILLYMAN AND MALONE:—Deeds issued to, 488.
 LISMORE:—Municipal District of, 379.
 LITHGOW:—Railway Station and Goods Shed, 74.
 LITHOGRAPHS:—Of Counties Gower, White, Baradine, Jamieson, and Denman, 60.
 LIVERPOOL:—
 Police Magistrate for Parramatta, Ryde, and, 39.
 Street, Widening of Elizabeth-street and, 223.
 Asylum, Death rate, 263, 367.
 Presbyterian Cemetery, 391.
 Church and School lands near, 572.
 LOAN:—
 Proposed, on London market, 21, 145.
 Disposal of Trust Moneys Funds, 118.
 Advances from funds, 419.
 Proposed, 419.
 Public, 592.
 LOCK-UP:—
 Bingera, 180, 340.
 Warialda, 340.
 Brewarrina, 576.
 Jerry's Plains, 408, 628.
 Stockton, 662.
 LOVE, CHARLES AND THOMAS:—Charge of arson against, at Bombala, 519.
 LOVE, THOMAS:—Conditional purchase of, at Bombala, 378.
 LUDDENHAM:—Road to Squith Creek, 654.
 LUNACY:—Maintenance of relatives in Asylums, 53.
 LUNATIC ASYLUM, PARRAMATTA:—Statements made against Superintendent, 409.
 MACINTOSH, JOHN, ESQ., M.L.A.:—Iron sold by to the Exhibition, 491.
 MACLEAN, MR. G. R.:—Application of, for appointment of Police Magistrate, 581.
 MACLEAY AND CLARKE, MESSRS.:—Land sold to, 227.
 MACLEAY RIVER:—Draining flooded lands, 188.
 MACQUEEN, MR. POTTER:—Grant of Land to, 517.
 MAGISTRATES:—
 Powers of Police and Stipendiary, 401.
 Number of Police and Stipendiary, 417.
 Powers of two Justices, Sydney, 470.
 MAILS (See "POSTAL.")
 MAINTENANCE MEN:—Under Road Superintendents, 151.
 MAIN WESTERN ROAD:—Blue Mountains, 335.
 MAITLAND, (See also "ROADS," also "EAST MAITLAND.")
 Protection of River banks from floods, 271.
 Inquests in District, 485.
 MAJOR'S WATERHOLE:—Water tank, 140.
 MAJURA:—Road to Queanbeyan, 291.
 MALONE AND LILLYMAN:—Deeds issued to, 488.
 MANDURAMA:—Public School, 85.
 MANILLA:—
 Bridge over River, Barraba, 43.
 Court of Petty Sessions, 258.
 Bridge over the Namoi, 258, 382, 616.
 Road on bank of River, 442.

Q

QUESTIONS (continued):—

- MANLY BEACH WHARF :—Use of, by Port Jackson Steam Company, 409, 419.
 MANNING RIVER :—Oyster-beds, 561, 631.
 MARINE BOARD :—
 Conduct of Masters of certain Steam Vessels at Boat race, 30.
 Certificate held by Mr. Matthews, Chief Officer, "City of Newcastle," 40.
 Suspension of Captain Vine Hall's Certificate, s.s. "Chimborazo," 127.
 Berthing Ships at the Circular Quay :—"Patriarch," "Cynisca," "Thomas Stephens," and "Cambrian Princess," 133.
 Manning of Steamship "Coonanbara," 167, 171.
 Pay of Pilots, Port Jackson, and Newcastle, 188.
 Captain Charles Smith, Pilot Steamer "Captain Cook," 232.
 Steamship "Platypus," 317, 369, 410.
 MARINE PARADE, DOUBLE BAY :—Restoration of, to the Public, 368, 549, 558, 644.
 MASTER IN EQUITY :—
 Salary of, as Acting Judge, 383.
 Business of, during absence, 396.
 Increase of Salary to, 616.
 MATTHEWS, MR. :—Late Chief Officer of "City of Newcastle," 40.
 MATRIMONIAL CAUSES ACT AMENDMENT BILL :—Assent to, 611.
 MCCracken, MR. :—Late Accountant in Telegraph Department, 272, 363.
 MCLWAIN, THE LATE ANDREW :—Administration of Intestate Estate of, 80.
 M'DONALD, MR. J. :—Acting Landing-waiter, 267.
 M'FARLANE AND DEASY :—Conditional Purchases, 64.
 M'FAY, JOHN :—The case of, 449.
 M'INTYRE RIVER :—
 Dispatch of Mails down, 169.
 Telegraph Messages, 478.
 MEDICAL OFFICERS :—
 Darlinghurst Gaol, 5, 16.
 Fees to, Sydney Infirmary, 586.
 MEDCALF AND WILKINSON :—Advice tendered by the Executive Council to His Excellency the Lieutenant-Governor, 567.
 MEDICINE AND LAW :—School of, at the University, 595.
 MEETING :—Anti-Chinese, in Hyde Park, 273.
 MELVILLE ESTATE :—Road through, 362, 661.
 MEMBERS OF PARLIAMENT :—Conditional purchases and mineral selections, held by, 608.
 "MEN OF THE TIME" :—Printing of, at the Government Printing Office, 441, 443, 491, 496, 575, 602, 612, 639.
 MERRIWA (See also "ROADS") :—
 Post and Telegraph Office, 56, 335, 571.
 Police quarters, 57.
 District Court, 571.
 Bridge, 122, 571.
 MEYMOTT, MR. DISTRICT COURT JUDGE :—Alleged to be the guest of a litigant, 401.
 MILBURN CREEK :—Mineral Selection, 16.
 MILEY, WILLIAM :—Nuisance created by, near Darlington, 595.
 MILITARY :—
 Vacant Captaincies in Permanent Force, 104.
 And Volunteer Forces, 340.
 Men dismissed, or struck off the roll, 509.
 Officers quarters, 581.
 Practical Gun Drill of Artillery, 602.
 MILLIE :—
 Site for Township, 238, 461.
 Bridge Waterloo Creek, 644.
 MILLER'S CREEK :—
 Travelling stock reserve, 369.
 Land purchased by James Sevil, 488(?).
 MILLGATE, GEORGE :—Conditional purchase of, 529.
 MINERAL :—
 Mr. P. Grimly's Lease, Ironbarks, 16.
 Selection at Milburn Creek, 16.
 Lease held by Messrs. Garrett and Greville, in Newcastle District, 35, 40.
 Prospecting Association, Home Rule, 156.
 Selection of Samuel Owen, of Newcastle, 166.
 Conditional purchases, held by Messrs. Parkes and Sutherland, 247, 514, 545.
 Miners Rights taken out by Chinese, 272.
 Same person making more than one selection on the same day, 580.
 Selections held by Members, 608.
 MINES DEPARTMENT :—Messrs. Day and Oliver, 454.

QUESTIONS (continued):—

- MINING :—
 Amendment of the Law, 50, 74.
 Gold Leases, 272.
 Issue of Special Leases, 628.
 MINISTRY :—Colonial Treasurer holding office as Bank Director, 288.
 MOGIL MOGIL :—
 Courts of Petty Sessions, 325.
 Court Room, 477.
 MOLLOY, JOHN :—Conditional Purchase of, 438.
 MOLONG :—
 Police Magistrate and Coroner for, 21.
 Site for Public School, 277.
 Post and Telegraph Office, 323, 388.
 MONAGHAN, JAMES :—Conditional Purchases of, 314.
 MONARO :—Roads, 151.
 MONEY ORDER OFFICE :—Parramatta, 635.
 MORRE :—
 Post and Telegraph Offices, Warialda, and, 25, 253, 264, 419.
 Police Quarters, 65.
 Court-house, 187.
 Land Sales at Yetman, Boggabri, Brewarrina, and, 191.
 Police Buildings, 347.
 Boats, 369, 563.
 MOREHEAD STREET, REDFERN :—Opening of, 639, 644.
 MORGAN, DR. :—Doctor of the Small Pox Hospital Ship "Faraway," 595, 653, 654.
 MORISON'S SELECTION :—Road near Keloe Creek, 658.
 MORPETH :—Post and Telegraph Offices, 76.
 MOSS VALE :—Court-house, 70, 579.
 MOUNT MOOBY :—Road, 434.
 MOUNT PLEASANT :—Colliery, 279.
 MOUNT RANKIN :—Road to Little Forest Road, 448.
 MOUNT VICTORIA :—Road to Mount Piddington, 263.
 MUDGE :—
 Railway Trial Survey, Raglan to, 223.
 Mr. Edwin Ryan, late Clerk of Petty Sessions, 314.
 Turf Club Bill, Signatures to Petition, 461.
 Prison Labour in gaol, 587, 615.
 MULHEARN, JOHN :—Conditional Purchase of, 585.
 MUNGINDI :—Bridges at Goondiwindi and, 187, 362.
 MUNICIPALITIES :—
 Council Chambers, Waratah, 163.
 Endowment of Council of Sydney, 237.
 Expenditure by the Mayor of Sydney, 362.
 District of Lismore, 379.
 Endowment of Dubbo, 420.
 MUNRO, MR. A. :—
 Application of, to purchase land in county of Jamieson, 160.
 Improvement Purchase, 477.
 MURRAY AND DEVLIN :—Grafton and Glen Innis Telegraph Contract, 46.
 MURRAY, JOHN :—Pre-emptive Lease of, on Ranger's Valley, 567.
 MURRAY RIVER :—
 Bridge across, at Howlong, 70, 329, 612.
 Licenses, for Punt, 347.
 MURRUMBIDGE :—
 Reserve in District, 176.
 Drift timber in River, 403.
 MURRUMBIDGE RIVER :—Reserves on, 86.
 MURRUMBURRAH :—Court-house, 43.
 MURRURUNDI :—
 Hospital, 75 (?), 104.
 Sale of Impounded Horses, 521.
 MUSWELLBROOK :—
 Public School, 70.
 Bridge, 424.
 Sir Thomas Mitchell's Road, 653.
 Road to the Wybong, 449, 473.
 Road to Jerry's Plains, 602.
 MUTTARA RUN :—Purchases of land by Mr. T. Broughton, 282, 283, 296.
 MYALL CREEK :—Bridge, 113, 382.
 NAMBUCCRA RIVER :—Congarini Road, 188.
 NAMOI :—
 Narrabri Timber Reserve, 65, 336.
 Survey of Conditional Purchases in district, 169.
 Bridge over river, 258, 348, 374, 382, 616, 661.
 NARRABRI :—
 Road, Walgett to, 30.
 Post and Telegraph Office, 34, 244, 352.
 Railway Extension, Gunnedah to, 49.
 Do. to Walgett, 59, 175, 241.
 Namoi—Narrabri Timber Reserve, 65, 336, 433.
 District Courts and Quarter Sessions at, 66.
 Race-course Ground, 70.

Q

QUESTIONS (continued):—

NARRABRI (continued):—

- Gaol, 73.
- Land for Church of England purposes, 187.
- Water Supply, 391.
- Exchange of land for a church, 417.
- Deeds issued to Lillyman and Malone, purchasers of land, 488.

NARRANDERA:—

- Court-house, 273.
- Road to Merool Creek, 557.

NEILD, DR.:—Medical Officer to the Railway Department, 488.

NELANGLO:—Site for Public School at, 616.

NELSON'S BAY:—Road, 224.

NEVEN, JOHN:—Conditional Purchase of, 617.

NEW CALEDONIA:—Expires from, 352.

NEWCASTLE:—

- Wharf accommodation, 336.
- Offices adjoining Custom House, 341.
- Collision in the Harbour, 447.
- Trimming Coal, 485, 507.
- Export of Coal, 575.
- Harbour Defences, 654.

"NEWCASTLE" DREDGE:—Pay of Workmen, 151.

NEW ENGLAND (See "RAILWAYS.")

NEWMAN, PHILIP:—Conditional Purchase of, 352.

NEW SOUTH WALES:—Boundaries between Queensland and, 55.

NEWSPAPERS:—Government advertisements in, 34, 165, 580.

NORRIS, JOHN:—Inquest on body of, 248.

NOWLAND, PETER:—Conditional Purchase of, 410.

NUGENT, PATRICK:—Compensation to, 60.

NUISANCE NEAR DARLINGTON:—Created by William Miley, 595.

O'CONNELL:—Bridge over Fish River, 238, 300.

O'CONNOR, DR.:—Medical Officer Darlinghurst Gaol, 5.

O'DWYER, JAMES:—Selection of, on Pucka Widgee Run, 121.

OFFAL:—Disposal of, 409, 650.

OFFICERS' QUARTERS, VICTORIA BARRACKS:—Particulars of, 581.

OGILVIE, E. D.:—Auction Purchase of, County of Drake, 183.

OGILVIE'S HILL:—Road to Jerry's Plains Road, 473.

OLIVER, MR. C.:—Inspector of Land Offices, 281, 301, 315, 331, 374, 375, 554.

OLIVER, MR.:—Department of Mines, 454.

OLLIVIER, MR. W. M.:—Employed in Government Service, 149.

OMNIBUS ACCOMMODATION:—For passengers arriving by rail, 180.

O'NEAL, PATRICK:—Conditional Purchase of, 326.

OPERATIVE BUILDING SOCIETY:—Title to land at Ashfield for, 300.

OPINION OF ATTORNEY GENERAL:—

- On transfer of a publican's license, 448, 525 (?).
- Respecting additional conditional purchases, 387.

OREGON RUN:—Conditional purchase on, 477.

ORIENTAL LANGUAGES:—Mr. Cameron, interpreter of, 426.

OVERLAND:—Telegraph line to Port Darwin, 271.

OVERTIME:—Messrs. Eagar and Kelly, Customs Department, 170.

OWEN, SAMUEL:—Mineral Selection of, 166.

OYSTERS:—Intention of Government respecting Culture Bill, 16.

- Closing of beds, 407.

- Manning River beds, 561.

- Manning River and Shoalhaven River beds, 631.

PADDINGTON:—

- Reserve for public recreation, 25, 368.
- Barrack wall and toll-house, 348.

PAINTER, FREDERICK:—Application of, to purchase a road, 296.

PAMPHLETS:—Revised for various districts, 39, 248.

PAPER, PRINTING:—Tenders for, 427.

PARIS EXHIBITION:—

- Amount received by Mr. Combes as Executive Commissioner, 53, 477.

- Exhibits coming to the Colony for Mr. Combes and Mr. Joubert, 607, 616, 658.

PARKES:—Land Office, 253.

PARKES, SIR HENRY:—Mineral conditional purchases held by, and Mr. Sutherland, 247, 514, 545.

PARKS:—

- Dedication and proclamation of Hyde, Phillip, and Cook, 277.

- Public, at Ashfield, 600.

PARKHILL, MR.:—Contractor for Post and Telegraph Office, Jerry's Plains, 534.

QUESTIONS (continued):—

PARLIAMENT:—

- Alleged false declarations by Members in taking up land, 11, 15, 83.

- Freight on railway goods due by Members, 26.

- Privileges Bill, 46.

- Drafting of Animals Protection Bill, and Corporation Bill, 396, 518, 525.

- Conditional Purchases and Mineral Selections held by Members, 608.

- Particulars of appointment to the Legislative Council, 649, 657.

- Hansard, 666.

PARRAMATTA:—

- Deepening river to carry off sewage, 35.

- Police Magistrate for Liverpool, Ryde, and, 39.

- Improvements in the park, 99.

- River and Iron Cove bridges, 179, 441.

- Clock for Post and Telegraph Office, 244.

- Foot passenger bridge over river, 244, 575.

- Purchase of land, between Homebush and, 253.

- Land at Junction, for railway purposes, 287.

- Weighing hay at Junction, 295.

- Volunteers, 341, 368.

- Railway Bridge, 374.

- Water Supply to Gaol, 382.

- Lunatic Asylum, 409.

- Repairs to District Hospital, 508.

- Fire Engine, Hospital for Insane, 558.

- Foot-bridge in park, 575.

- Bridge over river, 596.

- Money Order Office, 635.

PARNELL, MR.:—Resignation of from Registrar-General's Office, 336.

PASSENGER RATES:—

- On Southern Line of Railway, 107.

- On Western and Northern Lines of Railway, 108.

PATENTS:—Payment of Fees for, 305.

PATTERSON, ROBERT:—Conditional Purchase of, at Narrabri, 73.

PAY:—

- Of Jurors, 146.

- Of Government Workman for Christmas Day and Good Friday, 457.

- Of Railway Workman, 441, 488, 608.

PEARSE, WILLIAM:—Conditional Purchase of, 485.

PEAT'S FERRY:—Road to Berowra Creek, 457.

PENRITH:—Post and Telegraph Office, 26.

PENSION TO MICHAEL FITZPATRICK, ESQ.:—Particulars of, 347.

PERMANENT MILITARY FORCE (See "MILITARY.")

PETERS, FREDERICK:—Land purchased by, at Bende-meer, 166.

PETTY SESSIONS:—

- Kunopia, 69.

- Manilla, 258.

- Blackville, 191.

- Mogil Mogil and Baradine, 325.

PHILLIP PARK:—Proclamation and dedication, 277.

PHILLIPS, MR. C. E.:—Leave of absence to, 367.

PILE DRIVING:—By A.S.N. Co., at Pyrmont, 70, 79.

PILOTS:—

- Port Jackson and Newcastle, 188.

- Captain Charles Smith, of the "Captain Cook," 232.

- Service, Port Jackson, 529.

"PLATYPUS":—Assistance to, by "Francis Hixson," 317, 369, 410.

"PLIMSOLL, SAMUEL":—Religion of Immigrants arrived by, 631.

POINT PIPER:—Road, 448.

POKOLBIN:—Site for Public School, 231, 291, 491.

POLICE:—

- Magistrate, Waratah, 16.

- Do. Bingera, Mr. P. Brougham, 20, 80.

- Do. And Coroner for Molong, 20.

- Do. For Parramatta, Liverpool, and Ryde, 39.

- Do. and Quarter Sessions, Brewarrina, 232.

- Do. Sydney, 470.

- Do. Gunnedah, 611.

- Quarters, Merriwa, 57.

- Number of, in Walgett, 248.

- Quarters, Moree, 66, 347.

- For Boggabilla and Engonia, 73.

- For Brewarrina, 104, 419.

- Barracks and Court-house, Jerry's Plains, 108.

- Residence for Officer, Richmond, 152.

- Station and Court-house, Quirindi, 184.

- Constable W. Stafford, 257.

- Barracks, Walgett, 273, 336, 692.

- Superannuation fund, 329.

- Station at Boggabilla, 330.

QUESTIONS (continued):—

POLICE (continued):—

- Barracks, Singleton, 341, 554.
- Quarters, Timbrabongie, 368.
- Barracks and Quarters, Bingera, 388.
- Magistrates, 401, 417.
- At Jerry's Plains, 407.
- Paddock, Bingera, 424.
- Number of cases tried at Courts, 454.
- Buildings, Gulgong, 558.
- Black Trackers for hunting down the Kelly gang, 592.
- Barracks, East Maitland, 627.
- Papers relative to, at Raymond Terrace, 649.

PORT DARWIN:—Telegraph, 50, 271, 448, 514.

PORT JACKSON:—Pilot Service, 529.

PORT MACQUARIE:—Beacon, 192.

POSTAL:—

- Building on proposed street opposite Post Office, 5, 159.
- Premises at Glen Innes, 34.
- Travelling Expenses of Postmaster General, 80.
- Mail down the M'Intyre River, 169.
- Mr. Young's contract, General Post Office, 249.
- Postmaster at Ebenezer, 309.
- Conveyance of Mails between Gulgong and Mudgee, 348.
- Communication with Watson's Bay, 410, 522.
- Office, Angledool, 420.
- Office, Glen Alice, 461.
- Office, Gundaroo, 580.
- Office, Quipolly, 635.

POST AND TELEGRAPH OFFICE:—

- Do. Rylstone, 6.
- Do. Warialda and Moree, 25, 169, 253, 264.
- Do. Penrith, 26.
- Do. Narrabri, 34, 244, 352.
- Do. Tenterfield, 34.
- Do. Walgett, 44, 273, 336, 602.
- Do. Moss Vale, 579.
- Do. Bingera, 45.
- Do. Rockley, 50.
- Do. Merriwa, 56, 335, 571.
- Do. Bourke, 59.
- Do. Morpeth, 76.
- Do. Windsor, 103, 152, 283.
- Do. Jerry's Plains, 108, 133, 180, 237, 331, 407, 554.
- Do. Dungog and Clarence Town, 113.
- Do. Waratah, 113.
- Do. St. Leonards 133.
- Do. Quirindi, 183.
- Do. Carcoar, 228.
- Do. Parramatta, Clock for, 244.
- Do. Moree, 253, 419.
- Do. Blayney, 257.
- Do. Cootamundra, 273, 417.
- Do. Molong, 323, 388.
- Do. Coonamble, 341.
- Do. Sofala, 352, 623.
- Do. Bulli, 383.
- Do. Forbes, 409.
- Do. Gadooga, 429.
- Do. Gulgong, 558, 635.
- Do. Raymond Terrace, 609.

POSTMASTER GENERAL:—Travelling expenses of, 80.

POUNDS, PUBLIC:—

- Richmond, 152.
- Sites for, Glen Innes, 576.

POWER, MR. MICHAEL:—Refund to, 351.

PRECEDENCE:—Given to Civil over Criminal cases by Mr. District Court Judge Josephson, 232.

PRE-LEASES (See "CROWN LANDS.")

PRINTING PAPER:—Tenders for, 427.

PRISONERS:—

- Whipping, for larrikinism, 305.
- Under committal at Wellington, 388.
- Committed from Wellington to Mudgee, 420.
- Under Sentence, 424.

PRISON LABOUR:—At Mudgee Gaol, 587, 615.

PROHIBITION:—On Importation of Stock, 140.

PROFESSIONAL STAFF:—

- Salaries of, in office of Engineer-in-Chief, 108.
- Increase of salary to, in Railway Department, 616.

PROSPECTING ASSOCIATION:—Home Rule, 156.

PROTESTANT HALL, HILL END:—purchased for a Court-house, 59.

PUBLIC:—

- Buildings, Goulburn, 21.
- Park, Waterloo (Waterloo Mills Grant), 25.
- Reserve for Recreation, Paddington, 25.
- Tanks in the North-western Interior, 29, 170, 242.
- Explanatory Statement of, Accounts, 137.
- Papers respecting Loan, 592.
- Tanks in The Gwydir Electorate, 428, 448, 628.

Q

QUESTIONS (continued):—

PUBLICANS:—

- Licensing Act, 79.
- Bernard Bogan's application for removal of license, 448.

PUBLICANS LICENSES:—

- Applications for new houses, Sydney, 29.
- Opinion of Attorney-General on transfer of, 448, 525⁽²⁾.

PUBLICATION:—Under Banks Liabilities Publication Act, 86.

PUBLIC CHARITIES:—

- Laying of Report on Table, 564.
- Reserve Fund of Benevolent Asylum, and Randwick Asylum, 586.

PUBLIC SCHOOLS (See "EDUCATION.")

PUBLIC WORKS AND BUILDINGS:—Votes for, 415.

PUCKA WIDGEE RUN:—Selection of James O'Dwyer on, barred by improvements, 121.

PUNT:—

- Approaches to, Howlong, 139.
- Licenses for, on the Murray River, 347.
- Hexham, 470.
- Wiseman's Ferry, 591.

PURVIS, T. H.:—Conditional Purchase of, 572.

PYRMONT:—

- Reclamation of land at, by the A. S. N. Company, 347, 383.
- Erection of Fence at, by the A. S. N. Company, 347.
- Watch-house, 381.

QUARANTINE:—

- Arrivals in Sydney by sea, and number placed in, 281.
- Chinese arriving by sea and placed in, 299.
- Reserve for Stock at Bradley's Head, 403.

QUARRY:—Reserve at Bullewa Creek for Freestone, 231.

QUARTER SESSIONS:—

- Inverell, 34.
- District Courts and, Narrabri, 66.
- And Police Magistrate, Brewarrina, 232.

QUARTERS AT DAWES'S POINT:—Occupancy of, 608.

QUAT QUATTA:—Reserve, 56, 329.

QUEANBEYAN:—

- Road to Urayarra, 53.
- Roads to Coen, Weetangera, to One-tree Hill, and Tuggeranong towards Rob Roy, 94.
- Road to Majura, 291.
- Roads in Electorate, 481.
- Roads in District, 607.

QUEENSLAND:—

- Boundaries between New South Wales and, 55.
- Border Duties, 538.
- Printing of "The Queensland Magistrate," 602.

QUIPOLLY:—

- Road between, and Breeza, 379.
- Post Office, 635.

QUIRINDI:—

- Road, Jacob and Joseph Creek to, 118.
- Post and Telegraph Office, 183.
- Court-house and Police Station, 184.
- Road for residents, 420.
- Telegraph line to Gunnedah, 617.

RACECOURSE:—

- Narrabri, Trustees for, 70.
- Warialda, 314.

RAE, ROBERT:—Conditional Purchase of, at Edgeroi, 258, 561.

RAE, WILLIAM:—Conditional Purchase of, 549.

RAEUBER, CHARLES:—Pre-lease of, 562.

RAGLAN:—Trial Survey for Railway from, to Mudgee, 223.

RAILS:—

- Supply of, for Sydney Tramway, 340, 377, 382.
- Condemned, Newcastle, 340.

RAILWAYS:—

- June to Narrandera, 5, 184.
- Building opposite General Post Office, 5, 482.
- Road from Redmyre Station to Parramatta Road, 6.
- Station Buildings, Wellington, 11.
- The late Richard Elly, guard, 21.
- Freight on goods due by Members, 26.
- Junction of, with Victoria and Queensland, 33.
- Tickets issued between Sydney, Picton, and Penrith, and beyond those Stations, 33.
- Werris Creek Station, 35.
- Do. to Breeza Extension, 239.
- Extra Works on Contracts, Murrurundi to Tamworth, and Yass to Wagga Wagga, 39.
- Carriage occupied by Mr. Finlay, 44.
- Compartment occupied by two persons only, 44.
- Rates from Wagga Wagga to Sydney, 44, 108.
- Extension, Gunnedah to Narrabri, 49.
- Cattle-yards at Back Creek Station, 50.
- Reserve at Back Creek Station, 50.
- Engines, 53, 151, 237.

QUESTIONS (continued):—

RAILWAYS (continued):—

- Extension, Narrabri to Walgett, 59, 175, 241.
 Station and Goods Shed at Lithgow, 74.
 Fences, Cootamundra to Wagga, and Quirindi to Gunnedah, 75.
 Appointment of Traffic Manager, 86.
 Removal of Work-shops, 99.
 Trial Survey, Blayney to Wilcannia, 103.
 Do. Narrabri to Walgett, 241.
 Passenger Rates, Southern Line, 107.
 Do. Western and Northern Lines, 108.
 Salaries of Professional Staff in office of Engineer-in-Chief, 108.
 Holidays to Employés, 127, 408.
 Timber for, 128.
 Platform, Eveleigh-street, 137.
 Do. Mount Pleasant, 155.
 Salaries of Clerks on Northern, 145.
 Compensation to Messrs. Larkins and Stevenson, 145.
 To Tamworth East, 152.
 Carriages and Trucks, 159.
 Lighting Carriages with Gas, 159.
 Watering Stock in Trucks, 160.
 Trial Survey, Narrabri to Walgett, 175.
 Omnibus Accommodation, 180.
 Land purchased at Wagga Wagga for, 183.
 Rolling Stock, 188, 288.
 Trial Survey, Raglan to Mudgee, 223, 317.
 Extension, Tamworth West to Tamworth East, 227.
 Connection of, Northern Railway with Sydney, 228, 291, 519, 564, 611.
 Locomotives, 237.
 Traffic at Wallerawang Station, 238.
 Springs for Engines and Carriages, 259.
 Station, Blue Mountains, 263, 416.
 Reserves on Western, 272.
 Clarence to New England, 278.
 Supply of Coal for, 282, 292, 392.
 Werris Creek to Gunnedah, 282, 443, 665.
 Land at Parramatta Junction for purposes of, 287.
 Extension into the City, 292.
 Weighing Hay at Parramatta Junction, 295.
 Station, Emu Plains, 296.
 Do. Gunnedah, Approaches to, 301.
 Extension to Breeza, 314.
 To Monaro, 315, 325.
 Passenger Fares, 335.
 Train to the Blue Mountains, 335.
 Contracts on various Lines, 340, 352.
 Station, Dubbo, 341.
 To Shepherd's Creek, 341.
 Salaries of Inspectors of Permanent Way, 341.
 Bridge over the Murray, 346.
 Uniforms for Employés, 347, 428.
 Trial Survey, Goulburn to Bungendore, 348.
 Completion of Line to Albury, 353, 518.
 Extension and Policy, 369.
 Bridge, Parramatta, 374.
 Trains on Great Northern, 374.
 From the Clarence to New England, 374.
 To Ironbarks, 378.
 Irregularities of Trains on Great Northern, 391.
 Double Line from the Zig-zag to Bowenfels, 392, 410, 457.
 Suburban Time-table, 409.
 Watches for Engine-drivers, 410.
 To Cooma, 424, 609.
 Extension, Goulburn to Wagga Wagga, 427.
 Gunnedah to Narrabri, 437.
 Suburban, 441, 587.
 Pay of Employés, 441, 488, 608.
 Crossing head of Darling Harbour, 447.
 Extension to Hay, 462.
 Station Buildings, Wagga Wagga South, 470.
 From Wallerawang to Mudgee, 474.
 Free Passes to Workmen, 475.
 Check on Travellers, 475.
 Land leased at the Weatherboard, 487.
 Medical Officer to the Department, 488.
 Slaughtering Cattle on lines, 489.
 Hours of duty of Guards, 507.
 Block System, and hours of duty of Signalmen, 508.
 Construction of Locomotives, 545, 554.
 Turnstile to Premises, Darling Harbour, 572.
 Discharge of Workmen, 596.
 Injuries to Carriages by collision, near Parramatta Junction, 599.
 Increase to Salaries of Professional Staff, 616..
 Visit of Employés to the Exhibition, 649.
 RANDWICK:—And Benevolent Asylums, 287, 586.

Q

QUESTIONS (continued):—

RANGER'S VALLEY:—

- John Murray's Preemptive Lease on, 567.
 Annual rent, 580.
 RAPE:—
 Statistics concerning crime of, 538(?).
 Case of Wilkinson and Medcalf, 567.
 RATES:—
 Wharfage, 20, 249, 474.
 Payment of City, by Places of Public Worship, 554.
 RAYMOND TERRACE:—
 Roads, 15, 223, 336, 433.
 Post and Telegraph Office, 609.
 Police, 649.
 RECLAMATION:—
 Of land, Darling Harbour, by A.S.N. Company, 21, 30.
 Of land at Pyrmont, by the A.S.N. Company, 347, 383.
 REGISTERS OF BIRTHS, MARRIAGES, AND DEATHS:—
 Custody of by Henry Kerrison James, 592.
 REGISTRAR GENERAL'S DEPARTMENT:—Increase of Salaries in, 156.
 REGULATIONS:—For cutting Timber, 417.
 REIDSDALE CREEK:—Road to Bell's Mountain, 609.
 RENWICK, DR.:—Medical Officer to the Railway Department, 488.
 REPORT ON PUBLIC CHARITIES:—Laying of, on Table, 564.
 RESIDENCES FOR DENOMINATIONAL SCHOOL TEACHERS:—
 Allowances for Rent, 530, 537, 554.
 RESERVES:—
 For Public Recreation, Paddington, 25, 368.
 Willoughby Falls, 25, 368.
 Pamphlets, 39, 248.
 Double Bay, 43, 368.
 Bingera Gold Field, 45.
 Back Creek Railway Station, 50.
 Quat Quatta, 56, 329.
 Welaregang, 59.
 Village, Gadooga, 64.
 Namoi—Narrabri Timber, 65, 336, 433.
 Village, Kunopia, 69.
 Bill dealing with, 70.
 Murrumbidgee Run, 86.
 Travelling Stock, 117, 353, 369, 553.
 Aborigines, Bunnerong, 155.
 Cancellation of, in Murrumbidgee District, 159.
 Bingera Gold Fields, 171.
 Waterloo Grant, 176, 227.
 Botany, 176.
 On the Barwon, 176.
 Murrumbidgee District, No. 213, 176.
 For Quarrying Freestone at Bullewa Creek, 231.
 No. 637, County of Hardinge, 258.
 Lake Bathurst, 258.
 Brisbane Valley, 264, 278.
 On Western Railway, 272.
 La Perouse, Botany, 292.
 Timber, 295, 454.
 Lease on Deep Creek by Mr. Jeremiah Wilson, 352.
 Crookhaven, 367.
 Withdrawal of, from lease, 374.
 At Gulargumbone, 378.
 Tamworth, 382.
 Encroachments on, 423, 442.
 Darling River, 428.
 On Blaxland's Grant, 433.
 No. 125, County of Arawatta, 458.
 Conditional Purchases on No. 41, 517.
 Bellevue Hill, Waverley, 557, 644.
 Circular respecting, on runs, 563.
 No. 1,290, County of Denham, 653.
 REVENUE RECEIPTS:—For Auction Sales last quarter, 434.
 REWARDS:—In cases of Horse-stealing, 278.
 RICHARDS, MR. J. B.:—Compensation to, for loss of Office as Land Agent at Bathurst, 519.
 RICHARDSON, MR.:—Land taken up by, 272.
 RICHARDSON, MR. P. F.:—Charged with being in the company of Mr. James, 640, 654.
 RICHMOND:—
 Court-house, 141, 152, 283.
 Public Pound, 152.
 Residence for Police Officer, 152.
 Repair of George-street, 396.
 RICKETSON, MR. HENRY:—Ring-barking Timber on Derulaman Station, 263.
 Improvement Purchases applied for by, on various Stations, 295.
 RING-BARKING TREES:—As an improvement to land, 402.
 ROADS:—
 Redmyre Station to Parramatta Road, 6.
 Stockton and Raymond Terrace to Saltash, 15, 223, 433.

QUESTIONS (continued):—

ROADS (continued):—

Seaham to Clarence Town, 15.
 Narrabri to Walgett, 30.
 Tamworth to Moor Creek, 43.
 Green's, taking down Barrack Wall, 50.
 Queanbeyan to Urayarra, 53.
 Bunnerong, 57.
 Whaling, North Shore, 87, 417.
 Barraba to Gunnedah, 93, 374, 401, 447, 591.
 Queanbeyan to Coen, Weetangera to One-tree Hill; and
 Tuggeranong towards Rob Roy, 94.
 Scone to Old Merriwa Crossing, 103, 166, 599.
 Jacob and Joseph Creek, to Quirindi, 118.
 Waratah to Maitland, 137.
 Tolls on Bridges and Ferries, 139, 237, 401.
 Tamberumba to Welaregang, 140.
 At Rossi's Crossing, Wollondilly River, 140.
 Bridge on, Gunning to Monaro, 151.
 Maintenance Men under Superintendents, 151.
 Phelps's Grant to Bunnerong, 155.
 Bibbenlake to Bombala, 156.
 Turee Creek to the Main Range, 163, 473.
 Goorangoola to Bowman's Creek, 171, 237.
 Through Fitzgerald's Grant to Uarbry, 179.
 Congarini, Nambucca River, 188.
 Walgett to Culgoa, *vid* Combora Springs, the Girriwin
 and Wilby Wilby, 192.
 Tilligherry Creek to Nelson's Bay, 224.
 Goulburn and Braidwood to Windellima, 227.
 The Glenmore, 238.
 Terry-hie-hie to Warialda, 238, 348.
 Rylstone, *vid* Bogie to Capertee or Glen Alice, 241.
Vid Lake Bathurst, from Tarago to the Boro Road, 258.
 Mount Victoria to Mount Piddington, 263.
 Through George Bell's Conditional Purchase, Narrabri,
 278.
 Majura to Queanbeyan, 291.
 Frederick Painter's Application to Purchase, 296.
 Cooma and Kiandra trust, 299.
 Through Walbundrie, 313.
 From Canterbury to Salt Pan Creek, 323.
 Between Tamworth and Bingera, 330.
 From Kellosheel to Sofala Road, 335.
 Main Western Blue Mountains, 335.
 From Clarence Town and Raymond Terrace Road, 336.
 From Dangar Bridge to the Narren River, 345.
 From Sofala to Mudgee Road, 351.
 From Raymond Terrace to Clarence Town, 357.
 Employment of Peter Gett, 358.
 Through the Melville Estate, 362, 661.
 From Gunnedah to Narrabri, 362.
 From Dubbo to Coonamble, 368.
 From Warren to Bourke, 368.
 Between Bowling Alley Point and Nundle, 378.
 Between Quipolly and Breeza, 379.
 Repair of George-street, Richmond, 396.
 For Travelling Stock, 408, 424, 449, 470.
 Rouchel Brook, 415.
 Scone to Dartbrook Creek, 415.
 For Residents on Quirindi Creek, 420.
 Between Croppendi and Tuggeranong, 420.
 Roadway at W. Jones's Conditional Purchase, 420.
 Mount Mooby and Rouchel, 434.
 Coonabarabran to Gunnedah, 437, 617.
 On Bank of Manilla River, 442.
 From Wybong Creek, through Hall and Cox's land, 442.
 Point Piper and Glenmore, 448.
 Mount Rankin to Little Forest Road, 448.
 Seaham and Clarence Town Road to road from Clarence
 Town towards the Half-way House, 448.
 From Muswellbrook to the Wybong, 449, 473.
 Peat's Ferry Road to Berowra Creek, 457.
 Obstruction to, by Messrs. Brown and Richardson, 469.
 Sale of County of Hume, 470.
 From Ogilvie's Hill to Jerry's Plains Road, 473.
 From Katoomba to Springwood, 475.
 Obstructions on Ross-street, 481.
 In Electorate of Queanbeyan, 481, 607.
 Through R. Gall's Conditional Purchase, 487.
 Chandos-street, Gunnedah, 491.
 Dartbrook Creek to Merriwa Road, 495.
 Tamworth to Gunnedah, 531.
 From Cohen's Conditional Purchase at Uarbry Creek,
 537.
 Delay in Paying Contractors by Mr. Allman, 538.
 From Gunning to Queanbeyan, 538, 576.
 Narandera to Merool Creek, 557.
 Guntawang, 558.
 Dry Creek, 561.
 Gunning to Gundaroo, 563.
 To Tallewang Crossing, 568.

Q

QUESTIONS (continued):—

ROADS (continued):—

Dulwich to Singleton, 591.
 Muswellbrook to Jerry's Plains, 602.
 In the District of Queanbeyan, 607.
 Votes expended on Bridges, 608.
 From Reidsdale Creek to Bell's Mountain, 609.
 Morehead and Walker Streets, Redfern, 639, 644.
 Near Muswellbrook, known as Sir Thomas Mitchell's
 Road, 653.
 From Luddenham to South Creek, 654.
 Near Morison's Selection, Keloe Creek, 658.
 ROB ROY GULLY:—Site for Public School, 93.
 ROCKLEY:—
 Post and Telegraph Office, 50.
 Telegraph Line, Back Creek to, 50.
 ROCK SALT:—Duty on, 553.
 ROCKY MOUTH:—District Court at, 310.
 ROCKY POINT ROAD:—Site for Watch-house, 93, 104, 122.
 RODGERS, MR.:—Conditional Purchase of, 513.
 ROGERS, MR.:—Crown Prosecutor, 55.
 ROLLING STOCK:—Railways, 188, 288.
 ROSS-STREET:—Obstructions to, 481.
 ROSSI'S CROSSING:—Road at, Wollondilly River, 140.
 ROUCHEL BROOK:—Road, 415, 434.
 ROYAL COMMISSION:—Lands Department, 151, 192,
 292, 314.
 RUNS:—
 Fencing of, 428.
 Warbreccan, 429.
 Circular respecting Reserves on, 563.
 Dundee and Ranger's Valley, 567, 580.
 RUSHCUTTERS BAY:—Dyke at, 191, 416, 496.
 RUTCLIFFE, GEORGE:—Conditional Purchase of, at Bin-
 gera, 264.
 RYAN, MR. EDWIN:—Late Clerk of Petty Sessions at
 Mudgee, 314.
 RYDE:—Police Magistrate for Parramatta, Liverpool,
 and, 39.
 RYLSTONE:—
 Post and Telegraph Office, 6.
 Road *vid* Bogie to Capertee, 241.
 Court-house, 474.
 Town Common, 585.
 SALARIES:—
 Of District Court Judges, 108, 113.
 Of Professional Staff, in Department of Engineer-in-
 Chief for Railways, 108.
 Of Clerks on Northern Railway, 145.
 Increases proposed in Registrar General's Department,
 156.
 SALE YARDS:—For Cattle, 612, 645.
 SALT, ROCK:—Duty on, 553.
 SALTASH:—Roads, 15, 223, 433.
 SALTER, MR.:—Conditional Purchase of, 369.
 "SAMSON," DREDGE:—Remuneration to Mr. Laing, &c.,
 458, 522, 608, 658, 666.
 SAVINGS BANK:—Particulars respecting, 117.
 SCHOOLS (See "EDUCATION.")
 SCHOOL OF ARTS:—Gunnedah, 179, 423.
 SCONE:—
 Road to Old Merriwa Crossing, 103, 166.
 Road to Dartbrook Creek, 415.
 Road to Merriwa, 599.
 SCOTT, MR. E. L.:—Temporary Clerk in Sheriff's Office,
 496.
 SCRATCHLEY, COLONEL:—Amount paid for services, 507.
 SEAHAM (See "ROADS," also "BRIDGES.")
 SENIOR, MR.:—House rented from, 391.
 SEQUESTERED ESTATES:—Return to Order, 86.
 SERICULTURE:—Land occupied by Mr. Smith, 374, 541.
 SEVIL, JAMES:—Land purchased by, 488 (?).
 SEWER:—To drain nuisances from Government Establish-
 ments, Parramatta, 35.
 SEWERAGE AND WATER BILL:—Progress of, in Com-
 mittee, 434.
 SEWERAGE AND WATER SUPPLY:—For Sydney and
 Suburbs, 583.
 SHANAHAN AND JENNINGS, MESSRS.:—Auction Pur-
 chases by, 329.
 SHEPHERD, MR. ISAAC:—On Commission of the Peace,
 662.
 SHERWOOD, JAMES:—Contractor for Police Barracks,
 Singleton, 554.
 SHOALHAVEN RIVER:—
 Bridge, 409.
 Oyster-beds, 631.
 SIGNATURE OF GOVERNOR:—To Crown Grants and
 Debentures, 321, 326.
 SILT:—Cost for towing, 609.
 SIMPSON, A. T.:—Conditional Purchase of, at Yetman,
 282.

QUESTIONS (continued):—

SIMPSON, WILLIAM :—Application of, for land, 300.

SINGLETON :—

Police Barracks, 341, 554.
Telegraph Office, 351, 659.

SITE :—

For a Church at Larras Lake, 11.
Public School, Parish of Wilmot, 15.
Do. Rob Roy Gully, 93.
Watch-house, Rocky Point Road, 93, 104, 122.
Court-house, Bombala, 108.
Post and Telegraph Office, Jerry's Plains, 133.
Hospital, Walgett, 149.
School of Arts, Gunnedah, 179.
Public School, Blackville, 188.
Do. Pokolbin, 231, 291, 491.

Township of Millie, 238.

Public School, Molong, 277.
Do. Drutt Town, 662.
Do. Jerrawa, 515.

For Pounds, Glen Innes, 576.

SLATTERY, MR. :—Curator of Intestate Estates, 538.

SMALL DEBTS ACT :—Fees payable under, 602.

SMALL DEBTS COURT, GULGONG :—Affidavits at, 658.

SMITH, CAPTAIN CHARLES :—Of Pilot Steamer "Captain Cook," 232.

SMITH, J. AND L. :—Applications for land, County Ashburnham, 86.

SMITH, GERTRUDE :—Conditional Purchase of, 404.

SMITH, MR. :—Land occupied by, for Sericultural purposes, 374, 541.

"SMYRNA" :—Articles supplied to, by Kidman & Son, 170.
SNAGGING :—Of Barwin River, Brewarrina to Walgett, 175.

SOFALA :—

Post and Telegraph Office, 352, 628.

Road to Mudgee Road, 351.

SOUTH, JAMES :—Additional Conditional Purchase of, 533.

SOUTH HEAD :—Light-house, 254.

SPECIAL MINING LEASES :—Issue of, 628.

SPIRITS :—White, of Wine, and Fusel Oil, 151.

SPRINGS :—For Railway Engines and Carriages, 259.

STAFFORD, CONSTABLE W. :—Particulars of Dismissal of, 257.

STAMP USED BY GOVERNMENT OFFICIALS :—Sanction of Government, 517.

STATIONERY :—For School Boards, 323.

STATUE :—Of Captain Cook, 244.

STRADMAN, HENRY :—Conditional Purchase, Forbes, 56.

STREAM LAUNCH, "FAWN" :—Reported purchase of, by Government, 482.

STREAMSHIPS (See "MARINE BOARD.")

STREAM VESSELS :—Conduct of Masters of at boatrace, 30.

STEELE, JACOB :—Conditional Purchase of, Bingera, 64, 253.

STEPHEN, MR. G. M. :—Drafting of the Animals Protection Bill, 396, 518, 525.

STEVENSON, MESSRS LARKINS AND :—Compensation to, 145.

STEYNE, DOUBLE BAY :—Restoration of, to the Public, 368, 549, 558, 644.

STIPENDIARY MAGISTRATES :—Number of, 401, 417.

STOCK :—

Reserves for Travelling, 117, 278, 353, 369, 553.

Prohibition on Importation of, 140.

Watering in Railway Trucks, 160.

Routes, enclosing of, on Barratta Run, 171.

Passing between New South Wales and Victoria, 325, 351.

Travelling Roads for, 408, 424, 470.

Route through Baratta and Marago Stations, 449.

Route, Coonamble to Dubbo, 541.

Town Common, Rylstone, 585.

STOCKTON :—

Road to Saltash, 15, 223, 433.

Lock-up, 662.

ST. LEONARDS :—

Opening of Whaling Road, 87, 417.

Post and Telegraph Office, 133.

Communication between, and Sydney, 630.

STORES :—Tenders for Supply of, 56.

STORES DEPARTMENT :—Commission of Inquiry into, 508, 514, 522, 592.

Q

QUESTIONS (continued):—

STREETS :—

Building on proposed, opposite General Post Office, 5, 159.

Alignment of, Gulgong, 169.

SUBURBAN LOTS :—Sale of, 191.

SUPPLIES FOR GOVERNMENT INSTITUTIONS :—Printing of Report on, 454.

SUPPLY OF COAL :—For Railway Purposes, 282, 292.

SUPREME COURT :—

Decision of, in case of Blackwood v. Dobbin, 33.

Business of, 508.

SURVEY :—

Mr. Greaves, District Surveyor, 15.

Geological Surveyor, 45.

Of Township of Welaregang, 65.

Of Conditional Purchases, Namoi River District, 169.

Of Land for Mr. Broughton, North Shore, 271.

Inquiry into Department, 314, 448.

Of Land under Pre-lease, 508.

Offices in the North, 534.

SURVEY DEPARTMENT (See "LANDS DEPARTMENT.")

SUTHERLAND, MR. :—Mineral Conditional Purchases held by Sir H. Parkes and, 247, 514, 545.

SYDNEY :—

Publicans Licenses in, 29.

Water Supply for, and Suburbs, 79, 583, 659.

Corporation, Statistics and particulars respecting, 79.

Connection of Great Northern Railway with, 228, 291, 519, 564, 611.

Endowment of Municipal Council, 237.

Cove, Wharfage, 258.

Arrivals in, by sea, and proportion quarantined, 281, 299.

Harbour, Land purchased by Sir G. W. Allen, fronting, 282.

Railway Extension into, 292.

Infirmary, 586, 595, 653, 654.

Hospital, 587.

Communication between, and St. Leonards, 650.

TALLEWANG CROSSING :—Road to, 568.

TAMWORTH :—

Common, 30.

Road to Moor Creek, 43.

Railway Extension, from West to East, 152, 227.

Road between, and Bingera, 330.

Benches for Court-house, 378.

Reserves, 382.

Inspector of Distilleries, &c., 438.

Erection of Lamp on Telegraph Post, 485.

Road to Gunnedah, 531.

Bridge, 654.

TANKS :—

Public, for North-western Interior, 29, 170, 242.

Water, at Major's Waterhole, 140.

Do. for Brocklesby West, 180.

In The Gwydir Electorate, 428, 448, 628.

TARAGO :—Road, *via* Lake Bathurst, to Boro Road, 258.

TEAMS :—Camping places for, near inland towns, 121.

TELEGRAPH :—

Grafton and Glen Innes, Murray & Devlin's Contract, 46.

Port Darwin Cable, Coral, 50.

Line, Back Creek to Rockley, 50.

Line, Kempsey to Grafton, 57, 155.

Line, Goulburn to Crookwell, 76.

Travelling Expenses of Postmaster General, 80.

Do. do. Mr. Cracknell, 80.

Office, Waratah, 113.

Overland Line, to Port Darwin, 271.

Mr. McCracken, late Accountant in Department, 272, 363.

Poles, 402.

Stations at Werris Creek and Breeza, 403.

Line from Gunnedah to Quirindi, 416, 617.

Port Darwin Cable, 448, 514.

Communication between Sydney and Parramatta, 489, 508.

Telegrams to the *Evening News* and *Town and Country Journal*, 572.

Building of Station at La Prouse by Hudson Brothers, 580.

Telegram from Bathurst Office on Sunday, 639.

Mr. Lay, Inspector, 644.

Furniture for Singleton Office, 659.

Line from Barraba to Bingera, 661.

Q

QUESTIONS (continued):—

TELEGRAPH OFFICE:—

- Post and, Rylstone, 6.
- Do. Warialda and Moree, 25, 169, 253, 264
- Do. Penrith, 26.
- Do. Narrabri, 34, 244, 352.
- Do. Tenterfield, 34.
- Do. Walgett, 44, 273, 336, 662.
- Do. Bingera, 45.
- Do. Rockley, 50.
- Do. Merriwa, 56, 335, 571.
- Do. Bourke, 59.
- Do. Morpeth, 76.
- Do. Windsor, 103, 152, 283.
- Do. Jerry's Plains, 108, 133, 180, 237, 331, 407, 554.
- Do. Dungog and Clarence Town, 113.
- Do. Waratah, 113.
- Do. St. Leonards, 133.
- Do. Cannonbar, 146.
- Do. Quirindi, 183.
- Do. Trial Bay, 188.
- Do. Carcoar, 228.
- Do. Parramatta, Clock for, 244.
- Do. Moree, 253, 419.
- Do. Blayney, 257.
- Do. Cootamundra, 273, 417.
- Do. Molong, 323, 388.
- Do. Coonamble, 341.
- Do. Singleton, 351.
- Do. Sofala, 352, 628.
- Do. Goddaga, 429.
- Do. Gulgong, 558, 635.
- Do. Moss Vale, 579.
- Do. Raymond Terrace, 609.

TEMPORARY CLERKS IN LANDS DEPARTMENT:—Rule adopted in appointing, 558.

TENDERS:—

- For Supply of Stores, 56.
- Railway Rolling Stock, 288.

TENTERFIELD:—

- Post and Telegraph Office, 34.
- Court-house and Gaol, 145, 156.

TERRIGAL:—Destruction of Fish at, 662.

TERRY-HIE-HIE: Road from, to Warialda, 238, 348.

"THEETIS":—Captain of, 447.

THOMPSON, MR.:—Conditional Purchase of, Parish of Maroota, 64.

THOMSON, MR. JAMES:—Resignation of as Member of Royal Commission, Lands Department, 151.

THORP'S PINCH:—School, 314.

TICKLING, MISS:—Conditional Purchase of, Warialda, 73.

TIDE SURVEYOR:—Appointment of a third, 396.

TILLIGHERRY CREEK:—Road from, to Nelson's Bay, 224.

TIMBER:—

- Reserve, Namoi, Narrabri, 65, 336, 433.
- For Railway Purposes, 128.
- Licenses to cut, in The Williams Electorate, 241.
- Reserves, 295, 454.
- For Exhibition Building, 358, 375.
- Regulations, 417.

TIMBRABONGIE:—Police Quarters, 368.

TOLLS:—On Roads, Bridges, and Ferries, 139, 237, 401.

TONKINS, MR.:—Conditional Purchase of, at Adelong, 321.

TONNAGE RATES:—Amount of, 474.

TOTALISATOR:—Informations against Siegfried Franck, 509, 522.

"TOWN AND COUNTRY JOURNAL":—Telegrams to, 572.

TOWNSHIP:—

- Daysdale, 180.
- Site for Millie, 238, 461.

TRAFFIC MANAGER:—For Railway, appointment of, from England, 86.

TRAMWAY:—Rails for Sydney, 340, 377, 382.

TRANSFER OF A PUBLICAN'S LICENSE:—Opinion of Attorney General, 525 (?)

TRANSIT COMMISSIONERS:—Receipts and Disbursements, 57.

TRAVELLING EXPENSES:—

- Of Mr. Cracknell, 80.
- Of Postmaster-General, 80.
- Mr. C. Oliver's Lands Department, 281, 301, 315, 374, 375.
- Of Public School Teachers, 665.

QUESTIONS (continued):—

TRAVELLING STOCK:—

- Depasturing on Commons, 64.
- Reserves, 117, 353, 369, 553.
- Do., Yetman to Warialda, 278.
- Road from Coonamble to Wellington, 408.
- Do. do. Dubbo, 424.
- Town Common, Rylstone, 585.
- Passing between N. S. Wales and Victoria, 325, 351.
- Route through Baratta and Marago, 449.
- Routes for, 470.

TRIAL BAY:—Telegraph Office, 188.

TRIAL SURVEYS:—103, 175, 223, 241, 317, 348.

TRIALBA:—Rodgers's Conditional Purchase, 513.

TRUNKY:—Public School, 55.

TRUSTEES OF COMMONS:—Powers of, to lease, 310.

TRUST MONIES:—And Loan Funds, Disposal of Balances, 118.

TUMBERUMBA:—

- Road to Welaregang, 140.
- Bridge, 611.

TUNAWANA:—William Gallagher's Conditional Purchase at, 259.

TURLINGALI:—Public School, 238, 299.

TURKE CREEK:—Road, 163, 473.

TYSON, MR. JAMES:—Arrears of Rent due by, 339.

UABRY:—Road through Fitzgerald's Grant to, 179.

UNDERWOOD ESTATE:—Mr. Weekes, Trustee of, 608.

UNIVERSITY:—

- Particulars of, 395.
- Benefactions to, 396.
- School of Law and Medicine, 595.

URALLA:—Common, 278.

URAYARRA:—Road, Queanbeyan to, 53.

"VERNON" NAUTICAL SCHOOL SHIP:—Contracts for Supplies to, 373.

VICTORIA BARRACKS:—Officers Quarters, 581.

VILLAGE:—

- Reserve, Gadooga, 64.
- Reserve, Kunopia, 69.
- Of Double Bay, 107.

VOLUNTEERS:—

- Force, New Regulations, 44, 258.
- Land Orders, 75, 87(?), 108, 227, 325, 339, 363, 387, 441, 457, 462, 478.
- Corps, Newcastle, leave of absence, 163, 167.
- No. 3 Company Rifles, distribution of fund, 165.
- Members who have joined under new Regulations, 231.
- Case of W. F. Kerr, Mudgee, 292.
- The Force under the old Regulations, 295.
- Particulars of new and old Force, 310.
- Particulars of Military and Volunteer Forces, 340.
- Parramatta, 341, 368.
- Wollongong, 362.
- Rifles and Accoutrements of old Force, 387.
- Capitation Allowance to, 424, 537, 558.
- Pay, Encampment, and Regulations, 424.
- Efficiency of Members, 448.
- Land selected with Land Orders, 457.
- Promotions in the Force, 489.
- Men dismissed or struck off the Roll, 509.
- Captain Wilson, 571, 580.
- Present Position of old Force, 310, 575, 627.
- Officers Quarters, 581.

VOTES FOR PUBLIC WORKS AND BUILDINGS:—Amount on Estimates, 415.

WAGGA WAGGA:—

- Common, 79, 85, 292.
- Water Supply, 272, 300.
- Temporary Bridge, 388.

WAGUNYAH:—

- Approaches to Bridge, 140, 611.
- Bridge, 347.

WALBUNDRIE:—Road through, 313.

WALGETT:—

- New Court-house, 20, 183, 244, 661.
- Road, Narrabri to, 30.
- Post and Telegraph Office, 44, 273, 336.
- Railway Extension, Narrabri to, 59, 175, 241.
- Extension of Jury Laws Amendment Act, in Police District of, 59.
- Hospital Site, 149, 443.
- Road to Combora Springs, via Girriwin, to Culgoa via Wilby Wilby, 192.
- Number of Constables in Police District, 248.
- Police Barracks and Post and Telegraph Office, 273, 662.
- Clerk of Petty Sessions at, 352.
- Deeds for Land at, 434.

Q

QUESTIONS (continued) :—

- WALKER-STREET, REDFERN :—Opening of 639, 644.
 WALLACE, MR. :—Purchase by, of portion of Quat Quatta Reserve, 56.
 WALLACE, MESSRS. :—Conditional Purchase of, 515, 665.
 WALLERAWANG :—
 Traffic at Railway Station, 238.
 School, 352.
 Railway to Mudgee, 474.
 WALTERS, BENJAMIN :—Conditional Purchase of, 563.
 WARBRECCAN RUN :—Area of, 429.
 WARDELL, MR. :—Architect for outbuildings at the Exhibition, 553.
 WARDEN, GEORGE W. :—The case of, 665.
 WARDERS, GAOL :—
 Increase of pay to, 424.
 Lodging allowance, 599.
 WARIALDA :—
 Post and Telegraph Offices, 25, 169, 264.
 Court-house, 140, 415.
 Road from Terry-hie-hie to, 238.
 Travelling Stock Reserve, Yetman to, 278.
 Inspector of Conditional Purchases, 287.
 Race-course and Recreation Ground, 314.
 Lock-up, 340.
 Land sold at, 449.
 WARATAH :—
 Police Magistrate, 16.
 Post and Telegraph Office, 113.
 Road to Maitland, 137.
 Municipal Council Chambers, 163.
 WARREN :—
 Road to Bourke, 368.
 Temporary Common, 586.
 WATCH-HOUSE :—
 Site for, Rocky Point Road, 93, 104, 122.
 At corner of Cook Park, Woolloomooloo-street, 277.
 Pymont, 381.
 WATER :—
 Bill to provide for conservation of, 55, 301.
 Tank at Major's Waterhole, 140.
 Supply of, to stock in Railway trucks, 160.
 Tanks, Public, 170.
 Tanks for Brocklesby West, 180.
 Reserve, Back Creek, 530.
 WATER AND SEWERAGE BILL :—Progress of, in Committee, 434.
 WATERLOO :—
 Public Park, 25.
 Mill's Grant, 176, 227, 478.
 WATERLOO CREEK :—Bridge at Millie, 644.
 WATER POLICE COURT :—Number of Cases tried at, 454.
 WATERS, MR. :—Conditional Purchase of, 341.
 WATER SUPPLY :—
 Young and Grenfell, 20.
 Sydney and Suburbs, 79, 583, 659.
 Hunter River District, 243, 244, 491.
 Wagga Wagga, 272, 300.
 Jindera, 313.
 On road between Inverell and Warialda, 330.
 Parramatta Gaol, 382.
 Between Narrabri and Moree, 391.
 Hill End, 515.
 Gulgong, 567.
 WATSON'S BAY :—Postal communication with, 410, 522.
 WATSON, THE HONORABLE JAMES :—Colonial Treasurer, holding office as Bank Director, 288.
 WAVERLEY :—Reserve on Bellevue Hill, 557, 644.
 WEBSTER, ROBERT :—The case of, 654, 665.
 WEEKES, MR. :—Trustee in the Underwood Estate, 608.
 WEE WAA :—
 Court-house, 74.
 James Fletcher's Conditional Purchase, 300.
 WELAREGANG :—
 Reserve, 59.
 Survey of Township, 65.
 Road, Tumberumba to, 140.
 WELLINGTON :—
 Buildings at Railway Station, 11.
 Gaol, 11.
 Prisoners under Committal, 388, 420.
 WERRIS CREEK :—Railway, 35, 239, 282, 443, 665,

QUESTIONS (continued) :—

- WEST BROOK :—Bridge at, 237.
 WEST MACQUARIE :—Public Works in Electorate of, 50.
 WEST MAITLAND (See "MAITLAND.")
 WHALING ROAD :—North Shore, opening of, 87, 417.
 WHARFS :—
 Accommodation, Circular Quay, 20.
 Crane and, Darling Harbour, 127.
 Shed, Darling Harbour, 127.
 Rates, 20, 249, 474.
 Rent for Circular Quay, 20.
 Sydney Cove, 258.
 Newcastle, 336.
 Manly Beach, 409, 419.
 Cowper, 442.
 Chowder Bay, 482.
 WHIPPING PRISONERS :—For acts of Larrikinism, 305.
 WIDENING :—Elizabeth and Liverpool Streets, 223.
 WILCANNIA :—Railway Trial Survey, Blayney to, 103.
 WILKINSON AND MEDCALF :—Advice tendered by the Executive Council to His Excellency the Lieutenant-Governor, 567.
 WILLIAMS RIVER :—
 Bridge, 175, 191, 470, 486.
 Bridge, at Seaham, 228.
 Bridge, at Tillegra, 347.
 WILLIAMS, THE :—Licenses to cut Timber in Electorate, 241.
 WILLOUGHBY FALLS :—Reserve, 25, 368.
 WILMOT :—Public School, 15.
 WILSON, CAPTAIN :—
 Employment of, in Darlinghurst Gaol, 571.
 Escorting Lunatics, 580.
 WILSON, CAWLEY, AND FREW, MESSRS. :—Compensation to, 80.
 WILSON, MR. JEREMIAH :—Lease of Reserve on Deep Creek, 352.
 WILSON, SARAH :—Land applied for by, at Fish River Creek, 563.
 WINDELLIMA :—Goulburn and Braidwood Road to, 227.
 WINDSOR :—
 Approaches to Bridge, 103.
 Post and Telegraph Offices, 103, 152, 283.
 Fitzroy Bridge, 103.
 Court-house, 272.
 WINES, AUSTRALIAN :—
 British Duties on, 381.
 Exported to England and New Zealand, 453.
 WISEMAN'S FERRY :—Punt, 591.
 WITCOMB, LEVI :—Conditional Purchase of, 601.
 WOLLONDILLY RIVER :—Road at Rossi's Crossing, 140.
 WOLLONGONG :—Volunteers, 362.
 WOOD, ALFRED :—Conditional Purchase of, 118.
 WORKMEN (See also "RAILWAYS") :—
 Pay of Men on Dredge "Newcastle" and Tender "Ajax," 151.
 Maintenance Men, under Road Superintendents, 151.
 Pay of Government, for Christmas Day and Good Friday, 457.
 Entertainment to, at the Exhibition Building, 616.
 WORKSHOPS :—Removal of Railway, 99.
 "WOTONGA" S.S. :—Boarding of by Officers of Customs, 146.
 WRIGHT, JOSEPH :—Conditional Purchase, Moor Creek, 30.
 WYBONG CREEK :—Road through Hall and Cox's Land, 442.
 YANKO CUTTING :—Repairs, 159.
 YETMAN :—
 Land Sales at Boggabri, Brewarrina, Moree and, 191.
 Travelling Stock Reserve, Warialda to, 278.
 A. T. Simpson's Conditional Purchase, 282.
 Conditional Purchases at, 377.
 YORK, MR. GOVERNMENT APPRAISER :—Leave of absence to, 404.
 YOUNG, MR. JOHN :—
 Error in Schedule of prices in Contract for General Post Office, 249.
 Percentage to, in connection with the International Exhibition, 267.
 Bricks supplied to Exhibition Building, 522.
 YOUNG :—
 Water Supply for, and Grenfell, 20.
 Mining on Police Paddock, 404, 471, 533.

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
Q			
QUORUM:—			
ABSENCE OF:—			
In House, before commencement of business, 125, 235, 255, 547, 605, 641.			
In House, after commencement of business, 84, 167, 245, 251, 311, 389, 413, 439, 459, 493, 520, 536, 577, 593, 597, 610, 629.			
Reported from Committee of the Whole, 167 ⁽²⁾ , 371 ⁽²⁾ , 439 ⁽²⁾ , 459, 577, 637 ⁽²⁾ .			
Reported from Committee of Supply, 526, 589, 597.			
R			
RAILWAYS:—			
EMPLOYEES:—			
Return to Order (<i>Session 1877-8</i>), laid on Table, 2			173
MANAGEMENT OF THE DEPARTMENT:—			
Motion made (<i>Mr. McElhone</i>) for appointment of a Select Committee to inquire into, and negative, no tellers for the ayes, 90.			
REPORT FOR 1877:—			
By Commissioner, on Railways of New South Wales, laid on Table, 2			1
Illustrations and Maps in connection with, laid on Table, and ordered to be appended, 205.....			161
SUBURBAN RAILWAYS:—			
Petition from Municipal Council of Paddington in favour of, presented, 21; ordered to be printed, 26			263
Do. Inhabitants of Woollahra	do. do. 21;	do. 26	261
Do. do. Waverley	do. do. 21;	do. 26	265
Do. do. Redfern	do. do. 31;	do. 36	267
Do. do. Victoria	do. do. 35;	do. 41	269
Do. do. Randwick	do. do. 35;	do. 41	271
Do. do. Leichhardt	do. do. 35;	do. 41	273
Do. do. Marrickville	do. do. 35;	do. 41	275
Do. do. Macdonald Town	do. do. 46;	do. 51	277
Do. do. Waterloo	do. do. 46;	do. 51	279
Do. do. Darlington	do. do. 50;	do. 54	281
Do. Mayor, Aldermen, and Citizens of } Sydney	do. do. 52;	do. 54	283
Do. Inhabitants of Balmain	do. do. 57;	do. 67	285
Do. do. City of Sydney	do. do. 66;	do. 70	287
Do. do. Borough of North } Willoughby	do. do. 80;	do. 83	289
FARES:—			
Motion made (<i>Mr. Teece</i>) that the fares for conveyance of passengers are unequal and excessive, and should be rendered more uniform and reduced, and withdrawn, 142.			
JUNEE TO NARRANDERA:—			
Petition from Residents of Narrandera for immediate construction of, presented, 26; ordered to be printed, 31			247
Plans, Sections, and Book of Reference, laid on Table, as exhibits only, 160, Motion made (<i>Mr. Lackey</i>) that House approves of, 573.			
LAND TAKEN FOR RAILWAY PURPOSES:—			
Motion made (<i>Captain Onslow</i>) for a Return showing extent of, names, amounts demanded, costs paid in arbitration cases, &c., 36; Return to Order, laid on Table, 337.....		5	191
CONNECTION OF GREAT NORTHERN, WITH SYDNEY:—			
Motion made (<i>Mr. Badger</i>) for Committee of the Whole, that necessary steps be taken to carry out, 68; Order of the Day postponed, 78; House in Committee and Resolution agreed to, 123			
Petition from Inhabitants of Central Cumberland, in favour of, presented, 315			255
Do. do. Parramatta	do. 315		255
APPROPRIATION OF LAND FOR PUBLIC PURPOSES:—			
Motion made (<i>Mr. Sutherland</i>) for Committee of the Whole to consider expediency of bringing in Bill to provide for, 146; Order of the Day postponed, 150; Order of the Day discharged, 229.			
EXTENSION, WAGGA WAGGA TO HAY:—			
Petition from Charles Hardy, Chairman of Public Meeting of Inhabitants of Town and District of Wagga Wagga, that the Great Southern Railway be extended from South Wagga Wagga to South Hay, on south side of Murrumbidgee River, instead of from Junee to Narrandera, presented and read by Clerk, 177			249
Petition from Inhabitants of Jerilderie, Yanko, Argoon, Colombo Creek, &c., with similar prayer, presented, 225			251
Motion made (<i>Mr. Barbour</i>) that this extension should be taken on southern side of Murrumbidgee River, instead of on the northern, previous question moved and by leave withdrawn, original question by leave withdrawn, 284.			
EXTENSION INTO THE CITY (See "METROPOLITAN RAILWAY EXTENSION BILL")			
TO ARMIDALE:—			
Petition from Armidale, praying for a deviation through the city of Armidale, presented, 318.....			253
TOURISTS MAP:—			
Motion made (<i>Mr. Macintosh</i>) for copy of, 337; Return to Order, laid on Table, 645			227
GOULBURN TO COOMA:—			
Petition from Inhabitants of Braidwood, in favour of, presented, 342			257
FROM GOULBURN TO MONARO:—			
Petition from Residents of Monaro, in favour of, presented, 353			259
TRIAL SURVEYS:—			
Motion made (<i>Mr. Teece</i>) for copies of instructions, reports, &c., having reference to, throughout the Colony, 417.			
SITE FOR STATION, LITHGOW VALLEY:—			
Motion made (<i>Mr. Sutherland</i>) for reports, petitions, minutes, &c., having reference to, 420.			
SALE OF OLD IRON:—			
Motion made (<i>Mr. Sutherland</i>) for papers having reference to, to D. Williams, Esquire, 420;			
Return to Order, laid on Table, 666			239
FROM YASS TO WAGGA WAGGA:—			
Motion made (<i>Mr. McElhone</i>) for particulars of work performed on, and by leave withdrawn, 445			

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
R			
RAILWAYS (continued):—			
EXTENSION, NARRANDERRA TO HAY:—			
Papers respecting, laid on Table (Report of Messrs. Adams and Bennett), 471		5	223
RESERVES NEAR WESTERN RAILWAY:—			
Return to Order (<i>in part</i> , Session 1876-7), laid on Table, 510		4	637
RESERVATION OF LAND ADJOINING LINES:—			
Motion made (<i>Mr. Hurley, Hartley</i>) that Crown lands adjoining to, and 2 miles in width on each side of proposed extensions, shall only be sold by auction, and that portions be reserved as sites for townships and other public purposes, and that the proceeds of such sale be set apart as a fund to defray cost of, and withdrawn, 142.			
ROLLING STOCK:—			
Return of, supplied from 1st January, 1878, to 20th November, 1878, laid on Table, 205.....		5	243
SPRINGS FOR, ENGINES AND CARRIAGES:—			
Motion made (<i>Captain Onslow</i>) for all correspondence respecting the tenders of Osborn & Co., and others, for, 284.			
THE CLARENCE TO NEW ENGLAND:—			
Motion made (<i>Mr. Bowden</i>) for all reports, minutes, &c., respecting explorations made by Mr. Surveyor Francis for Railway purposes, from, and thence to Moree by way of Inverell and Warialda, 134; Return to Order, laid on Table, 337		5	203
RAILWAY REFRESHMENT ROOMS BILL:—			
Motion made (<i>Mr. Copeland</i>) for Committee of the Whole, 31; House in Committee, Resolution agreed to, 47; presented and read 1 ^o , 47; read 2 ^o and committed, 78; Order of the Day postponed, 105; House again in Committee and counted out, 167; Order of the Day restored 185; Order of the Day postponed, 216, 221, 232; House again in Committee and no Report, 279.			
PETITIONS RESPECTING, FROM:—			
Citizens of Sydney	against, presented, 76; ordered to be printed, 88		
Residents of Parramatta,	do. 76; do. 88		
Citizens of Sydney in Public Meeting,	do. 76; do. 88		
Residents of Balmain,	do. 76; do. 88		
Citizens of Sydney, in Good Templar Lodge assembled,	do. 76; do. 88		
Residents of Wagga Wagga, in Public Meeting,	do. 76; do. 88		
Citizens of Sydney,	do. 76; do. 88		
Citizens of Newcastle, in Public Meeting,	do. 76; do. 88		
Members of the Unitarian Church,	do. 76; do. 88		
Secretary and Chairman of the Bible Combination,	do. 77; do. 88		
Members of Freehold Land and Building Society,	do. 77; do. 88		
Crystal Spring Division, Daughters of Temperance,	do. 77; do. 88		
Residents of District of Ryde,	do. 77; do. 88		
Persons at G. H. Lovett's Dining Rooms, Pitt-street,	do. 77; do. 89		
Temperance Alliance, Pitt-street,	do. 77; do. 89		
City Missionaries of Sydney, in Public Meeting,	do. 77; do. 89		
Society of Friends,	do. 77; do. 129		
Primitive Methodist Church of Sydney,	do. 77; do. 129		
Residents of Newtown, in Public Meeting,	do. 77; do. 89		
Residents of Camperdown, do.	do. 77; do. 89		
Captain Cook Tent of Independent Order of Rechabites, } in Tent Meeting,	do. 80; do. 83		
Residents of Campbelltown, in Public Meeting,	do. 80; do. 83		
Do. Yass, do.	do. 80; do. 88		
Inhabitants of Town of Windsor,	do. 80; do. 88		
Hope of Richmond Division of Sons of Temperance, } Richmond, in Public Meeting,	do. 80; do. 88		
Residents of Jones's Island, Manning River,	do. 80; do. 88		
Residents of Port Macquarie,	do. 80; do. 88		
Inhabitants of Tumut,	do. 80; do. 90		
Citizens of Bathurst and others, in Public Meeting,	do. 80; do. 88	5	291 to 449
Residents of Parkes,	do. 80; do. 88		
Inhabitants of Parkes,	do. 80; do. 88		
Residents of Ironbarks and others, in Public Meeting,	do. 80; do. 88		
Do. Wattle Flat, do.	do. 84; do. 95		
Do. Maitland and Newcastle,	do. 84; do. 90		
Citizens of Grafton, Clarence River,	do. 84; do. 88		
Captain Cook Division, Sons of Temperance, Botany, in } Public Meeting,	do. 84; do. 88		
Rising Sun Division, Sons of Temperance,	do. 84; do. 88		
Residents of Newtown, in Public Meeting,	do. 84; do. 88		
Do. Camperdown, do.	do. 84; do. 88		
Do. Shoalhaven and surrounding District,	do. 84; do. 88		
Do. Cooma,	do. 84; do. 88		
Inhabitants of Lithgow Valley,	do. 84; do. 95		
Residents of Parramatta, in Public Meeting,	do. 87; do. 95		
Citizens of South Sydney, do.	do. 87; do. 95		
Residents of West Maitland, do.	do. 87; do. 95		
Inhabitants do. do.	do. 87; do. 95		
Residents of Albury on the Railways,	do. 87; do. 95		
No. 1 Grand Division, Sons of Temperance, Sydney,	do. 87; do. 95		
Residents of Kempsey, on the Macleay River,	do. 87; do. 95		
Residents of Manning River District,	do. 87; do. 95		
Do. Wollongong, in Public Meeting,	do. 87; do. 95		
Inhabitants of Jamberoo and others,	do. 87; do. 95		
Do. Adelong Gold Fields, in Public Meeting,	do. 87; do. 95		
Residents of Gundagai,	do. 87; do. 95		
Do. Grenfell,	do. 87; do. 95		
Do. Liverpool,	do. 87; do. 95		
Happy Home Division, Sons of Temperance, Singleton,	do. 87; do. 95		
Wonder of the World Division, do. Luddenham, do.	do. 87; do. 95		

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
R			
RAILWAY REFRESHMENT ROOMS BILL (continued):—			
PETITIONS RESPECTING, FROM (continued):—			
Residents of Orange,	against, presented, 99; ordered to be printed, 105		
Inhabitants of Tighe's Hill and others,	do. 99; do. 105		
Residents of Cowflat and neighbourhood,	do. 104; do. 111		
Members of the New Church,	do. 104; do. 109		
Citizens of Sydney, in Public Meeting,	do. 104; do. 109		
Rose of Australia Division, Sons of Temperance,	do. 104; do. 109		
Baptist Church, Woolloomooloo, and several other Churches,	do. 104; do. 109		
Residents of the Manning River,	do. 104; do. 109		
Members of the Mariners Church, Sydney,	do. 104; do. 109		
Residents of Corowa,	do. 104; do. 111		
Ladies of the Evangelistic Committee,	do. 105; do. 109		
Members of the Ladies Flower Mission,	do. 105; do. 109		
Rector and Resident Tutor of St. John's Roman Catholic College,	do. 105; do. 109		
Residents of Lismore, in Public Meeting,	do. 105; do. 109		
Do. Lucknow,	do. 105; do. 109		
Do. North Willoughby,	do. 105; do. 109	5	291 to 449
We Hope to Prosper Division, Daughters of Temperance,	do. 105; do. 109		
Citizens of Sydney, in Public Meeting,	do. 105; do. 109		
Residents of Pyrmont, do.	do. 105; do. 109		
Do. Tambaroora,	do. 109; do. 122		
Chairman of Congregational Union of New South Wales,	do. 109; do. 114		
Residents of Hinton, Morpeth, and surrounding district,	do. 113; do. 119		
Inhabitants of Bega,	do. 113; do. 119		
Citizens of Sydney, in Public Meeting,	do. 128		
Residents of Balmain, do.	do. 146		
Do. Macleay River,	do. 157		
Do. Gladstone, Smithtown, Austral-Eden, and do. Belmore River.	do. 157		
Citizens of Sydney,	do. 167		
Inhabitants of Balmain,	do. 167		
Residents of Kelso,	do. 224		
James Fullerton, L.L.D., and others,	do. 260		
RANDWICK ASYLUM (See "CHARITABLE INSTITUTIONS.")			
RAPE:—			
Return respecting crime of, laid on Table, 609.....		3	347
Petition from J. Bowie Wilson, as Chairman of public meeting in Sydney, praying the House to abolish capital punishment for the crime of rape, and to make such Bill retrospective as regards the criminals Wilkinson and Medcalf, presented and read by the Clerk, 572.....		3	345
Motion made (Mr. McCulloch) for leave to bring in a Bill for Abolition of Capital Punishment for, and withdrawn, 535.			
RATEPAYERS (See "SYDNEY CORPORATION BILL.")			
RAYMOND TERRACE, POLICE AT:—			
Motion made (Mr. Jacob) for correspondence, minutes, reports, &c., having reference to charges made by, against one Macpherson, 565; Return to Address, laid on Table, 655.....		3	607
REAL PROPERTY ACTS:—			
Returns under, for 1877, laid on Table, 2.....		7	957
Do. 1878, do. 482.....		7	959
Motion made (Mr. Windeyer) for Committee of the Whole to consider expediency of appointing a Commission to inquire into working of, 22; Order of the Day postponed, 37; House in Committee, and Resolution agreed to, 138.			
RECLAMATION OF LAND:—			
PORT JACKSON:—			
Further Return (in part) to Order (Session 1876-7), laid on Table, 2.....		4	917
ALIENATED CROWN LANDS, PORT JACKSON:—			
Return (in part) to Order (Session 1875-6), laid on Table, 2.....		4	913
WHITE BAY, BALMAIN:—			
Motion made (Mr. Farnell) for Committee of the Whole to consider expediency of bringing in Bill, 141; Order of the Day discharged, 233.			
SNAIL'S BAY, BALMAIN:—			
Motion made (Mr. Farnell) for Committee of the Whole to consider expediency of bringing in Bill, 141; Order of the Day discharged, 233.			
NEUTRAL HARBOUR:—			
Motion made (Mr. Farnell) for Committee of the Whole to consider expediency of bringing in Bill, 141; Order of the Day discharged, 233.			
CAREENING COVE:—			
Motion made (Mr. Farnell) for Committee of the Whole to consider expediency of bringing in Bill, 141; Order of the Day discharged, 233.			
RECOMMITTAL:—			
Of Bills, 71, 114, 185, 261, 316, 359, 384, 385, 551, 559.			
Of Resolution, 130.			
REDFERN TO HUNTER-STREET TRAMWAY BILL:—			
Motion made (Mr. Lackey) for Committee of the Whole, 293; House in Committee, 303, 343; Resolution agreed to, 343; Message, No. 2, 361; Order of the Day postponed, 365: read 2 ^d committed, reported without Amendment, and Report adopted, 421; read 3 ^d and sent to Council, 425; returned with Amendments, 455; Amendments agreed to, and Message to Council, 468; Assent reported, 486.....		5	451
REDFERN TO HUNTER-STREET TRAMWAY:—			
Motion made (Mr. Sutherland) for papers having reference to supply of rails for, 379; Return to Order, laid on Table, 645.....		5	453
REDMOND'S ESTATE BILL:—			
Petition presented (Mr. Windeyer) for leave to bring in, 53; leave given, presented, and read 1 ^o , 58; referred to Select Committee, 67; Report brought up, 122; read 2 ^d , 173; Order of the Day postponed, 215; committed, reported, without amendment and Report adopted, 221; read 3 ^d , passed, and sent to Council, 228; returned with an Amendment, 269; Council's Amendment agreed to, 280; Assent reported, 306.....		7	809

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
R			
REED, MICHAEL:—			
Motion made (<i>Mr. McElhone</i>) for correspondence, &c., in reference to conditional purchase of, at Springwood, 545.			
REFRESHMENT COMMITTEE:—			
Seasonal Order passed, 8, 228.			
REFRESHMENT ROOMS (See "RAILWAY REFRESHMENT ROOMS BILL.")			
REGISTERS OF MARRIAGES, BIRTHS, AND DEATHS (See also "CLERGY RETURNS TRANSFER BILL") :—			
Papers connected with the claim of H. K. James for compensation for the transfer of Church of England, to the office of the Registrar General, laid on Table, 99.	7	879	
Motion made (<i>Mr. Fitzpatrick</i>) for Committee of the Whole to consider expediency of bringing in Bill to transfer, to office of General Registry, 100.			
REGULATIONS:—			
Laid on Table:—			
Under Volunteer Force Regulation Act of 1867, 2 ^(*) , 12, 397, 666	7	327, 339	
Relating to vote in aid of prospecting for gold, 2	4	737	
Diseases in Sheep Acts Amendment Act of 1878, 7, 217, 640	7	639, 649	
Imported Stock Act of 1871, 7, 425	7	635, 637	
Mining Act of 1874, for cutting Water-races through leased lands, 109	4	903	
REMOVAL OF CAMPBELL'S WALL, LOWER GEORGE STREET:—			
Motion made (<i>Mr. J. Davies</i>) for all correspondence, &c., between Municipal Council, A.S.N. Co., and the Government, relative to, 123.			
REMUNERATION TO JURORS (See "ADMINISTRATION OF JUSTICE.")			
RENT (See "MINERAL.")			
RENWICK, DR. (See "INFIRMARY SYDNEY.")			
REPORT (See "NO REPORT.")			
REPORTS:—			
Laid on Table:—			
Twenty-third Annual, of Postmaster General, on Departments under his ministerial control, being for 1877, 2	5	457	
Twenty-fourth do. do. for 1878, 538	5	515	
Of the proceedings of the Conference respecting the duplication of the Telegraph Lines between Australasia and Europe, held in Melbourne in May, 1878, 2	5	713	
Agent for Immigration, for 1877, 2	7	379	
Do. for 1878, 296	7	385	
Manager of Government Asylums for the Infirm and Destitute, relative to expenditure for 1877, 2	3	969	
Commissioner for Railways, on Railways of New South Wales, for 1877, 2	5	1	
Do. do. do. and Illustrations and Maps in connection with, to be appended to the Report, 205	5	161	
Auditor General's, on Abstracts of the Public Accounts of the Colony, for 1877, 5, 645	2	885, 1017	
Twenty-second Annual, from Registrar General, on Vital Statistics, 7	6	877	
Inspector of the Insane, for 1877, 57	3	889	
Nautical School-ship "Vernon," for the year ended 30 June, 1878, 57	3	1019	
Sydney Grammar School, for 1877, 94	3	847	
Annual, from Comptroller General of Prisons, for 1877, 119	3	1029	
Royal Commission, upon management of Berrima Gaol, Minutes of Evidence and Appendices, 181	3	1033	
Parramatta Lunatic Asylum, 220	3	907	
Do. do. for 1878, 310	3	917	
Board of Audit on Public Accounts, 220	2	1163	
Deputy Master of the Mint, on Gold Coinage of the Sydney Branch, for year ended 30 June, 1878, Despatch, 220	7	1013	
Police Department, for 1878, 254	3	565	
Royal Commission on Lands and Survey Departments, 331	4	1	
Sewerage and Water Supply, for 1878, 331	7	109	
Public Library, for 1878, 388	3	851	
Botanic Gardens and Domains, 392	7	871	
Vaccination, for 1878, 397	3	1411	
Glebe Island Abattoirs, 458	7	619	
Food supplied to Government Institutions, 482	7	673	
Public Schools, for 1878, 497	3	629	
Denominational Schools, for 1878, 497	3	687	
Australian Museum, for 1878, 522	3	857	
Manning River Oyster Beds, 562	7	925	
Inspector of Public Charities, for 1878, 564	3	945	
University, for 1878, 568	3	815	
Government Stores Department (Part 1), 576	3	396	
Agent for Immigration, on Vessels arrived and to arrive, 583	7	450	
Public Abattoir, Glebe Island (Progress), 628	7	497	
FROM SELECT COMMITTEES:—			
The Glebe Borough Bill, 46	7	797	
Parramatta Town Hall Bill, 71	7	803	
Sydney Infirmary and Dispensary Bill, 110	3	933	
Redmond's Estate Bill, 122	7	809	
Primitive Methodist Church Temporalities Bill, 149	7	819	
City of Goulburn Gas and Coke Company's Incorporation Bill, 153	7	827	
Orange Town Hall Site Sale Bill, 260	7	833	
Mudgee Turf Club Bill, 302	7	839	
Petition of Patrick and Michael Griffin, 326; adopted, 565	3	273	
Chippendale Roman Catholic Church Land Sale Bill, 397	7	847	
Cohen's Enabling Bill, 468	7	853	
Jury List, Deniliquin, 522	3	141	
Pilot Steamer "Captain Cook," 628	4	1011	
Petition of Mr. E. W. Rudder (Progress), 666	4	865	
FROM ELECTIONS AND QUALIFICATIONS COMMITTEE:—			
The case of Mr. Combes, Member for Orange, 265	2	5	
Do. Mr. Rouse, Mudgee, 353	2	29	
Do. Mr. Fitzpatrick, 388	2	47	
Do. Mr. Sutherland, 568	2	63	

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
R			
RESERVATIONS, SPECIAL, OF OLD GRANTS OF LAND:—			
Papers respecting, laid on Table, 609	4	485	
RESERVED BILL:—			
Matrimonial Causes Act Amendment, 267.			
RESERVES (See also "WATERLOO MILLS GRANT," also "CROWN LANDS"):—			
WATER, AT LINDSAY'S POINT, NEW ENGLAND:—			
Return to Order (Session 1877-8), laid on Table, 2	7	101	
AT BOTANY:—			
Motion made (Mr. McElhone) that all obstructions be at once removed from, 158.			
FOR PUBLIC RECREATION:—			
Motion made (Mr. Windeyer) that Clarke, Schnapper, and Rodd Islands should be dedicated as, and placed in hands of trustees, and that land at Long Bay be secured as, by Act of Parliament, 185.			
Motion made (Mr. Lucas) for Committee of the Whole to consider Resolutions, setting apart and reserving parks and pleasure grounds for all cities, towns, villages, and other centres of population, 284; Order of the Day postponed, 297; House in Committee, and Resolution agreed to, 370.			
QUAT QUATTA:—			
Motion made (Mr. McElhone) for copies of correspondence, &c., in reference to the claim of J. Wallace, 315.			
SELECTIONS OF WOODS AND KELLY:—			
Motion made (Mr. Garrett) for papers, &c., having reference to, on Billybongevil Run, 392.			
SELECTION OF THOMAS FORAN:—			
Motion made (Mr. Garrett) for papers, &c., having reference to, on Bulderudgera Run, 392.			
TRAVELLING STOCK:—			
Motion made (Mr. McElhone) for plans or sketches of, 434.			
Motion made (Mr. McElhone) respecting removal of fences and obstructions to, 550.			
NAMOI-NARRABRI TIMBER:—			
Reports from surveyors and others relative to, together with plan, laid on Table, 486	4	651	
NEAR WESTERN RAILWAY:—			
Return to Order (in part, Session 1876-7), laid on Table, 510	4	637	
ON RUNS:—			
Memorandum prepared by the Surveyor General, explaining the conditions under which they would be made, laid on Table, 572	4	663	
RESIDENCES FOR TEACHERS OF DENOMINATIONAL SCHOOLS (See "EDUCATION.")			
RESOLUTIONS:—			
FROM COMMITTEE OF THE WHOLE:—			
Reported, 13 (4), 17 (2), 23, 41, 47, 54, 71, 72 (2), 100, 106, 120, 123 (2), 130, 138 (2), 192, 221, 229, 240, 260, 261, 289, 338, 343 (2), 370, 412, 421, 454, 459, 471, 570 (2), 613, 625, 626.			
Agreed to, 13 (4), 17 (2), 23, 41, 47, 54, 71, 72 (2), 100, 106, 123 (2), 135, 138 (2), 192, 221, 229, 240, 260, 261, 289, 343 (2), 370, 412, 421, 454, 459, 471, 570 (2), 613, 625, 626.			
Received, 129, 134.			
Recommitted, 130.			
FROM COMMITTEE OF SUPPLY:—			
Reported, 129, 204, 216, 225, 268, 302, 384, 450, 542, 603, 618, 640.			
Agreed to, 129, 204, 216, 225, 268, 302, 384, 450, 542, 603, 625, 647.			
FROM COMMITTEE OF WAYS AND MEANS:—			
Reported, 161, 216, 226, 302, 316, 384, 450, 543, 603, 625, 647.			
Agreed to, 161, 216, 226, 302, 316, 384, 450, 543, 603, 625, 647.			
RESUMPTION (See also "RUSHCUTTERS BAY"):—			
OF LAND NEAR RUSHCUTTERS BAY:—			
Petition from Residents in Eastern Suburbs of Sydney, representing desirability of, by the Government, presented, 80; ordered to be printed, 88	4	911	
Motion made (Mr. Farnell) for Committee of the Whole to consider expediency of bringing in Bill for, 141; Order of the Day discharged, 233.			
OF ADDITIONAL LAND AT RUSHCUTTERS BAY:—			
Motion made (Mr. Farnell) for Committee of the Whole to consider expediency of bringing in Bill for, of additional land, 141; Order of the Day discharged, 233.			
RESUMPTION OF LAND BETWEEN MACQUARIE-STREET AND THE DOMAIN (See "MACQUARIE STREET LAND RESUMPTION BILL.")			
REWARDS (See "GOLD.")			
RICHMOND RIVER, THE:—			
Petition from Electors of district respecting entrance to, presented, 411	4	1063	
Motion made (Mr. Driver) for copies of petitions, letters, &c., relative to the establishment of Courts of Quarter Sessions for, 471.			
ROADS (See also "SOUTH HEAD TRANSFER BILL"):—			
THROUGH CROSBYAR ESTATE, ULLADULLA:—			
Return to Order (Session 1876-7), laid on Table, 2		889	
GOULBURN TO CURRAWANG:—			
Motion made (Mr. W. Davies) for all correspondence, surveyors reports, &c., having reference to deviation in, at Bangalore Creek, 77; Return to Order, laid on Table, 152		923	
IN BOROUGH OF WOOLLAHRA:—			
Petition from Owners of property and Residents, complaining of the state of certain roads, presented, 109; ordered to be printed, 114		981	
IN BOROUGH OF PADDINGTON:—			
Petition from Municipal Council of Borough of Paddington, that Roads under South Head Roads Trust may be taken over by the Government, presented, 160	5	983	
Do. Residents in the Borough of Paddington do. presented, 160		983	
BIBBENLUKE TO BOMBALA:—			
Motion made (Mr. Bowman) for all correspondence, reports, &c., in reference to, 184; Return to Order laid on Table, 250		945	
TRUST ACCOUNTS:—			
For the half-years ended 30 June and 31 December, 1877, laid on Table, 224		883	
KINGSGROVE TO CROYDON:—			
Correspondence, minutes, &c., referring to the Bridge over Cook's River on, laid on Table, 224 ...		989	

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
R			
ROADS (continued):—			
SUBORDINATE:—			
Return showing the proposed distribution of Vote on Estimates, under Trustees, laid on Table, 260		5	971
Do. do. do. under Officers of Roads Department, laid on Table, 260		5	963
ROADS AND BRIDGES:—			
Return showing amounts previously voted for, on pages 108 to 112, on the Estimates for 1879, laid on Table, 434		2	1197
FROM BARRABA TO GUNNEDAH:—			
Motion made (<i>Mr. Dangar</i>) for correspondence, &c., respecting opening up of, 482.			
GLENMORE, AND POINT PIPER:—			
Petition from Owners of property and Residents, complaining of dangerous and impassable state of, presented, 510		5	985
GUNNING TO GUNDAROO:—			
Return showing particulars of contracts for, laid on Table, 576		5	979
ROADS BILL:—			
Motion made (<i>Mr. Lucas</i>) for Committee of the Whole, 88; Order of the Day postponed, 105; Message from Governor, recommending, 128; House in Committee, and Resolution agreed to, 138; presented and read 1 ^o , 220; Motion made for 2 ^o , and Debate adjourned, 279; Order of the Day postponed, 327; 349; Orders of the Day discharged, and Bill withdrawn, 370		5	987
ROAD WORK (See "BLOMFIELD AND MUNFORD.")			
ROBARDS, JOHN (See "CROWN LANDS.")			
ROBERTSON, SIR JOHN, K.C.M.G.:—			
Letters between His Excellency and, in reference to formation of a proposed new Administration by, read to the House, 203.			
Resignation by, as Member for Mudgee, and Seat declared vacant, 207; issue and return of Writ in room of, reported, 219.			
Acceptance of office of Vice-President of the Executive Council in Sir Henry Parkes's Administration, 215.			
ROBINSON, SIR HERCULES:—			
Motion made (<i>Sir Henry Parkes</i>) for Select Committee to prepare Valedictory Address to, 342; reply read by Speaker, 357.			
RODD ISLAND (See "RESERVES.")			
ROGERS, MR. ALEXANDER:—			
Motion made (<i>Mr. Jacob</i>) for Return showing number of actions at law engaged in by, 430; Return to Address, laid on Table, 492		3	291
ROLLING STOCK (See "RAILWAYS.")			
* ROMAN CATHOLIC BISHOPS (See "CHURCH AND SCHOOL LAND FUND.")			
ROSE, THOMAS, CONDITIONAL PURCHASE OF:—			
Return to Order (<i>Session 1877-8</i>) laid on Table, 562		4	275
ROTUNDA (See "PRISONS.")			
ROUSE, RICHARD, ESQ., M.P. (See also "ELECTORAL") :—			
Return of, as Member for Mudgee, 219; sworn, 254.			
Retention of Seat by, referred to Committee of Elections and Qualifications, 263; Report brought up, and Seat given to Mr. Buchanan, 353		2	29
ROYAL COMMISSION ON LANDS DEPARTMENT (See "COMMISSION.")			
RUDDER, MR. E. W., PETITION OF:—			
Motion made (<i>Mr. E. B. Smith</i>) that Select Committee be appointed to inquire into, &c., for his services in connection with the gold discovery of 1851, 142; names added, 245; Progress Report brought up, 666		4	865
RULINGS OF SPEAKER (See also "SPEAKER") :—			
On points of Order in the House, 172, 394.			
Do. reported from Committee of the Whole, 100, 233, 355, 359, 412.			
On Motion respecting Deniliquin Town Clock, submitted twice during same Session, 172.			
On Motion involving expenditure of money improperly before the House, 394.			
On laying Bill aside, 412.			
RUNS (See "CROWN LANDS," also "RESERVES.")			
RUSHCUTTERS BAY (See also "RESUMPTION") :—			
Petition from Residents of, in vicinity of, complaining of nuisance from drains from neighbourhood of Glenmore, presented, 172		4	909
Correspondence respecting the construction of Stone Dyke, laid on Table, 192		4	905
RYAN, THOMAS (See "CROWN LANDS.")			
S			
SALARIES OF DISTRICT COURT JUDGES:—			
Motion made (<i>Mr. E. B. Smith</i>) for Committee of the Whole for Address to Governor, that Government should bring in Bill to provide for increase, negatived on Division, 158.			
SALE OF LIQUORS LICENSING ACT AMENDMENT BILL:—			
Motion made (<i>Mr. Farnell</i>) for Committee of the Whole, 188; House in Committee, Resolution reported and agreed to, and Bill presented and read 1 ^o , 192; Order of the Day postponed, 204, 225, 240, 304; Order of the Day discharged and Bill withdrawn, 604.			
SALE-YARDS (See "STOCK SALE-YARDS BILL.")			
"SAMSON," AND OTHER DREDGES:—			
Return showing amount received by Mr. John Laing as Master, laid on Table, 482		4	1003
Return respecting, laid on Table, 538, 666		4	1005
Information respecting Mr. Laing, laid on Table, 663		4	1007
"SAMUEL PLIMSOLL" (See "IMMIGRATION.")			

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
S			
SAMUEL, THE HONORABLE SAUL, C.M.G., M.L.C. :—			
Acceptance of Office as Postmaster General in Sir Henry Parkes's Administration, announced, 215			
SANDWICH ISLANDS (See "COMMERCIAL TREATY.")			
SAN FRANCISCO MAIL SERVICE (See "POSTAL.")			
SAVINGS BANK, GOVERNMENT :—			
Statement of Accounts from 1 January to 31 December, 1878, laid on Table, 379	2	1191	
SAVINGS BANK OF NEW SOUTH WALES :—			
Return respecting, laid on Table, 128	2	1189	
SCHMUCK, HENRY <i>alias</i> WARNER :—			
Motion made (<i>Mr. Hungerford</i>) for copies of letters, telegrams, minutes, &c., having reference to death of, in Murrumbidgee Hospital, 581.			
SCHNAPPER ISLAND (See "RESERVES.")			
SCHOOLS (See "EDUCATION.")			
SEDUCTION :—			
Motion made (<i>Mr. Windeyer</i>) for leave to bring in Bill respecting law of, 141			
SELECT COMMITTEES (See also "REPORTS"; also "SESSIONAL ORDERS") :—			
Papers referred to, 146 (?).			
Return showing, appointed during the Session	1	885	
BALLOTING FOR :—			
Sessional Order, passed, 7.			
ON PRIVATE BILLS :—			
Sessional Order in reference to Vote of Chairman, passed, 3.			
SELECTION (See "CROWN LANDS"; also "MINERAL.")			
SEQUESTERED ESTATES :—			
Return to Address (<i>Session</i> 1877-8), laid on Table, 128	3	251	
SERICULTURE, LAND TAKEN UP BY MR. SMITH FOR :—			
Motion made (<i>Mr. McElhone</i>) for copies of papers, correspondence, &c., in reference to, 546.			
SERVICE OF SUMMONSES (See "JUSTICES ACTS FURTHER AMENDMENT BILL.")			
SESSIONAL ORDERS :—			
Passed, 7 ^(b) , 8 ^(b) , 228 (a), 289.			
SEVIL, J., AND J. GLASS, LAND PURCHASED BY :—			
Motion made (<i>Mr. Bennett</i>) for copies of papers, letters, &c., with reference to, on Miller's Creek, 568.			
SEWAGE OF THE CITY AND SUBURBS :—			
Motion made (<i>Mr. Lucas</i>) for Committee of the Whole to consider system of neutralizing offensive properties of, 354; Order of the Day postponed, 371; House in Committee and no report, 439.			
SEWERAGE (See "WATER AND SEWERAGE BILL.")			
SHADE'S CREEK (See "CROWN LANDS.")			
SHEEP (See "DISEASES IN SHEEP ACTS AMENDMENT ACT.")			
SHIPPING (See "ISLANDERS SHIPPING ENGAGEMENT BILL.")			
SHOALHAVEN OYSTER BEDS :—			
Motion made (<i>Mr. W. C. Browne</i>) for further correspondence relating to, 629.			
SILK CULTURE :—			
Motion made (<i>Mr. Gray</i>) for all orders, minutes, correspondence, &c., as to reservation, leasing, or granting of land for sericulture at the Tweed River; and all reports, &c., respecting land occupied and said to have been improved by Mr. Charles Brady, and by leave withdrawn, 110.			
SILVER COINAGE :—			
Despatch laid on Table, 612	7	1017	
SINGLETON TEMPORARY COMMON :—			
Return to Order (<i>Session</i> , 1877-8), laid on Table, 663	4	699	
SITES FOR POUNDS :—			
Correspondence between Bench at Glen Innes and Department of Mines, respecting, laid on Table, 583	7	921	
SLATTERY, MR., CURATOR OF INTERSTATE ESTATES (See also "HANCOCK, ROBERT") :—			
Motion made (<i>Mr. McElhone</i>) for Opinion of Crown Law Officers as to powers of, 582.			
SMALL DEBTS ACT FURTHER EXTENSION BILL :—			
Motion made (<i>Mr. O'Connor</i>) for leave to bring in, 51; presented, and read 1 ^o , 52; Order of the Day, postponed, 78; read 2 ^o , and committed, 91; further considered in Committee, and reported with Amendments, 153; Motion made for adoption of Report, and Debate adjourned, 173; Order of the Day postponed, 216; Report adopted, on Division, 221; read 3 ^o , passed, and sent to Council, 224; returned with Amendments, 289; Amendment disagreed to, and the rest agreed to, and Report adopted, 327; Message to Council, 332; Message from Council insisting upon Amendment, 383; Message considered, and disagreement not insisted on, 412; Message to Council to that effect, 412; Assent reported, 430.			
SMITH, BEARD, AND GILMOUR (See "CROWN LANDS.")			
SMITH, CLADIUS (See "CROWN LANDS.")			
SMITH, JOHN (See "CROWN LANDS.")			
SMITH, MR., LAND TAKEN UP BY, FOR SERICULTURE :—			
Motion made (<i>Mr. McElhone</i>) for copies of papers, correspondence, &c., in reference to, 546.			
"SMYRNA" (See "IMMIGRATION.")			
SNAIL'S BAY (See "RECLAMATION OF LAND.")			
SOUTH HEAD ROADS TRANSFER BILL :—			
Motion made (<i>Mr. Sutherland</i>) for Committee of the Whole, to consider expediency of bringing in, 164; Order of the Day postponed, 204; Order of the Day discharged, 225.			
SOUTH HEAD ROADS TRUST (See "ROADS.")			
SPALDING, MAJOR :—			
Motion made (<i>Mr. McElhone</i>) for correspondence, memoranda, &c., relating to particulars of insolvency of, and negatived, 610.			
Motion made (<i>Mr. McElhone</i>) respecting position of, in the Military Force, and negatived, 646.			
SPEAKER :—			
Informs House of issue and return of Writs, 1, 219 ^(b) , 325.			
Lays on Table Abstracts of Public Accounts, with Auditor General's Report thereon, for 1877, 5	2	885	
Do. do., do., for 1878, 645.	2	1017	
Lays Warrant on Table appointing Elections and Qualifications Committee, 6, 220; reports maturity of, 25, 239; appoints first meeting, 188; appoints meeting after no Quorum, 239, 240.			
Reports receipt of Deputy Speaker's (A. Cameron, Esq.), Commission to administer the Oath, 19.			

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
S			
SPEAKER (continued):—			
Reports presentation of Address of Condolence to Her Majesty the Queen, on the death of Princess Alice of Hesse, 211.			
Lays on Table Minute authorizing application of Balance from one head of Service to another, 185, 254	2	1185, 1187	
Reports resignation of Members, 207, 217 ⁽⁷⁾ , 661.			
Lays Election Petition on Table from William Wilton and others, 263.			
Reports presentation of Valedictory Address to His Excellency Sir Hercules Robinson, 357.			
Calls attention to statements in Petition reflecting on the conduct of certain Members, 363.			
Reads apology from Mr. Charles Kidman, 376.			
RULINGS OF:—			
That Amendment proposed in Committee of the Whole in Resolution respecting International Exhibition in Sydney, to omit the conditions of the payment, could not be entertained, 100.			
That Motion respecting Town Clock, Deniliquin, was properly before the House, 172.			
On reading from a printed book or newspaper, 233.			
As to new Clause in the Supreme Court (Additional Judge) Bill being relevant to the subject matter, 355.			
As to new Clause in the Chinese Immigration Regulation Bill being relevant to the subject matter, 359.			
That Motion for re-survey of Grants of Land held by Sir Daniel Cooper involving a charge on the Consolidated Revenue, recommendation of the Crown was necessary, 394.			
Impounding Act Amendment Bill laid aside in consequence of Council inserting new Clause which involved a charge upon the public revenue, 412.			
SPECIAL ADJOURNMENT:—			
Motion made for, and passed, 27, 71, 177, 217, 225, 296, 354, 421, 663.			
Motion made for, and withdrawn, 550.			
SPIRITS OF WINE:—			
Return of, and white spirits and fusel oil, taken out of bond, laid on Table, 228	2	1243	
SPRINGS FOR RAILWAY ENGINES (See "RAILWAYS.")			
STAFFORD, EX-CONSTABLE (See "POLICE.")			
ST. ALBANS (See "BRIDGES.")			
STANDARD WEIGHT FOR MAIZE BILL:—			
Motion made (<i>Mr. T. R. Smith</i>) for Committee of the Whole, 365; Order of the Day postponed, 371; House in Committee, and Resolution agreed to, 412; presented, and read 1 ^o , 412; Order of the Day postponed, 493, 593.			
STANDING ORDERS:—			
COMMITTEE:—			
Sessional Order appointing, passed, 8, 223.			
Motion made (<i>Mr. Farnell</i>) to refer subject of Powers and Privileges of Parliament to joint Committee of both Houses, and by leave withdrawn, 12.			
SUSPENSION OF, ON:—			
Mudgee Turf Club Bill, 152.			
Consolidated Revenue Fund Bills, 215, 225, 302, 379, 450, 542, 603.			
Felons Apprehension Bill, 293.			
STATEMENT (See "MINISTERIAL STATEMENT.")			
STATION-HOUSE AT LA PEROUSE FOR THE NEW ZEALAND CABLE SERVICE:—			
Motion made (<i>Mr. Burns</i>) for copies of Papers relating to erection of, 583.			
STATISTICS (See also "HOSPITALS," also "BLUE BOOK") :—			
VITAL:—			
Twenty-second Annual Report from the Registrar General on, laid on Table, 7	6	877	
STATISTICAL REGISTER:—			
Parts 1 to 5 of, for 1877, laid on Table, 22	6	207	
Parts 6 and 7 of, for 1877, do. 105			
Parts 1, 2, and 3 of, for 1878, do. 603			
Parts 4, 5, 6, and 7 of, for 1878 do. 645		545	
STEPHEN, SIR ALFRED:—			
Message No. 1 from, informing Assembly of his assumption of the Government by, 361	2	1	
STEYNE (See "DOUBLE BAY.")			
ST. LEONARDS, EAST (See "BY-LAWS.")			
STOCK (See "IMPORTED STOCK ACT," also "DISEASES IN SHEEP ACTS AMENDMENT ACT.")			
STOCK, LIVE, AND AGRICULTURE:—			
Returns of, for the year ended 31 March, 1879, laid on Table, 592	7	627	
STOCK RESERVES, TRAVELLING:—			
Motion made (<i>Mr. McElhone</i>) for plans or sketches of, 434.			
Motion made (<i>Mr. McElhone</i>) respecting removal of fences and obstructions to, 550.			
STOCK SALE YARDS BILL.			
Motion made (<i>Mr. Lackey</i>) for Committee of the Whole, 6; House in Committee, Resolution agreed to, Bill presented and read 1 ^o , 17; Message, No. 5, 53; Order of the Day postponed, 37, 61, 91, 106, 138, 173, 216, 221; Order of the Day discharged, and Bill withdrawn, 279.			
Petition from Municipal Council and Citizens of Sydney, that the Bill may be amended, 31; ordered to be printed, 36	7	651	
STORES, TENDERS FOR SUPPLY OF, FOR 1879:—			
Return showing names of Tenderers, and amount of each Tender, laid on Table, 188	7	733	
STORES DEPARTMENT (See "GOVERNMENT.")			
ST. PETERS (See "BY-LAWS.")			
STUART, A., ESQUIRE, M.P. (See "LEAVE OF ABSENCE.")			
STIPENDIARY MAGISTRATES (See "POLICE.")			
SUBORDINATE ROADS. (See "ROADS.")			
SUBURBAN RAILWAYS (See "RAILWAYS.")			
SUFFERANCE WHARFS (See "TONNAGE RATES AND PUBLIC WHARFS AMENDMENT BILL.")			
SUMMONSES (See "JUSTICES ACTS FURTHER AMENDMENT BILL.")			

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
S			
SUNDAY TRAFFIC IN INTOXICATING LIQUORS:—			
PETITIONS RESPECTING:—			
Inhabitants of Hill End and Tambaroora deprecating, and praying amendment of existing law, presented, 12; ordered to be printed, 16	7	971	
Inhabitants of the Lower Clarence District, praying the House to take steps for vesting the granting and control of Publicans Licenses in the hands of Local Boards, and for closing of Public-houses on Sundays, presented, 109; ordered to be printed, 114	7	967	
SUPERANNUATION (See "PENSIONERS"; also "POLICE.")			
SUPPLEMENTARY ESTIMATES (See "ESTIMATES.")			
SUPPLIES FOR GOVERNMENT INSTITUTIONS:—			
Motion made (<i>Mr. McElhone</i>) for particulars of quantities of, 431.			
SUPPLY (See also "FINANCE"):—			
Sessional Order passed, 7.			
Motion made (<i>Mr. Cohen</i>) for House to go into Committee of, 122.			
Do. (<i>Sir Henry Parkes</i>) do. 225.			
House in Committee, 129, 204, 216, 225, 268, 302, 316, 333, 366, 376, 380, 383, 394, 418, 422, 435, 445, 450, 523, 526, 531, 542, 559, 570, 582, 584, 589, 597, 600, 603, 604, 610, 613, 618, 640 (?)			
Resolutions reported, 129, 204, 216, 225, 268, 302, 384, 450, 542, 603, 618, 640.			
Resolutions agreed to, 129, 204, 216, 225, 268, 302, 384, 450, 542, 603, 625, 647.			
Chairman reports no quorum, 526, 589, 597.			
Order of the Day discharged, 666.			
Messages from His Excellency the Governor referred to, 122, 185, 204, 215, 224, 259, 268, 301, 381, 443, 541, 588, 589, 603.			
Contingent Motion moved (<i>Mr. W. H. Suttor</i>) respecting Railway, Raglan to Mudgee, and negatived, 366.			
Amendment moved (<i>Mr. Buchanan</i>) respecting apprehension of the Kelly gang, and negatived, 418.			
Amendment moved (<i>Mr. Buchanan</i>), for Address respecting reprieve of the Hatfield Bushrangers and the criminals Medcalf and Wilkinson, and the execution of Alfred, an aboriginal, and withdrawn, 582; same Amendment moved and agreed to, 584; Return to Address laid on Table, 618	3	315	
SUPREME COURT (ADDITIONAL JUDGE) BILL:—			
Motion made (<i>Mr. Windeyer</i>), for Committee of the Whole, 332; Message No. 43 from Governor, 337; House in Committee and Resolution reported, 338; agreed to, 343; read 2°, committed, point of order in Committee reported, reported with Amendments and Report adopted, 355; read 3° and sent to Council, 358; returned with Amendments, 398; Amendments considered, agreed to, and disagreed to, 404; Message to Council, 418; Message from Council insisting upon its Amendments disagreed to by the Assembly, 455; House in Committee to consider Council's Message of 24th April and Resolution agreed to, 471; Message to Council still insisting upon its disagreements and expressing dissent with terms of Message of 24th April, 472; Message from Council adhering to Amendments, and Bill laid aside, 512	3	353	
SUPREME COURT TEMPORARY JUDGE BILL:—			
Motion made (<i>Mr. Windeyer</i>), for Committee of the Whole, 566; Message No. 27, 568; House in Committee, and Resolution agreed to, and Bill read 1°, 570; read 2°, committed, reported with Amendments and Report adopted, 573; read 3°, and sent to Council, 576; returned with an Amendment, 596; Amendment agreed to and message to Council, 600; Assent reported, 609	3	355	
SURPLUS, ACCUMULATED (See "ESTIMATES.")			
SURVEY DEPARTMENT:—			
Correspondence respecting resignation of Mr. James Thomson, laid on Table, 160	4	213	
Correspondence respecting appointment of a Board to inquire into working of, 283	4	195	
Report of Royal Commission laid on Table, 331	4	1	
SUSPENSION (See "STANDING ORDERS.")			
SUTHERLAND, JOHN, ESQ., MEMBER FOR PADDINGTON:—			
Retention of Seat by, referred to Committee of Elections and Qualifications, 483; Report brought up, 568; papers handed in before Committee returned to the Auditor General, 646	2	63	
SUTTOR, THE HONORABLE FRANCIS BATHURST, ESQUIRE, M.P.			
Acceptance of office as Minister of Justice and Public Instruction announced, 215; resignation reported and Seat as a Member for Bathurst declared vacant, 217; issue and return of Writ reported, and Member sworn, 219.			
SUTTOR, WILLIAM HENRY, ESQ., M.P.:—			
Resignation of, for East Macquarie reported, 661.			
SWEET-BRIER:—			
Petition from residents of Collector and neighbourhood that steps may be taken for eradicating this shrub, presented, 160	7	979	
SWORN (See "MEMBERS.")			
SYDNEY (See also "CITY OF SYDNEY IMPROVEMENT BILL"; also "INTERNATIONAL EXHIBITION"; also "RAILWAYS"; also "WATER SUPPLY"):			
BRANCH ROYAL MINT:—			
Despatch, Report, of Deputy Master on the Gold Coinage for the year ended 30 June, 1878, laid on Table, 220	7	1013	
Despatch laid on Table, 331	7	1015	
UNIVERSITY:—			
Report of Senate of, for 1878, laid on Table, 568	3	815	
Amended By-laws of, laid on Table, 520	3	845	
Return showing Benefactions bestowed on, laid on Table, 397	3	843	
INFIRMARY:—			
Motion made (<i>Mr. Greenwood</i>) respecting efficiency of, and by leave withdrawn, 51.			
Motion made (<i>Mr. Fitzpatrick</i>), that the Directors have permission to remove the main buildings in Macquarie-street, 74.			
Correspondence respecting the refusal to admit Christina Ogilvie into, laid on Table, 562	3	941	
GRAMMAR SCHOOL:—			
Report for 1877, laid on Table, 94	3	847	
CORPORATION:—			
Papers on financial condition of, laid on Table, 331	7	203	
AND NEWCASTLE:—			
Motion made (<i>Mr. Cameron</i>) for Return showing names of vessels cleared from Ports of, for Ports coming under the Agreement with Victoria for the maintenance of certain Light-houses, 510; Return (in part) to Order, laid on Table, 663	4	975	

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-79.		PAPERS.	
		VOL.	PAGE.
S			
SYDNEY CORPORATION BILL:—			
Motion made (<i>Mr. Fitzpatrick</i>) for Committee of the Whole, 8; House in Committee, Resolution agreed to, 13; presented and read 1 ^o , Message from Governor recommending, 36; read 2 ^o and committed, 58; House again in Committee, 74; House again in Committee, 81; Order of the Day postponed, 97; House again in Committee, 101, 131, 135, 229, 240, 242; Message from Governor, to cover further expenses incurred by Amendments in, 250; House again in Committee, 254 (?), 269, 276, 297; reported with Amendments, 297; Order of the Day postponed, 316, 380; recommitted, 384; reported 2 ^o with further Amendments, and again recommitted, 385; reported, 3 ^o with further Amendments, and Report adopted, 385; read 3 ^o , and sent to Council, 392; returned with Amendments, 504; Order of the Day postponed, 515; Amendments considered and Report adopted, 523; Message agreeing to some, disagreeing from others, and amending one of the Council's Amendments, 527; Message not insisting on its Amendment disagreed to by the Assembly proposing another Amendment, and agreeing to the Assembly's Amendment upon the Council's Amendment, 559; Council's Amendment last proposed agreed to with Amendments, and Message to Council, 570; Message from Council disagreeing from Assembly's Amendment upon the Council's Amendment, and agreeing to the Assembly's Amendment upon the Council's Amendment, with an Amendment, 588; House in Committee and Amendments agreed to, and Message to Council, 600; Assent reported, 627.			199, 201
Petition from W. J. Trickett, Chairman of a Public Meeting of Residents and Ratepayers in and about the Borough of Woollahra, presented, 80; ordered to be printed, 95.			183
Do. Mayor and Aldermen of Suburban Borough and Municipal District of Woollahra, presented, 80; ordered to be printed, 95.			185
Do. Omnibus and Wagonette-owners, presented, 81; ordered to be printed, 83.			181
Do. Municipal Council of Paddington, presented, 94; ordered to be printed, 100.			187
Do. William Bailey, Chairman of Public Meeting, Town Hall, Newtown, presented, 99; ordered to be printed, 105.		7	189
Do. Mayor and Aldermen of Suburban Borough and Municipal District of Waverley, presented, 109; ordered to be printed, 114.			191
Do. Mayor and Aldermen and Citizens of Sydney, that Clause referring to Election of Mayor by the Citizens may be reconsidered, presented, 122; ordered to be printed, 129.			193
Do. Mayor and Aldermen, Borough of Petersham, that the Bill should be amended before passing, presented, 167.			195
Return showing number of Ratepayers in Sydney, and estimated number of Ratepayers who will have one, two, three, and four votes under the provisions of, laid on Table, 99.			197
SYDNEY, CITY OF, IMPROVEMENT BILL (See "CITY OF SYDNEY IMPROVEMENT BILL.")			
SYDNEY INFIRMARY (See "CHARITABLE INSTITUTIONS"; also "INFIRMARY.")			
SYDNEY INFIRMARY AND DISPENSARY BILL:—			
Petition presented (<i>Mr. Driver</i>) for leave to bring in, 57; leave given, 60; presented and read 1 ^o , 60; referred to Select Committee, 83; Report brought up, 110; read 2 ^o , committed, reported with Amendments, and Report adopted, 153; read 3 ^o , passed, and sent to Council, 157.		3	933
SYDNEY INTERNATIONAL EXHIBITION BILL:—			
Message No. 36, 612; Motion made (<i>Mr. Watson</i>) for Committee of the Whole, 613; House in Committee, 625; Resolution agreed to, 626; presented and read, 1 ^o , 626; read 2 ^o , committed, reported without Amendment, and Report adopted, 633; read 3 ^o and sent to Council, 636; returned without Amendment, 646; Assent reported, 657.			
SYDNEY, PORT OF (See "VESSELS.")			
SYDNEY TRAMWAY AND OMNIBUS COMPANY (LIMITED) BILL:—			
Petition presented (<i>Mr. Driver</i>) for leave to proceed with, under Standing Order, 645, 17; presented and read 1 ^o , 31; Order of the Day postponed, 60; Motion made for 2 ^o and House counted out, 84; Order of the Day restored, 111; Order of the Day postponed, 216, 221, 261; Order of the Day for 2 ^o read, and House counted out, 311.			
SYDNEY WATER SUPPLY (See "WATER SUPPLY.")			
T			
TALBOT, CAPTAIN (See "VOLUNTEERS.")			
TANKS, PUBLIC:—			
Motion made (<i>Mr. Dangar</i>) for all correspondence relative to the construction and maintenance of, in The Gwydir Electorate, 245.			
TARIFF, ITALIAN:—			
Despatch laid on Table, 612.		2	1253
TECHNICAL OR WORKING MEN'S COLLEGES:—			
Motion made (<i>Mr. Tees</i>) for Committee of the Whole to consider Address, and House counted out, 535.			
TELEGRAPH (See also "POSTAL"):			
DUPLICATION OF THE LINES BETWEEN AUSTRALASIA AND EUROPE:—			
Report of the Proceedings of the Conference respecting, held in Melbourne, in May, 1878, laid on Table, 2.			713
Correspondence concerning the transaction of business on the Java lines, laid on Table, 2.			809
Correspondence respecting duplication of the Cable, laid on Table, 12.			763
Further papers respecting, laid on Table, 51.			781
Do. do. 114.			783
Do. do. 156.			787
Do. do. 207.			789
Do. do. 250.			803
Do. do. 583.		5	805
DUPLICATION OF THE PORT DARWIN CABLE:—			
Message from the Governor recommending provision for, 94; Motion made (<i>Mr. Burns</i>) for Committee of the Whole, that the House approves of the Agreement agreed upon by the various Colonial Governments and the Telegraph Company, 95; House in Committee, 115, 119; Resolution reported, 120; received, re-committed, and reported, 2 ^o , with Amendments, 120, 130; received, read 2 ^o , and agreed to, 135.			807
PORT DARWIN CABLE—CORAL:—			
Motion made (<i>Mr. McEllhone</i>) for samples from coral reefs and seas through which the Cable from Port Darwin to Banjoewangie connecting Australia with Europe is laid, 68.			
Samples, laid on Table, as exhibits only, 94.			

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I.—SESSION 1878-9.	PAPERS.	
	VOL.	PAGE.
T		
TELEGRAPH (continued):—		
LINE FROM YOUNG TO MORANGARELL:—		
Motion made (<i>Mr. Watson</i>) for copies of all documents, reports, &c., respecting Mr. E. McEvoy's claim against the Telegraph Department for construction of, 70; Return to Order, laid on Table, 205		867
GRAFTON AND GLEN INNES CONTRACT:—		
Return to Order (<i>Session 1877-8</i>), laid on Table, 53; ordered to be printed, 157		819
LINE, KEMPSEY TO GRAFTON:—		
Return to Order (<i>Session 1877-8</i>), laid on Table, 160		851
Motion made (<i>Mr. Cameron</i>) for contracts, specifications, correspondence, &c., respecting construction of, 284; Return to Order, laid on Table, 288	5	865
COMMUNICATION WITH MUNDOORAN:—		
Petition from Residents of Town and District of Mundooran, praying that steps be taken to forthwith carry out, presented, 184		881
WIRE AND TELEGRAPH MATERIAL:—		
Motion made (<i>Mr. McElhone</i>) for copies of tenders, correspondence, &c., in reference to supply of, to the Government, 515; Return to Order, laid on Table, 588		873
STATION-HOUSE AT LA PEROUSE FOR THE NEW ZEALAND CABLE SERVICE:—		
Motion made (<i>Mr. Burns</i>) for copies of papers relating to erection of, 583.		
LINE FROM ENGLAND TO AUSTRALIA:—		
Motion made (<i>Captain Onslow</i>) for correspondence having reference to establishment of, through the Agent General for the Colony, 655.		
TEMPORARY JUDGE BILL (See "SUPREME COURT TEMPORARY JUDGE BILL")		
TENDERS:—		
FOR SUPPLY OF STORES FOR 1879:—		
Return showing names of Tenderers, and amount of each tender, laid on Table, 188	7	793
FOR SUPPLIES FOR GOVERNMENT INSTITUTIONS:—		
Motion made (<i>Mr. W. Davies</i>) for copies of successful Tenders, 371.		
FOR SUPPLY OF BLANKETS:—		
Motion made (<i>Mr. Greenwood</i>) for copies of, for 1879 and 1880, and for copies of letters, minutes, &c., in connection therewith, 520; Return to Order, laid on Table, 603	7	765
TENTERFIELD (See "BY-LAWS.")		
THE EQUITY BILL:—		
Received from Council and read 1 ^o , 484; Order of the Day postponed, 535, 562, 629.		
THE GLEBE (See "BY-LAWS.")		
THE GLEBE BOROUGH BILL:—		
Petition presented (<i>Mr. Stephen Brown</i>) for leave to bring in, 2; leave given, 8; presented and read 1 ^o , 12; referred to Select Committee, 16; Report brought up, 46; read 2 ^o , committed, reported without Amendment, and Report adopted, 84; read 3 ^o , passed, and sent to Council, 89; returned without Amendment, 147; Assent reported, 160	7	797
THE GLEBE FREE LIBRARY:—		
By-laws of, laid on Table, 663	7	177
THOMSON, MR. JAMES (See "COMMISSION.")		
TIMBER RESERVE, NAMOI-NARRABRI:—		
Reports of Surveyors and others relative to, together with plan, laid on Table, 486	4	651
TOLLS AND FERRY DUES:—		
Motion made (<i>Mr. Lackey</i>) for rescission of Resolutions passed on 1st May and 17th July, 1877, abolishing, 618; Previous Question moved and resolved in the affirmative, 618.		
TONNAGE RATES AND PUBLIC WHARFS AMENDMENT BILL:—		
Motion made (<i>Mr. Cohen</i>) for Committee of the Whole, 60; House in Committee, and Resolution agreed to, 72; presented and read 1 ^o , 72; Order of the Day postponed, 81, 97; read 2 ^o , committed, reported with Amendments, and amended Title, and Report adopted, 100; read 3 ^o , passed, and sent to Council, 119; returned without Amendment, 150; Assent reported, 160.		
TOURISTS RAILWAY MAP:—		
Motion made (<i>Mr. Macintosh</i>) for copy of, 337; Return to Order, laid on Table, 645	5	227
TOWN CLOCK FOR TOWN HALL, DENILIKUIN:—		
Motion made (<i>Mr. Barbour</i>) for Committee of the Whole for Address to Governor, that £300 be placed on Estimates for supply and erection of, and negatived, 122.		
Motion again made (<i>Mr. Barbour</i>) to same effect, <i>Point of Order</i> raised that Question had been decided during the Session, overruled by Mr. Speaker, and carried on Division, 172; Order of the Day postponed, 216, 221; Order of the Day discharged, 232.		
TRADE (See "BOARD OF TRADE.")		
TRAMROAD (See "SYDNEY"; also "REDFERN TO HUNTER-STREET TRAMWAY.")		
TRAMWAY (See also "SYDNEY TRAMWAY AND OMNIBUS COMPANY (LIMITED) BILL"; also "REDFERN TO HUNTER-STREET TRAMWAY BILL"):		
REDFERN TO HUNTER-STREET:—		
Motion made (<i>Mr. Sutherland</i>) for papers having reference to supply of rails for, 379; Return to Order laid on Table, 645	5	453
TRANSFER OF CONDITIONAL PURCHASES DECLARATORY BILL:—		
Motion made (<i>Mr. Driver</i>) for leave to bring in, 326; presented and read 1 ^o , 326; Order of the Day postponed, 349; read 2 ^o , committed, reported with an Amendment, and Report adopted, 411; read 3 ^o and sent to Council, 420; returned with Amendments, 526; Amendments agreed to, and disagreed to, 534; Message to Council, 539; Council does not insist, 559; Assent reported, 575.		
TRAVELLING EXPENSES (See "CIVIL SERVICE"; also "EDUCATION.")		
TRAVELLING STOCK RESERVES:—		
Motion made (<i>Mr. McElhone</i>) for plans or sketches of, 434.		
Motion made (<i>Mr. McElhone</i>) respecting removal of fences and obstructions on, 550.		
TREATY SIGNED AT BERNE:—		
Papers relating to, on 9th October, 1874, in reference to the formation of a General Postal Union, laid on Table, 205	5	615
TUCKER, GEORGE ALFRED:—		
Petition from, respecting contract entered into by him with Government for the treatment of lunatic patients, and praying to be allowed to continue his contract, notwithstanding provisions of Lunacy Bill, presented, 41; ordered to be printed, 46	3	931
TUESDAY:—		
Sessional order giving precedence to Government Business on, after Seven o'clock, passed, 289.		

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
T			
TUMUT, THE (See "ELECTORAL.")			
TWEED RIVER :—			
Motion made (<i>Mr. Gray</i>) for Committee of the Whole, that £15,000 be placed on Supplementary Estimates for 1878 for improvement of entrance to, and by leave withdrawn, 185.			
U			
UNDERWOOD'S ESTATE DISTRIBUTION BILL :—			
Message from Council, asking leave to examine Member of Assembly (<i>Mr. McCulloch</i>) before Select Committee, 36; Message granting leave, 37.			
UNIVERSITY (See also "ELECTORAL") :—			
Report of Senate of, for year 1878, laid on Table, 568	3	815	
By-law of, laid on Table, 520	3	845	
Return showing Benefactions bestowed upon, laid on Table, 397	3	843	
URALLA (See "LANDS.")			
USHER OF THE BLACK ROD :—			
Delivers Message from His Excellency the Governor to attend in Legislative Council Chamber, 1, 667			
V			
VACANT SEATS :—			
ELECTORAL DISTRICT OF :—			
Canterbury—Re-election of Sir Henry Parkes's Administration, 217.			
The Lachlan, Do. do. 217.			
The Tumut, Do. do. 217.			
Central Cumberland, Do. do. 217.			
Bathurst, Do. do. 217.			
Gold Fields South, Do. do. 217.			
The University of Sydney, Do. do. 217.			
Mudgee—Resignation of Sir John Robertson, 207.			
Orange—Report from Elections and Qualifications—vacation of Seat held by E. Combes, Esq., 265	2	5	
Mudgee Do. do. do. Seat given to D. Buchanan, Esquire, 353	2	29	
East Macquarie, 661.			
VACCINATION :—			
Report on, for 1878, laid on Table, 397	3	1411	
VAGRANCY :—			
Motion made (<i>Mr. Cameron</i>) for Return showing the number of convictions for, from June, 1877, to present date, with the particulars in each case, 234; Return to Order, laid on Table, 342	3	277	
VALEDICTORY ADDRESS (See "ROBINSON, SIR HERCULES.")			
VEGETABLE GARDEN ATTACHED TO BOTANICAL GARDENS :—			
Motion made (<i>Mr. R. B. Smith</i>) respecting opening of, to the public, and no tellers for the Ayes, on Division, 582.			
VENEREAL DISEASE :—			
Motion made (<i>Captain Ouslow</i>) for all correspondence between the Naval and other authorities and His Excellency the Governor on the subject of the prevalence of, in the City of Sydney, 220; Return (<i>in part</i>) to Address, laid on Table, 224.	7	897	
"VERNON," N.S.S. :—			
Report on, for the year ended 30th June, 1878, laid on Table, 57	3	1019	
Report on food supplied to, laid on Table, 482.	7	673	
VESSELS CLEARED AT PORTS OF SYDNEY AND NEWCASTLE :—			
Motion made (<i>Mr. Cameron</i>) for Return showing names of, for ports coming under the agreement with Victoria for the maintenance of certain lighthouses, 510; Return (<i>in part</i>) to Order, laid on Table, 663	4	975	
VICTORIA (See BY-LAWS.)			
VITAL STATISTICS :—			
Twenty-second Annual Report from the Registrar General on, laid on Table, 7	6	877	
VOLUNTEER LAND ORDERS BILL :—			
Motion made (<i>Mr. Fitzpatrick</i>) for leave to bring in, 119; presented and read 1 ^o , 129; motion made for 2 ^o , and Debate adjourned, 147; Order of the Day postponed, 204, 225, 220, 240, 304; read 2 ^o , committed, and reported with Amendments, 647.			
VOLUNTEERS :—			
FORCE REGULATION ACT OF 1867 :—			
Amended Regulations under, laid on Table, 2		327	
Regulations under, laid on Table, 2, 12, 397, 666		329, 339	
Statement of moneys expended in 1878 under, laid on Table, 421		341	
LAND ORDER REGULATIONS :—			
Motion made (<i>Mr. McElhone</i>) for copies of original memo. of Executive Council, and all other documents relating to framing of, 52; Return to Address, laid on Table, 88		257	
LAND ORDERS :—			
Motion made (<i>Mr. McElhone</i>) that the opinion of the Attorney General, Crown Solicitor, and any other leading barrister, should be obtained as to the legality of transfer of, from original grantees, and by leave withdrawn, 68; Motion again made (<i>Mr. McElhone</i>) and passed, 251.			
Correspondence relating to outstanding claims to, laid on Table, 207		271	
Further do. do. do. 220	7	307	
Do. do. do. do. 260		309	
Motion made (<i>Mr. McElhone</i>) for original memo. of Executive Council, and all other documents, minutes, &c., in reference to making transferable, 254.			
Petition from Alfred T. Coomber, that he has been refused the necessary certificate, presented, 211		323	
HALL, WINDSOR :—			
Motion made (<i>Mr. Driver</i>) for all correspondence, &c., respecting application for use of the Loyal Orange Lodge No. 52, and refusal of the same by the Government, 177; Return to Order, laid on Table, 207		375	
ARTILLERY, CAPTAIN TALBOT :—			
Motion made (<i>Mr. J. Davies</i>) for all correspondence, minutes, &c., referring to application of, of No. 2 Battery, to retain his position under new regulations, and his subsequent retirement, 181; Return to Order, laid on Table, 220		343	

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
V			
VOLUNTEERS (continued):—			
LAND ORDERS TO QUARTER-MASTER NOBLE AND LIEUTENANT MURRAY:—			
Motion made (<i>Mr. J. Davies</i>) for correspondence, minutes, &c., connected with issue of, late of No. 2 Battery, 181; Return to Order, laid on Table, 220			811
PARRAMATTA:—			
Papers in reference to money in possession of Captain Byrnes, laid on Table, 353			347
EFFICIENCY CERTIFICATES:—			
Copy of Opinion of Attorney General as to validity of selections of land by transferees of, laid on Table, 370	7		321
UNREGISTERED LAND ORDERS:—			
Motion made (<i>Mr. Lynch</i>) for Opinion of Attorney General as to the validity of unregistered, 411; Return to Resolution, laid on Table, 482			325
MAJOR BLACK, KIAMA:—			
Motion made (<i>Mr. Charles</i>) for correspondence, &c., between, and the Brigade Office, 462; Return to Address, laid on Table, 555			349
VOTE OF CREDIT:—			
Message No. 24, for services for 1878 and 1879, laid on Table, 204			1201
Do. No. 25, for services for 1878 and 1879, laid on Table, 215			1203
Do. No. 27, for services for 1878 and 1879, laid on Table, 224			1205
Do. No. 38, for February, laid on Table, 301			1207
Do. No. 7, for March, do. 381	2		1209
Do. No. 12, for April, do. 443			1211
Do. No. 21, for May, do. 541			1213
Do. No. 33, for June, do. 603			1215
VOTE OF CHAIRMAN OF SELECT COMMITTEE ON PRIVATE BILLS:—			
Sessional Order passed, 8.			
W			
WAGGA WAGGA (See "RAILWAYS"; also "COMMON," also "BY-LAWS.")			
WALLACE, MESSRS. (See "CROWN LANDS.")			
WALLINGS, MRS. (See "POLICE.")			
WALLSEND COLLIERY, PITFALL AT:—			
Motion made (<i>Mr. Cameron</i>) for papers, minutes, and reports from the Examiner of Coal Fields and Inspector of Coal Mines relative to, 444; Return to Order laid on Table, 496	4		851
WANT OF CONFIDENCE IN THE MINISTRY:—			
Motion made (<i>Sir Henry Parkes</i>) that an Address be presented to the Governor, that this House declines to proceed with public business while the present Ministers are allowed to retain office, 211.			
WARATAH (See "CIVIL SERVICE.")			
WARATAH COUNCIL CHAMBERS RESUMPTION BILL:—			
Motion made (<i>Mr. Hoskins</i>) for leave to bring in, 583; presented and read 1 ^o , 583; read 2 ^o , committed, reported without Amendment, and Report adopted, 613; read 3 ^o and sent to Council, 617; returned without Amendment; 640; Assent reported, 643.			
WARRANT (See "ELECTIONS AND QUALIFICATIONS COMMITTEE.")			
WATER AND SEWERAGE BILL:—			
Motion made (<i>Mr. Fitzpatrick</i>) for Committee of the Whole, 8; House in Committee, Resolution agreed to, 13; presented and read 1 ^o , 94; Message No. 9, 94; read 2 ^o and committed, 135; Order of the Day postponed, 229, 240, 304	7		113
WATERLOO MILLS GRANT:—			
Motion made (<i>Mr. McElhone</i>) that Government should resume ten acres of land reserved for public purposes in, granted to one Hutchinson in May, 1823, 158.			
WATER CONSERVATION BILL:—			
Motion made (<i>Mr. Farnell</i>) for Committee of the Whole, 58; House in Committee, 71; and Resolution agreed to, 72; presented and read 1 ^o , Message No. 16, 129; Order of the Day discharged, 225	7		107
WATER-RACES (See "MINERAL.")			
WATER RESERVE (See "RESERVES.")			
WATER SUPPLY (See also "CROWN LANDS"; also "WATER AND SEWERAGE BILL"):—			
FOR SYDNEY AND SUBURBS:—			
Return to Order (<i>Session 1877-8</i>), laid on Table, 88	7		1
Motion made (<i>Mr. Hungerford</i>) for two letters of Mr. James Manning on, by gravitation, addressed to the Minister for Works, such letters to form part of the printed book on, as moved for by Mr. Cameron, 251: Return to Order, laid on Table, 326	7		1
Petition from Mr. James Manning against the Upper Nepean Waterworks Scheme, presented, 618	7		97
Motion made (<i>Mr. Hungerford</i>) that no steps should be taken for carrying out any scheme for, until further engineering information has been obtained, and negatived, 659.			
By-laws respecting, Municipal District of Hay, laid on Table, 109	7		141
Report on, for 1878, laid on Table, 331	7		109
WATSON, THE HONORABLE JAMES, ESQUIRE, M.P.:—			
Acceptance of office as Colonial Treasurer announced, 215; resignation reported and Sent as Member for The Lachlan declared vacant, 217; issue and return of Writ reported, and Member sworn, 219.			
WAYS AND MEANS (See also "FINANCE"):—			
Sessional Order passed, 7.			
Motion made (<i>Mr. Cohen</i>) for House to go into Committee, 122.			
Do. (<i>Mr. Watson</i>) do. 226.			
Do. and by leave withdrawn, 305.			
House in Committee, 129, 147, 150, 161, 216, 226, 269, 293, 302, 304, 306, 307, 316, 384, 450, 542, 603, 625, 647.			
Resolutions reported, 161, 216, 226, 302, 316, 384, 450, 543, 603, 625, 647.			
Resolutions agreed to, 161, 216, 226, 302, 316, 384, 450, 543, 603, 625, 647.			
Estimates of, for 1879 (<i>Mr. Cohen</i>) laid on Table, 129	2		603
Do. (<i>Mr. Watson</i>) do. 269	2		731
Explanatory Statements of the Public Accounts for 1879, as embodied in, laid on Table, 129, 269.	2		719, 873
Order of the day discharged, 666.			
WENTWORTH WHARF (See "GARDNER, JAMES.")			
WESLEYAN CEMETERY (See "NECROPOLIS.")			

REFERENCES TO THE VOTES AND PROCEEDINGS, VOL. I—SESSION 1878-9.		PAPERS.	
		VOL.	PAGE.
W			
WEST MAITLAND (See "BY-LAWS.")			
WHARFAGE, CIRCULAR QUAY :—			
Return of Rent received for the years 1870-1877 inclusive, and for half-year ended June, 1878, with cost of collection, laid on Table, 36	4	991	
WHARFAGE AND TONNAGE RATES BILL :—			
Motion made (<i>Mr. Watson</i>) for Committee of the Whole, 418; House in Committee and Resolution agreed to, 421; presented and read 1 ^o , 425; Order of the Day postponed, 435, 445			
WHARFS (See "TONNAGE RATES AND PUBLIC WHARFS AMENDMENT BILL.")			
WHITE BAY (See "RECLAMATION OF LAND.")			
WHITE SPIRITS (See "SPIRITS OF WINE.")			
WIDOW OF THE LATE JOHN DUNMORE LANG :—			
Motion made (<i>Sir John Robertson</i>) for Committee of the Whole to consider Address to Governor that £3,000 be placed on Supplementary Estimates for, 157; Order of the day discharged, 173.			
WILKINSON, CRIMINAL CONDEMNED FOR RAPE. (See "ADMINISTRATION OF JUSTICE.")			
WILLIAMS RIVER (See "BRIDGES.")			
WINDEYER, THE HONORABLE WILLIAM CHARLES, ESQUIRE, M.P. :—			
Acceptance of office as Attorney General announced, 215; Seat as Member for the University of Sydney declared vacant, 217; issue and return of Writ reported, and Member sworn, 219.			
WINDSOR (See "VOLUNTEERS.")			
WIRE AND TELEGRAPH MATERIAL :—			
Motion made (<i>Mr. McElhone</i>) for copies of tenders, correspondence, &c., in reference to supply of, to the Government, 515; Return to Order, laid on Table, 588	5	873	
WITNESS :—			
Message from Council asking leave to examine Member of Assembly before Select Committee, 36; Message to Council granting leave, 37; Message from Assembly asking leave for Member of Council to appear as witness before Select Committee of Assembly on the Mudgee Turf Club Bill, 274; Message from Council granting leave, 276.			
WOLLONGONG (See "BY-LAWS.")			
WOODS AND KELLY (See "RESERVES.")			
WOOLLAHRA, BOROUGH OF :—			
Petition from owners of property and residents in, complaining of the state of certain roads, presented, 109; ordered to be printed, 114.	5	981	
WORKING MEN'S COLLEGES (See "TECHNICAL OR WORKING MEN'S COLLEGES.")			
WORKING OF THE REAL PROPERTY ACTS :—			
Motion made (<i>Mr. Windeyer</i>) for Committee of the Whole to consider expediency of appointing a Commission to inquire into, 22; Order of the Day postponed, 37; House in Committee and Resolution agreed to, 138.			
WRITS OF ELECTION :—			
ISSUE AND RETURN OF, REPORTED :—			
Mudgee, election of Richard Rouse, Esq., of Guntawang, 219.			
Canterbury, re-election of the Honorable Sir Henry Parkes, 219.			
The Lachlan, do. do. James Watson, Esq., 219.			
The Tumut, do. do. James Hoskins, Esq., 219.			
Central Cumberland, do. do. John Lackey, Esq., 219.			
Bathurst, do. do. Francis Bathurst Suttor, Esq., 219.			
Gold Fields South, do. do. Ezekiel Alexander Baker, Esq., 219.			
The University of Sydney, do. William Charles Windeyer, Esq., 219.			
Orange, election of Andrew Taylor Kerr, Esq., 325.			
Y			
YANKO RESERVE (See "CROWN LANDS.")			
YASS PLAINS (See "ELECTIONS AND QUALIFICATIONS COMMITTEE.")			
YASS (See "RAILWAYS.")			
YOUNG (See "TELEGRAPH.")			
Z			
ZOLLNER, BIDDELL, & OTHERS (See "DARLING HARBOUR.")			

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LANDS AND SURVEY DEPARTMENTS COMMISSION.

- (1.) Report of Lands and Survey Departments Commission.
13th February, 1879.
- (2.) Under Secretary for Lands to the Minister for Lands, in
reference to Report of Commissioners. 26th February,
1879.
- (3.) Minutes of Evidence.

Ordered by the Legislative Assembly to be printed, 11 March, 1879.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1879.

REPORT.

Sydney, 13 February, 1879.

To His Excellency SIR HERCULES ROBINSON, G.C.M.G.,
Governor-in-Chief, &c., &c.,—

Sir,

In returning our Commission to your Excellency, agreeably to the decision of the Executive Council, we do ourselves the honor to transmit so much of the evidence taken by us respecting the administration of the Lands and Survey Departments as up to the present time has been printed.

Immediately after the appointment of the Commission we made application for returns relative to the works of alienation and survey to serve as bases for the general enquiry contemplated.

As these returns have only recently been completed we are necessarily unable to deal fully with the important subjects involved, and such views and impressions respecting the same as we have received while engaged in other branches of investigation, we do not feel justified in embodying in this memorandum.

Shortly after our first meeting our attention was particularly directed by the Department of Lands to the relations existing between the Under Secretary and the Chief Commissioner of Conditional Sales, and to a difference which had arisen between the Under Secretary and the Deputy Surveyor General.

Acting upon the representation made to us that it was the desire of the Honorable Secretary for Lands that we should give precedence to the investigation of these matters, we proceeded to take evidence upon the questions contained in the papers referred to us.

On the 10th of January we were informed by the Department that the Government desired to have a Progress Report as early as might be convenient, and we replied that the Report asked for would be forwarded with the least possible delay.

We used all diligence to complete our inquiry, and but for the application of the Under Secretary for Lands to be re-examined on the matters specially referred to us, we should have been prepared to consider our Progress Report on the 24th of the same month.

As, however, the capacity and conduct of the Under Secretary had been impugned, we deemed it our duty to allow that officer the fullest opportunity for explanation.

Under these circumstances we were unable to close the examination before the 7th of February instant.

While engaged in the preparation of the Report, it became necessary that we should refer to papers respecting the conduct of certain Inspectors and Commissioners of Conditional Purchases referred to in the evidence, and on the 11th instant we renewed the application for certain papers which we had made to the Department on the 17th of December last year.

On

On the following day the President was informed that the Commission had received the serious consideration of the Government, and that it had been decided to terminate the enquiry. "As the above decision," the Under Secretary went on to say, "has now been formally ratified by the Executive Council, I am desired by Mr. Secretary Hoskins to request you to close the enquiry not later than Monday, the 17th instant."

The Department had been officially made aware that we were engaged in the preparation of our Report, and this action on the part of your Excellency's advisers appears to us as proof of a desire on their part to obstruct the expression of our opinions on the matters investigated.

In view of the fact that the Executive Council have thus terminated the enquiry, and so withdrawn our functions as a Commission, we doubt the propriety of entering fully and specifically into the various questions which have been brought under our notice, as further evidence might in some cases be necessary to assist our conclusions.

If, however, this difficulty did not exist, we should still find it impossible, consistently with a proper sense of the responsibility which must attach to our recommendations, to complete our Report by the time named, for the reason that we have not yet received from the Government Printer copies of the evidence taken at the last nine sittings of the Commission; and moreover, we could not in the time consider carefully all the important matters contained in the returns for which we had applied in the first stage of our proceedings, as also in the voluminous papers submitted to us since.

Under these circumstances, we confine the expression of our opinions to the narrow limits of a recommendation, that your Excellency's advisers should consider attentively the condition of the Lands Department. Owing to causes, the outcome of the Land law, influences from one side or the other are brought to bear on the Minister for Lands almost hourly from the day he assumes office; and, as the printed evidence herewith abundantly testifies, he is, subject to such influences, at all times liable to decide questions from imperfect information and under the representations of one-sided views.

This tendency to mal-administration is aggravated by the fact that all disputed cases within the colony are referred to the Minister, and as the evidence before the Commission stated that of conditional purchases "three-fourths of the whole, or at least a large proportion, involved matters of dispute." Whether this statement is fully confirmed or not by further evidence, still it is sufficiently clear that the due consideration of cases so numerous as they must be is quite beyond the capacity of any Minister.

Consequently that happens which abundant testimony proves, namely, that such doubtful cases are either hastily decided under one-sided influences, or they are indefinitely shelved.

The Departmental deficiencies to which we would wish to direct your Excellency's attention may be readily seen in the want of harmony existing between the different branches—namely, that immediately under the supervision of the Under Secretary, called the "Ministerial Branch," the branch of Conditional Sales, and the Survey Department.

The

The relative positions and duties of these divisions of the Public Service, though they should be working to one common end, are neither accurately defined nor are they in accord.

The Conditional Sales and Ministerial Branch are shown in the evidence not to work in unison as members of a common service, but as rival establishments, ignoring and thwarting each other.

As one cause of this incongruity we would request your Excellency's attention to a document of which a copy will be found in appendix "A" of the printed evidence herewith.

This minute professes to divide the authority of the head of the Department, with a view to putting an end to a state of things then existing between Mr. Stephen and Mr. Moriarty, but the ambiguity of its expression has caused numerous collisions and misconceptions between the branches in question, to the injury of the interests concerned and with no little prejudice to the credit of the Public Service.

With reference to matters involving the personal culpability of officers, judging from the oral evidence delivered and the correspondence placed before us, we state deliberately that in our opinion it would be an extravagant fiction to apply such terms as discipline or system to the Department. The relations shown to exist between the Under Secretary for Lands and the Commissioner for Conditional Sales are discreditable. These officers, though prominent by position and for that reason bound to maintain the character and efficiency of the Public Service by influence and example, appear to be mainly instigated in all cases where duty brings them in contact by the strongest feelings of mutual distrust and antagonism.

Further, we recognise, and point to the evidence for corroboration—as the origin and cause of much public evil and official scandal—in the conduct of the Under Secretary the utter want of a due appreciation of the responsibilities of his position and the absence of all qualities essential for intelligent, vigorous, and upright administration; and in the conduct of the Commissioner of Conditional Sales an impatience of discipline, intemperance of language and manner, and a paramount spirit of self-seeking, shown in repeated cases in disregard both of the character of the service and the rights and feelings of other officers.

The intolerance of control might perhaps have been anticipated from his appointment to a subordinate position in a Department where he had previously been the head.

We would wish further to point out to your Excellency that the internal economy of the Department is exceedingly defective, more especially in reference to the record and supervision of current business.

As things are, cases may be shelved and may remain without being dealt with for years, till some pressure from outside the Department brings the matter for the first time to the knowledge of the functionary who is directly responsible to the public.

In our own experience during our investigating we found it at times difficult to procure papers referred to by witnesses, as the evidence discloses.

With reference to the inefficiency admitted to exist in the general Staff of the Lands Department, it is stated in evidence that many appointments have been made under political interest of persons possessing no special qualification, and that such employés are left as permanent "legacies" to the Department.

We

We would respectfully suggest that this matter requires special scrutiny.

For the reasons already stated, we are precluded from entering at length upon the consideration of the facts and principles of administration involved in the cases cited by the Deputy Surveyor General, in obedience to the direction of the Minister, that he should withdraw or substantiate the statement which he made upon one of them on the 30th of July, 1878, namely, that "The Under Secretary, on all possible occasions, especially where he takes a personal interest, endeavours directly and indirectly to prevent any expression of opinion by the officers of the Survey Department. I must therefore refer to the Secretary for Lands whether it is his desire that they should not report on the merits of cases as well as the facts, and submit to his experience whether it would be to the advantage of the public that they should be gagged as desired; and that—as to the charge itself and proof—I have not charged the Under Secretary with having a personal interest, but with taking a personal interest, by which I intended to say, that when he is acquainted with an applicant or an applicant influences him, he acts as special pleader for him, and is unwilling to have such special pleading sifted through the Survey Office." We think, however, that we should fail in the discharge of the important duty which your Excellency has cast upon us were we not to express our opinion that the papers, submitted with obvious reluctance by the Deputy Surveyor General, abundantly justify his remonstrance. In many of these cases the proper Departmental action required was perfectly plain; but we consider that the Under Secretary has exhibited a singular want of discernment; that he has usurped functions which can only be rightly exercised by the Minister responsible to Parliament; and that he has shown an undue preference to the interests of particular persons, which must go far to cloud the action of the Department with the most injurious suspicions. It is important that the decisions of the Minister for Lands on conflicting claims should be based on full and accurate information; but the division of authority which exists in the Department, and the strong personal feelings which have been allowed to sway the action of the officers principally concerned in the administration of the law have often obliged the Minister to act upon partial information, and have deprived him of the assistance which he is entitled to receive from officers whose long experience may be supposed to have given them special aptitude in dealing with intricate details and conflicting interests.

We have not been permitted to see the papers for which we asked, relating to the conduct of Commissioners and Inspectors of Conditional Purchases, but we have reason to believe that some of the persons appointed to the position of Inspectors were men of dissipated life and manners, so much so that they have not hesitated to insult and hinder the Commissioners by drunkenness and misbehaviour in their courts. Offences of this nature appear to have been repeatedly condoned or suffered to pass with merely nominal punishment.

We cannot divest ourselves of the impression which we derive from the evidence of the Under Secretary, that a former Minister for Lands was himself responsible for the toleration of these scandals, nor are we able to approve the action of the Under Secretary in failing either to forward the complaints of the Commissioner in the case of one Inspector to that officer's more immediate superior in the Department, or to formally submit them to the Minister. We deem it unnecessary to remark upon the effect which must be produced by such flagrant misconduct on the part of trusted officers of the Government in small and scattered settlements of the country
to

to which they are sent as the impartial representatives of the Government, or to point out how fatally mischievous their influence must be in producing widespread distrust in the integrity of the administration of the Land laws of the Colony.

It is with considerable regret that we find ourselves unable to deal satisfactorily with the delays in the Survey Department. These may occur from insufficient power or from imperfect organisation.

The Under Secretary has brought under our notice cases which have, he states, been delayed for periods of four and six years, and he has submitted a Return showing that out of 6,160 improvement purchase applications under reference to the Survey Department on the 22nd of October last, 1,202 received in the year 1875. A minute by the Chief Commissioner of Conditional Sales, dated 7th February instant, shows that 4,690 conditional purchase returns have been submitted by him from the years 1872 to 1877 inclusive, and remained to be dealt with on that date either by the surveyors or the draftsmen under the control of the Surveyor General, fifteen of these having been sent as far back as the years 1872 and 1873.

We have not been able to examine the Surveyor General upon these and other matters, but we think there can be little doubt that the long delays which have occurred (whatever their cause) have been most prejudicial to the public and the Department.

Work in the Deeds Branch also appears to be eighteen months in arrear, but for all that, instances are on record in which purchasers at auction have obtained their deeds while the lands conveyed have been in the occupation of Conditional purchasers whose claims have been allowed to remain in the Department undealt with.

We think that the letter which we received yesterday from the Department of Lands makes it incumbent upon us to withdraw at the earliest possible moment from the position to which we had been called by your Excellency, and therefore we abstain from particular reference to numerous other matters which have been brought under our notice by oral evidence and official papers—matters which, under other circumstances, we should deem of sufficient importance to demand special mention at our hands.

We have instructed our Secretary to withhold the despatch of this memorandum until Monday, the 17th instant, or such earlier date as may enable him to append the evidence which is now in the hands of the Government Printer.

We have the honor to be,

Your Excellency's obedient humble servants,

R. P. ABBOTT.

GEORGE RANKEN.

The Under Secretary for Lands to The Minister for Lands, relative to the Progress Report of the late Lands and Survey Departments Commission.

Sir,

Department of Lands, Sydney, 26 February, 1879.

Having been afforded the opportunity of perusing the "Progress Report" furnished by the late Lands and Survey Departments Commission, I trust that I may be allowed to take the earliest possible opportunity of submitting my observations with reference to it.

The serious nature of the Report, as affecting myself and my official reputation, together with other matters to which I shall have to allude, will, I think, prove the justice of my request.

Should I in any way in my remarks appear to impugn the mode of procedure adopted by the late Commissioners, or their impartiality, I shall regret it. They must remember, however, that both my character and capacity have been questioned; and that they (the Commissioners) are the first who have ever cast a slur upon either, during my long term of public service, now twenty-five years.

In the first place, I would invite attention to paragraph 7 of the Report, in which the Commissioners state that "but for the application of the Under Secretary to be examined they would have been prepared to go on with their Report on the 24th January."

The plain deduction from this statement is, that, although they had been receiving all kinds of evidence against me, I should not have had an opportunity of refuting that evidence but for my special application.

This inference is strengthened by the fact that upon the only occasion on which I addressed Mr. Abbott (the President) personally (or rather unofficially) on the subject of the inquiry, I informed him of my intention to ask for a re-examination, and his reply distinctly was, "If you really mean that, you had better apply soon."

In paragraph 8 the Commissioners say that they deemed it their duty to allow me "the fullest opportunity for explanation as to the matter in which my capacity and conduct had been impugned."

With regard to this last statement I would observe that if they consider my re-examination as having given that "fullest opportunity," it has been of but little service to me, as the evidence given on such re-examination, and which was sent to the Government Printing Office some days before the receipt of the Commissioners' Report, has never been printed, or at any rate has not been forwarded to the Government, and not a single portion of it is even alluded to by them.

In two or more cases, in addition to my oral evidence, I forwarded to the Commission papers and documentary evidence which amply and clearly vindicate me from the charges brought against me. With regard to these, also, the Commissioners are absolutely silent, although they expressed their wish to see the papers, and they were sent up in full time for their perusal and consideration. I hope that I may be permitted to express my regret that these documents were not allowed by the Commissioners to be printed with their Report.

I respectfully submit, however, that if the Commissioners did not see fit to wait for the printing of my last evidence, which there was nothing whatever (in the letter of instructions as to the closing of the inquiry) to prevent their doing, it would only have been in accordance with a spirit of fairness to have made some reference in their Report to the cases I have just alluded to, in which I claim to have entirely refuted the accusations made against me, especially as these were so prominently placed before them.

As the matter now stands their Report where relating to my conduct is based alone upon evidence antagonistic to me.

Passing over the next few paragraphs of the Report, which relate to general more than personal matters, I wish to invite attention to the statement of the Commissioners, in par. 16, with regard to Conditional Purchases,—that “three-fourths of the whole, or at least a large proportion, involved matters of dispute.”

This appears to have arisen from a mis-conception arising out of my evidence. I corrected, however, the impression which the Commissioners appear to have derived from it at a later period of my examination (see my reply to question 828, page 34), a fact which I conclude they lost sight of when framing their Report.

If it were correct that three-fourths of the conditional purchases made, or any approach to that number, involved matters of dispute, then (as observed by the Commissioners), no one Minister, with the business of all the other branches to attend to, could possibly cope with them.

I would also point out an error in paragraph 18, not of very much importance, but which, as it will evidently cause a misconception as to the constitution of the Department, and the nature and extent of my duties, I should like to rectify.

The Commissioners allude to the “Ministerial Branch” as being under the supervision of the Under Secretary, as distinguished from the “Conditional Sales Branch.”

The “Ministerial” Branch is only one out of the six branches of the Department under my immediate control, and is so designated in consequence of the business relating to it being (more than any other) of a nature that can be at once dealt with, on submission to the Minister, without reference to the Survey, or any other Branch. This was clearly shown by the evidence which I gave during the earlier part of my examination.

With reference to the relations existing between myself and the Chief Commissioner for Conditional Sales, and which (*see* par. 23) are designated as “discreditable,” I can only state that I am in no way responsible for them, as I think can be testified by any of the officers of the service who are acquainted with the cause of those relations, and can thus trace them back to their true origin.

Should any action of mine, by word or deed, have on any occasion tended to aggravate for the moment those relations, I can assert truly that it was the result of feelings of provocation and irritation, such as cannot, I think, be realized by any one who has not been obliged to endure a position, similar to that in which I have been placed in this Department, through Mr. Moriarty’s line of conduct towards me, with little interruption, ever since his reappointment to it.

In fact, as far as I could see, after repeated remonstrances (unavailing as far as any practical result was concerned) the only remedy would have been for me to surrender, my functions as Under Secretary, or allow them to be improperly interfered with, neither of which courses could I consent to adopt, whether in justice to myself, or the office which I hold.

I now come to the severe strictures which the Commissioners have thought necessary to pass upon me, in paragraph 24 of their Report, as to the alleged want of appreciation on my part of the responsibilities of my position; and also "the absence of all qualities essential for intelligent, vigorous, and upright administration."

It is difficult for me to tell on what grounds the Commissioners have arrived at this conclusion. I must simply therefore content myself by placing against their opinions the written testimony I have in my possession, of different Ministers for Lands, and others who have held high office there, with whom I have daily and constantly for years been brought into close official communication upon all matters connected with the business and administration of the Department. (*See copies of letters hereto appended.*)

I think that I am not over-confident, or showing any disrespect to the Commissioners, in saying that the evidence in my favor of men who have presided over the Department in a Ministerial capacity, and thus obtained a large and practical knowledge of its working, is superior in value to that of two gentlemen who never were a day in the Department, and whose opinions are therefore necessarily based upon evidence, the greater part of which has been obtained from two officers both of whom are unquestionably, at present (I regret to say), inimical to me.

Neither can I help remarking that the Commissioners, in their sweeping condemnation, do not appear to have in any way taken into account, or made allowance for, the difficulties which were made apparent to them in the administration and supervision of an immense department like that of the Lands, scattered as it is for want of sufficient accommodation, nor for the absence for years past, as pointed out by me, of any assistance in the way of a chief clerk, or in other respects, which I have frequently represented as necessary for effectual and proper supervision, as also for preventing some of the delays, which the public complain of, in the transaction of business.

Mr. Thomson, the only official member of the Commission (whose retirement at an early stage of the proceedings reduced its numbers to two) who, from his matured experience of the working of Ministerial Departments, entitles him, I presume, to speak with authority as to the functions and responsibilities of an Under Secretary, where in fact they begin and where they end, states in his letter of 9th December last (respecting his resignation) as follows, viz.:—"I also had a strong impression at the time, which may, however, have been formed without just cause, that my colleagues were inclined to hold Mr. Stephen responsible for far more than his share of the alleged delays and mismanagement of the Lands Department."

The proceedings of the Commission, and the numerous questions put to me upon all sorts of matters of clerical detail, as to the working of the different branches of the Department, appear to me to justify in a great measure the impression which Mr. Thomson derived during the short time he acted as a member of the Commission.

In paragraph 8 of the Report (already referred to) the Commissioners refer to the fact that my "*capacity*" had been impugned, as well as my conduct.

The chief, if not the only, evidence given against me in this respect, is that of the Chief Commissioner of Conditional Sales, Mr. A. O. Moriarty, and has reference more particularly to my management of the business of the "Lease" Branch.

I must ask permission therefore to call attention to, and to analyze some of this evidence, on which alone the Commissioners appear to have based their Report.

Mr.

Mr. Moriarty, as will be seen by the evidence, endeavoured some time ago by a Minute addressed to the Minister for Lands (to the terms of which I will not now advert) without transmission to me in the proper official manner, and without my previous knowledge; to take this business from my control.

As I am now on my defence, and not in the position of an accuser, I shall not say one word in condemnation of Mr. Moriarty, more than is absolutely necessary for correcting one or two of his statements, as also for defending myself against and refuting his imputations.

I would in the first place invite attention to page 81 of the printed evidence (reply to question No. 1815). Mr. Moriarty here states, in reference to this Lease business, that "up to that moment the whole treatment of the question had been in my (Mr. Moriarty's) hands"; and again "that it was *to be brought* under the personal control of the Under Secretary, who had not the same interest in the question," &c.

I was astonished at reading this statement, and am at a loss to account for it.

Mr. Moriarty had certainly dealt with the work, as chief clerk, in the same way as he then dealt with the business of other branches of the department. But for years past, both before he re-joined the department and since, as is known to every officer in the department concerned, the business has been under my supervision as Under Secretary, and I was responsible for it. This is moreover evident from the minute dated 20th December, 1876, respecting the departmental arrangements at that time approved of. See Appendix A1 to the Evidence, par. 1, which is as follows, viz. :—

"That the Under Secretary *retains* the supervision and immediate control of the Roads and Ministerial, Miscellaneous, Record, Auction, Lease, and Deeds Branches."

I think that this is conclusive proof of the inaccuracy of Mr. Moriarty's statement in evidence that this business was then for the first time *to be brought* under my control.

I would now refer to the reply to question 1820, in which Mr. Moriarty makes the following reflection on my management of the Lease business.

He says, "The Auditor General is in constant broils with the department about it now."

The fact is, that the correspondence which has lately been taking place between the Auditor General and this department, and to which Mr. Moriarty alludes, consisted chiefly of what are termed "Query Papers," matters of detail and account in connexion with the lease rent vouchers of the Crown Lands Agents, which had certainly, but as I am assured by the Officer-in-Charge, unavoidably, been for a time in arrear.

It was hardly ingenuous, I think, on the part of Mr. Moriarty, to endeavour to substantiate his statement (and, I might say, throw dust in the eyes of the Commissioners), by introducing a matter with which the Under Secretary, personally, has little if anything to do, and which has not the most remote connection with the policy or administration of the law as regards the leasing of land. I am sure Mr. Moriarty cannot say that such matters as those above referred to have ever formed any special study of his—or that they ever entered his mind in relation to the principles of legislation, either past or present (as to the granting of leases), at the time he was contending, on account of the interest he took in the subject, that he should take the charge of the Lease Branch out of my hands.

I do not attach very much importance to this particular statement of Mr. Moriarty's, but I have noticed it, as one illustration of the sort of evidence against which I have had to contend throughout the inquiry.

The next statement made against me by Mr. Moriarty amounts to a direct charge of incapacity, and I shall have, therefore, to deal with it rather at length, in order that the matter may be made perfectly clear. At page 81 of the evidence (see reply to question No. 1821), Mr. Moriarty stated as follows, viz.: "I said just now that I do not believe that the Under Secretary has even now a competent knowledge of the business. He has had a reference made to the Crown Law Officers upon a point which I believe is known to every clerk in the office, and which is made as plain in the Act as any Act can make it. The point was as to whether lands held under pre-emptive lease are open to be sold by auction. The law says that it shall. The universal practice has been to assume that it shall, and yet the Under Secretary referred it to decision."

The object of the above statement requires no explanation. It is a plain attempt to damage my official character, and to hold me up before the Commission and the public as perfectly ignorant of the duties of my office.

I will now state the facts, which are beyond all dispute:

The case quoted was that of Thomas Skilling, who disputed the legal right of the Minister to send lands held under pre-lease to auction.

On the 28th November, 1876, a letter was addressed by me to Skilling, from which the following is an extract:—

"I am to add that Crown lands under pre-emptive lease if applied for in conformity with the Regulations *can be brought to sale by auction.*"—Signed, W. W. STEPHEN.

This letter (as will be seen) was written *more than four months previously* to the reference which Mr. Moriarty alleges was, through my ignorance of the law and practice as to the sale by auction of leased lands, made to the Attorney General.

And now as to the truth with respect to the reference to the Attorney General, and the origin of it.

Skilling questioned the correctness of the law and the practice of the Department, as laid down in my letter above referred to, and consulted his agent, Mr. Fitzpatrick, on the subject. A letter was then sent in to the Minister, on the 11th April, 1877, by Skilling, embodying his views in this matter.

This letter (which in reality was written for Skilling by Mr. Fitzpatrick) was sent or taken direct to Mr. Driver, then Minister for Lands, who, without my even having seen the letter, or spoken to him on the subject, minuted it as follows:—"I wish to have the opinion of the Attorney General upon this." In fact, it was arranged between Mr. Driver and Mr. Fitzpatrick that such reference should be made, in order to satisfy Skilling, and not from any doubt by either of them as to the correctness of the practice of the department.

The papers in the case, which I enclose for the perusal of the Minister, should he desire, fully corroborate the facts as stated by me. Mr. Driver's minute it will be seen is dated the 11th April, without any previous memo. or recommendation of mine, thus evidently showing that the letter had never, at that time, been in my hands.

If, however, further testimony be wanted, I would invite perusal of the accompanying letter from Mr. Fitzpatrick, to whom, as he was acquainted with the facts

facts of the case, I determined to write, as soon as I became aware of Mr. Moriarty's unfounded accusation. I give his reply in full :

My dear Stephen,

24 February, 1879.

My recollection of Mr. Skilling's case is as follows :—

1. Mr. S. wished me, as his agent, to protest against the legality of selling Crown lands at auction whilst they were still held under lease.

2. I declined to do so, believing the practice of the Government to be perfectly legal and being unwilling to state to the Department any opinion from myself, which I did not conscientiously hold.

3. Mr. Skilling told me that he had taken legal opinions in Melbourne and begged of me to have the matter referred to the Attorney General. I therefore drafted a letter for his signature, conveying his views (not mine), and took the letter personally to Mr. Driver. I assured Mr. Driver that, although I had no doubt of the legality of the course followed by the Department, yet, so far as I knew, that course was not based on any legal advice. I begged of him under these circumstances to let the case go to the Attorney General. Mr. Driver consented, and minuted the paper accordingly, so that the reference for legal opinion was ordered over your head so to speak, and entirely without reference to you. I then handed Mr. Skilling's letter to you explaining how the reference came to be ordered, and requesting you to expedite the matter as Mr. S. was staying in Sydney in the hope of an early decision. In answer to the question at the close of your note, I can only say that I have always flattered myself that my opinion of your perfect fitness for your present office had contributed to your appointment, and that years of official intercourse since then have not given me cause to alter that opinion.

Yours, &c.,

MICHL. FITZPATRICK.

W. W. Stephen, Esq.

I hardly know whether, after the above clear refutation of this charge made against me by Mr. Moriarty, it is necessary for me to pursue his evidence any further. It will be seen however from the facts I have disclosed, what difficulties I have to contend with, and in what sort of a position I am placed. Here, I have a high officer of my own department, of recognized ability, not only bringing that ability to bear against me, but also making a statement, injurious to my reputation as a public officer—which I happen only by chance to have had the opportunity of refuting—and which, at the same time, I have above demonstrated, most indisputably, to be inconsistent with the truth.

There are some mis-statements, I regret to say, in other portions of Mr. Moriarty's evidence, and to which I shall not allude further than by saying that I give them an unqualified denial.

It is evidently impossible for me within the limits of this paper, or within the time in which I shall have to complete it, to combat the various points taken against me, in the voluminous passages of Mr. Moriarty's evidence (some of it, at the best, hearsay), as to my action in other matters (quoted by him) both previously and subsequently to the evidence to which I have more particularly called attention, many of those passages relating to matters of old date, which naturally I had forgotten.

To some of these no reference whatever was made by the Commissioners (so far as I remember) when I was being re-examined—notably the case referred to by Mr. Moriarty, in his replies to questions 1591 to 1597 inclusive. Even now, after seeing those replies for the first time, it is not clear to what particular case he refers, though I have some general recollection of a case of the kind. I can only say that with regard to that case (or any others) I am prepared for the fullest inquiry should the Government desire it. I certainly should not like any conclusion to be arrived at, on the one-sided evidence taken by the Commissioners.

Mr. Moriarty's repeated protestations to the Commissioners of his reluctance to say anything against me in my absence, are strangely inconsistent with the fact of his having, only a day or two later, volunteered statements so damaging to my reputation

reputation and position in the Service, and which I have proved to be so utterly without foundation.

The papers in Skilling's case I may mention are those which (with the exception of Mr. Fitzpatrick's letter) I referred to in a previous part of this letter as having been sent to the Commissioners for their perusal.

I also forwarded with the papers an explanatory minute or *précis*, clearly showing the facts of the case, and what an injustice had been done to me by Mr. Moriarty in making the statements he did.

I also sent them (as agreed upon) the papers in another matter, in which my capacity had in a similar way, but not perhaps to the same extent, been impugned, viz., as to the renewal of auction leases (see reply to question 1822, page 82, of evidence), and which fully explained and justified my action.

I am sorry, however, that notwithstanding the serious way in which these statements affected me, no notice whatever is taken by the Commissioners in their Report of the documentary evidence so submitted to them,—especially as they did not wait for the evidence taken at my re-examination.

The next part of the Commissioners' Report has reference to the statements made by the Deputy Surveyor General, Mr. Fitzgerald, and the cases adduced by him in substantiation of his charge, that when I take a personal interest in any matter, or, as he explains it, when he (the Under Secretary) is acquainted with an applicant, or an applicant influences "him, he acts as special pleader for him, and is unwilling to have such special pleading sifted through the Survey Office." Mr. Fitzgerald also in his evidence accuses me of suppressing papers.

The opinion expressed by the Commissioners with respect to the above charges, and which I may observe is based simply, to use their own words, "on the papers submitted with obvious reluctance by the Deputy Surveyor General," is as follows, viz. :—

"In many of these cases the proper Departmental action required was perfectly plain; but we consider that the Under Secretary has exhibited a singular want of discernment; that he has usurped functions which can only be rightly exercised by the Minister responsible to Parliament; and that he has shown an undue preference to the interests of particular persons, which must go far to cloud the action of the Department with the most injurious suspicions."

In the face of an indictment so serious as this, and so wholly unexpected by me, I must ask the Minister to be allowed to enter into and explain the facts of a few of the cases adduced by Mr. Fitzgerald in support of his charge.

My last evidence, I may here state, has only now been obtained by me, with the sanction of the Minister, from the Government Printer.

As, however, the reference to some ten cases was dealt with by me, in every instance (excepting, I think, in one case) off-hand, and without any previous intimation of my being interrogated with regard to them, while Mr. Fitzgerald had had several weeks to collect his evidence, I may not, as might have been expected, have met them on all points, but with a fair opportunity I am quite sure that I am able to do so.

I will take the first two or three cases or charges, in the order in which they were placed by Mr. Fitzgerald himself, before the Commission.

The first is "James A. Brown's application for lease of islands near Lord Howe's Island."

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It was out of this case that Mr. Fitzgerald's charge, as hereinbefore specified, arose. When demanding that the Deputy Surveyor General should retract or prove that charge, I was naturally under the impression that the investigation would be before a Board composed (chiefly at any rate) of trusted officers of the service acquainted with the working of the Land Law and Ministerial Departments, when I should have the opportunity of calling witnesses, according to the mode in which I thought inquiries of this sort were usually conducted.

The late Minister for Lands having determined, however, to remit the whole matter to the late Royal Commission, there was no alternative.

To return to the charge under review, I will at the very outset prove a most uncalled for insinuation on the part of Mr. Fitzgerald against me.

The first three or four pages of his evidence are devoted to an endeavour to prove that I had been guilty of keeping back papers, and at his instance two clerks of the Lands Department were called to confirm that misrepresentation. (See pages 91, 92, 93, and 94 of the evidence.)

By question 1938, put by the President to Mr. Fitzgerald, it would appear that the Commissioners were being led to the same conclusion. Mr. Abbott pointed out the circumstance of the papers having been sent up to the Commissioners by direction of the Minister on the 31st October, and then of the papers being sent up by a letter of the *same date*, stating that they were sent at *their request*.

Mr. Abbott then asked Mr. Fitzgerald, "Can you understand that?" and his reply was "No, *except that it put the papers out of my way.*"

The explanation of this is easily given. The papers relative to the personal matter between the Deputy Surveyor General and myself, which were all separate memoranda, were kept distinct from the papers relating to the actual issue of the lease, which had been sent to the Occupation Branch for action and from which I afterwards obtained them. The former papers were minuted by Mr. Farnell on the 31st October to be referred to the Commission for enquiry, and I wrote underneath his minute, "Forwarded accordingly, 31st October," and sent them off at once.

The other papers were sent to the Commissioners as a separate batch, at *their own special request*, as will be seen by reference to page 31 of the evidence. As this request happened to be made on the *30th October*, the fact of my letter being sent on the *31st*, the same day on which the others were forwarded by direction of the Minister, under what is called "Blank Cover," only shows my desire that the Commissioners should have all the papers required as promptly as possible.

It is self-evident, therefore, that Messrs. Patterson and Newman, the clerks above referred to, could not possibly have seen the papers in my room subsequently to the 31st October, as would be implied from their evidence. The fact is that they were probably seen (or part of them) just previously to the 31st October, and those gentlemen, as they have themselves since informed me, thought that they were still there when Mr. Fitzgerald asked for them, because they did not appear as marked off to the Commission, at the "Record" Branch. (See their evidence, pages 92, 93, 94.)

For this there was no necessity as the papers first above referred to were not officially registered at all, and the others belonged to the Records of the Occupation of Lands Branch.

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The absurdity, therefore, if not the *animus*, of this ready insinuation of Mr. Fitzgerald's that I had sent the papers to the Commission to get them "out of his way," is apparent. He had only to ask for them (which he did eventually) and obtain them. He no doubt was anxious to commence preparing his charges, and because he received erroneous information from certain clerks—not from me—he attributes to me the suppression of the papers, when all the time they had been sent to the Commissioners, some at their own request, as already shown, and the others by the direction of the Minister.

After the above refutation of the charge with which the Deputy Surveyor General commences his lengthy evidence, I shall take no notice of other similar statements which he has, I perceive, made on other occasions during his examination, and which are equally unfounded.

With respect to the actual granting of the lease, I have no time here (especially in view of the cases I wish yet to deal with if possible) to go through the five pages in which Mr. Fitzgerald has tried to twist some matters as to detail and date—which it seems he could not explain satisfactorily himself—into an undue preference for the applicant, Brown.

The whole of the proceedings were plain and straightforward. Mr. Fitzgerald alleges, although he says he cannot prove it, that Mr. Fisher's application was not before the Minister at the time Brown's was.

I cannot assert positively that it was so at that exact time, but I have every reason for believing so. Mr. Fitzgerald is, however, well aware that it is the province of the Record Clerk to see that all papers relating to the same case are placed together ("carried on," as we call it) and not that of the Under Secretary, who rarely, except in urgent or special cases, sees the papers until they have been registered at "Records," whence they are supposed to be sent up to me, with full information as to former papers, and (if any) their whereabouts.

With regard, however, to these applications, they were submitted to me at different times, within three or four days of each other, and with *no notation* on either to show that there was any other correspondence bearing on the subject. Any officer in the Department can prove how literally impossible it is, in view of the enormous number of papers daily brought into my room from all parts of the Department, to prevent papers not properly connected from remaining for a short time separate from each other, or perhaps even from being submitted apart from each other.

I have simply mentioned all this in order to explain how easily the non-submission of Mr. Fisher's application is accounted for, supposing Mr. Fitzgerald's presumption (that Mr. Fisher's application had not been submitted with the other) to be correct.

My own strong impression is, however, that both applications were submitted together. The fact of a previous application is specially referred to in the Governor's minute, on Mr. Brown's application, which was referred to the Survey Office; and I have a very distinct recollection of speaking to Mr. Farnell as to the relative claims of the two parties. There is not the slightest doubt whatever as to Mr. Fisher's having been submitted before the matter was finally decided.

My view of the case was this: Mr. Fisher asked only for a protective permission (as it were) to occupy the Islands; whilst Mr. Brown actually applied under the Regulations to take out a lease at once, and paid £50 into the Treasury as the first year's rent, offering to pay a higher sum if the Government did not consider that sufficient.

I contend still that a man who applied in the mode prescribed by law, and who paid his money, and was willing to take all risk, was in every respect entitled to precedence over a person who wanted a protective order for an indefinite period, until he ascertained whether or not the speculation would be a profitable one.

After all it was a question for the Minister to determine, and he decided, after full information, in accordance with my views.

There are other matters introduced by Mr. Fitzgerald in his evidence on this case, to which I will shortly allude.

He seems to make a great point of my having chosen to submit the case direct to the Minister, instead of going through the routine of sending it out of the Department, to be brought back again by the head of a branch office. (See page 96 of evidence.)

It is easy to explain the reason which actuated me. The papers had all come to me as Under Secretary. The case was altogether one out of the ordinary run of special leases. I also saw Mr. Harriott, who had then recently assumed charge of the Occupation Branch, and told him that to save delay I would submit the matter myself, and then send it on to him to be dealt with as usual.

Mr. Brown informed me, that he had engaged a party to go to the Islands, and that every day's delay in the settlement of the matter was an additional expense to him. Having ready access therefore to the Minister, and knowing how long such a case might otherwise have to wait, I took the course to which Mr. Fitzgerald appears to object. The above are the simple facts.

I have now concluded my explanation as to this case, the first of the ten or twelve which the Deputy Surveyor General has succeeded in collecting, out of the many thousands on which I have acted during my tenure of office, and I leave it to the Minister to say whether there is anything in it to justify the charge supported by the Commissioners of being unduly swayed by personal influence.

The fact is that there had existed at this time, and long before it, an unpleasant feeling on the part of the Deputy Surveyor General as to his right to correct and otherwise interfere with the action or minutes of the Under Secretary, who, on his part had more than once had occasion to complain, and had complained, of undue delays and detention of papers in the Survey Office. Mr. Fitzgerald appeared indisposed to carry out my action in any case without reference to him, while he took offence at even the smallest apparent interference with any one in his Department. I had in two instances where (as in Brown's case) the matter was urgent offended in that way, and Mr. Fitzgerald shows his sense of the alleged irregularity by unwarrantably imputing it to undue influence, not indeed (as he says), to my "having" an interest in any such case, but to my "taking" an interest in it.

I do not believe that there are any gentlemen in the service, excepting Mr. Fitzgerald, and perhaps Mr. Moriarty, who would attribute improper motives to me
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in the discharge of my duty, however much they might differ with my judgment. But Mr. Fitzgerald repeatedly insinuates, in a way not to be mistaken, that the supposed "interest" was evinced most notably in cases where certain agents (Mr. Wilson and Mr. Raymond) were employed; so that his real charge amounts to one of distinct impropriety, although he shrinks from directly making it.

Mr. Fitzgerald's next, and apparently chief charge—as he makes direct reference to it as one in which I took a "personal" interest, and acted as a "special pleader" for my friends—is the case of "Messrs. J. T. and H. C. White." (*See page 99.*) For a refutation of the different statements made against me in this case I might refer simply to my own evidence,—(*see pages 130 and 131*)—but as I gave that evidence immediately after the papers being placed in my hands by the Commissioners (the first time I had seen them for months), I must ask permission to refer to it in this paper somewhat fully.

The application of the Messrs. White was to purchase, in virtue of intended improvements under the 31st clause of the Lands Amendment Act of 1875, in accordance with which the applicant is bound to make improvements to the extent of £1 per acre, within twelve months from the date of application, or forfeit 25 per cent. of the purchase money.

I will take the statements or charges made by Mr. Fitzgerald, so far as I have to refer to them, in the order in which he has made them:—

1st. He states that applicants "failed to make the declaration within the prescribed time." Certainly the *declaration* was not made within the prescribed time; but the *improvements* were *declared* to have been made within the time. In such cases the Minister decided that the actual non-receipt of the *declaration* within the twelve months should not entail forfeiture, the transmission of such declaration not being required by the Act, but being only a matter of regulation, of which in the majority of instances applicants appear to have had no knowledge.

2nd. Mr. Fitzgerald goes on to say, "And an officer of the Survey Department sent it (the land) on to auction."

My reply to this is, that the officer in question, who was in fact one of the draftsmen, without any authority from the Ministerial Department, or even reference (as would appear from the notation on the paper) to the head of his own office, sent for auction sale at the minimum upset price of £1 per acre, land containing improvements to the sworn value of £320—improvements which were made by the Messrs. White, with the tacit consent of the Department.

They were in fact compelled to improve, in the absence of any intimation that their application was invalid, or forfeit the 25 per cent. of their deposit. I contend still, as I have always done, that this action on the part of the Survey Office was improper as well as unauthorized.

3rd. Mr. Fitzgerald alleges, with reference to the sending on of the land to auction, that such has been "the practice of the Department with reference to all forfeited cases, under whatever clause the application may have been made since the passing of the Act of 1875." This implies that the Messrs. White's was a forfeited case. This I deny. There was no "forfeiture." The application was cancelled or declared void—not for any breach of the law, but because the land applied for did not come within a block of 5 miles square, as held to be required in terms of the Act, and the *whole* of the purchase money (which had to be paid down at the time of application) was *refunded*. I shall be obliged to allude again to this matter, in reply to another charge of the Deputy Surveyor General's.

4th.

4th. Mr. Fitzgerald, after quoting at length my minute in Mr. James White's protest against the attempted sale of the land with all his improvements (which minute was approved by the Minister) goes on to say : " I saw the Under Secretary for Lands *misled* the Minister by a mis-statement," and that the declaration had not been sent in " two months previously to the application being reported illegal," as represented by me. This error on my part (which it certainly was) is plainly of the same clerical nature, and just as unintentional, as the error which Mr. Fitzgerald made throughout his evidence, although he had all the papers before him, in referring to the application of " Mrs." White instead of the *Messrs.*, and had just about as much to do with the real question at issue.

I can easily account for the oversight. I knew in my own mind, and from Mr. White's letter, that the improvements had been put up *within the year*; and, wishing to see the date on which the declaration was *received*, I looked hurriedly at the registration stamp and date at the top of the document. I read it 27th *April*, which would make it just *two months previously* to the selection being reported by the Survey Office as invalid, *i.e.*, 26th *June*. I shall be glad if the Minister would himself look at the stamp, and see how easily it might be taken by anyone for the abbreviation for April instead of August.

Such is my explanation of this *gross deception*, which Mr. Fitzgerald charges me with having attempted to practice on the Minister. By everyone who knows me, or by anyone who does not intuitively suspect untruthfulness on the part of others, I feel sure that my explanation will be accepted.

It is surprising, however, that Mr. Fitzgerald, in his anxiety to prove his imputation against me, has not perceived that the question of the date of receipt of the declaration had nothing whatever to do with the question then for decision, and that the only possible reason there could have been for my attempting (under the improper influences he charges me with) to deceive the Minister on such a point, would be in a case where there was a question as to allowing the declaration to be received.

In Mr. White's case this was a matter passed and done with. The application had been voided, and the purchase money had been refunded.

The real question to be decided was that submitted by me, *viz.*, whether, at the mere will of an officer of the Survey Department, the land with all Mr. White's improvements was, under the circumstances, to be put up to auction. The view which I took of this matter, as formally approved of by the Minister, was, I assert just and right.

5th. Mr. Fitzgerald states, " Again, the Under Secretary misleads the Minister by telling him it is not a case of forfeiture, when it is."

I have stated briefly before, that this was not a case of *forfeiture*; but as the Deputy Surveyor General here for the second time charges me with misleading the Minister on this point, I will show that he has, whether in ignorance or designedly, stated what is quite contrary to fact.

Forfeiture is the result of a breach of, or non-compliance with the law, by the applicant, through which he forfeits 25 per cent. of the purchase money, and the land is moreover liable to be sold at auction. There was no breach of the law in this case whatever; the improvements were effected within the prescribed time, and there was no forfeiture of 25 per cent. On the contrary, the application was distinctly

tinently declared void on the report of the Deputy Surveyor General himself that it was *invalid*, as not coming within a block of 5 miles square leasehold, and therefore the whole of the purchase money was returned. This distinction, both as regards the law of the case, and the results to the applicant, must I think be clear to anyone.

I must express my astonishment at Mr. Fitzgerald venturing to accuse me of misleading the late Minister on this point. Were I to follow Mr. Fitzgerald's example, in throwing out unworthy suspicions, I should say that he had succeeded effectually in misleading the Commissioners, who in their turn would appear entirely to have adopted his evidence, without any reference to mine.

6th. Mr. Fitzgerald states "the Under Secretary for Lands has withdrawn the land without his (*i.e.*, the Minister's) authority?"—Certainly, I did. I did so (in anticipation of the approval of the Minister) in the interest of the Department; which I saw was about to be led into an act of injustice which would afterwards reflect discredit on it. Mr. White's letter was submitted to me by the head of the Auction Branch, in the usual course, recommending that the land should be withdrawn; and I approved of that course. That action, which (as in other cases) is questioned by Mr. Fitzgerald, I was in virtue of my Commission as Under Secretary justified in taking. I am responsible to the Minister alone; and he, after consideration of my minute, and discussing the matter, concurred in the propriety of my action.

7th. Mr. Fitzgerald, by way of completing his charge, and to show the Commissioners that I endeavoured to prevent my action from being "sifted through the Survey Office," states: "Papers were then put away without being sent to the Survey Office." In denying this statement, I have simply to refer the Minister to the papers on which Mr. Farnell's decision was given, and which papers are noted to the Surveyor General *in my own handwriting*. I added also the words "*To be returned*," with a view (after the decision had been noted in the Survey Office for future guidance) to the case being re-submitted for final disposal.

There are some other statements in Mr. Fitzgerald's evidence, which convey a wrong impression, as to the practice of sending in lands for auction by the Survey Office, but time presses, and I will not further allude to them here. He suggests (2,143), that my views of the Messrs. White's case were derived from personal interviews with Mr. White, and that I "may have taken" the dates and facts from that gentleman. As to this, it is sufficient for me to refer to the correspondence already alluded to, among which that gentleman's representations will be found.

The last case which I shall notice, is that relating to the management of the Church and School estate, and the discontinuance for a time of Mr. Fitzgerald's salary of £100 a year for the supervision of the professional part of the business. (See pages 110 to 112 of his evidence, and pages 147, 148, and 149 of mine.) The papers in this matter were brought before the Commission with the object of showing them that I had retarded the settlement of the question, to Mr. Fitzgerald's personal loss; and that I had, in this case also, suppressed two or three of the papers.

The only one which I believe was taken away from the others was my *own* application for an allowance. This I had the permission of the Minister to withdraw, and there was nothing whatever written on it. The fact of my application was well known, as it was alluded to in the other papers. I will
however

however show such a serious mis-statement by Mr. Fitzgerald, as to my having kept back from him the decision respecting his own salary, that it will be conceived to be quite possible he may have made many mistakes of a similar kind as to the other papers. Among the papers handed to me by the Commissioners, there was a minute by Mr. Fitzgerald as follows:—"During this long correspondence, seriously affecting my position, not only as regards future payments but the propriety of my ever having received any, no reference of these papers has ever been made to me." This minute is dated the 6th of July, 1876. I would also refer to his reply to question 2337, in which he says—"But I resigned when the papers were sent to me *for the first time*, on the 6th July, 1876."

These statements surprised me; but on looking through the correspondence handed to me by the Commissioners, which I had not seen for months previously, I saw a minute in my own writing, which had been (no doubt unintentionally) displaced, and which ran as follows:—"The enclosed decision should be seen by the officers named, &c.,"—the first of these officers being the Deputy Surveyor General.

This minute is specially marked "*Deputy Surveyor General*" by Mr. Moriarty, who was at that time Chief Clerk, and is dated the 6th March, 1876, that is to say, within a week after the Governor's decision had been received by me, and *four months previously to the date on which Mr. Fitzgerald states that the paper was sent to him for the first time.*

It is strange that this remarkable refutation of Mr. Fitzgerald's charge is not in any way noticed by the Commissioners. The President, who seemed rather taken by surprise on my handing to him the minute just alluded to, threw out the suggestion that after all Mr. Fitzgerald might not have seen it. It is not for me to say whether he did or not. The charge palpably is, that I had purposely prevented his seeing the decision. There could have been no other object in his bringing up the matter against me.

I am unwilling to say anything which may seem to reflect either on the Commissioners, or on Mr. Fitzgerald; but there are portions of his evidence, which so strangely contrast with an "obvious reluctance" to injure me, and so strikingly exhibit the mode in which his charges have been sustained by the Commissioners, that I feel it impossible not to ask special attention to what follows. It will be observed, that throughout the inquiry the questions put are almost invariably leading questions, and finally, as paragraphs 2531 to 2551 show, Mr. Fitzgerald was allowed to hand in several written ones to be put to the Surveyor General, which the Commissioners put accordingly in the terms suggested. In answer to question 2561, Mr. Adams (the Surveyor General) said that Mr. Fitzgerald never attributed to me "more than exceptional good nature." The Commissioner then took the matter up thus:—2562. "Than exceptional dealing with the business of Mr. Stephen's friends? Yes." 2563. "And with pressing on such cases—with having things done under these circumstances that would not be done otherwise than in the ordinary course of procedure? It was with giving precedence to his friends' business. The only misunderstanding I ever had with the Under Secretary on business resulted from what I considered his giving precedence to his friends' cases." 2564.—"*In point of fact, allowing himself to be made use of?* If you like to put it so." 2565.—"*Is not that the mildest way to put it?* I suppose it amounts to that."

All this, it must be remembered, in my absence, and without opportunity given for cross-examination or reply. How could anyone so dealt with hope for a calm and unprejudiced decision? Mr. Fitzgerald, supposed to be an unwilling witness, although the charge which he was called to support was his own, volunteered before the inquiry began, and although in the course of what is called his *evidence* on it, he volunteered another charge still more audacious. In answer to questions 2426 to 2430, he expresses the "belief" that I was capable of destroying or concealing official papers, in order to keep back the truth.

Of the two cases referred to by the Surveyor General in answer to Mr. Fitzgerald's invitation, my explanation will be found under number 2581 of the Minutes. It is surely discreditable that so grave a charge as Mr. Fitzgerald's should have arisen out of such matters. Some time before October, 1874, it seems, I wrote direct to a surveyor, believing him to have acted as an appraiser in a pending case, to send me the papers; and to another surveyor I sent a telegram, at the request of Edward Allen, on behalf of Mr. N. P. Bayley, to ask him before going into another district to measure some land for that gentleman. On Mr. Adams's remonstrance (at, as I believe, Mr. Fitzgerald's instigation), I freely admitted the irregularity, and undertook that it should not be repeated. There, one would naturally suppose the matter would have ended. But the papers it now turns out were carefully put by, and after the lapse of nearly five years they have been raked up for use in aid of the Deputy Surveyor General's recent attack on my conduct.

There is yet one more part of the Commissioners' Report that I must allude to before bringing my remarks to a close.

I wish emphatically to protest against the statement made by them (in par. 33) that my evidence tended to show that a "former Minister for Lands was himself responsible" for the toleration of cases of drunkenness and misbehaviour on the part of some of the Conditional Purchase Inspectors. There is nothing, I assert, in my evidence to justify such an impression. The papers, if referred to, will prove the contrary to be the case.

The Commissioners also refer to my action in failing to submit the "*complaints*" forwarded on the above head, as if there had been *several* complaints received by me and not submitted. There was only *one* such case, and the cause of its detention was explained to the then Minister (Mr. Garrett), who called upon Mr. Wild (the inspector complained of) to furnish an explanation at once, and eventually directed him to be reprimanded, and to hold himself in readiness to remove to some other district.

I beg to apologise for the great length to which this paper has extended, but it was unavoidable to enable me to grapple even in part with the allegations in the Commissioners' Report.

In conclusion, I have to thank the Minister for the opportunity he has afforded me to explain and defend my conduct, which has been so virulently and so unfairly assailed. I am confident that whenever the inquiry is renewed I shall be able, in any other case that may be taken up, to present an equally successful refutation.

I have, &c.,

W. W. STEPHEN.

Letters referred to by the Under Secretary.

Copy of letter from Mr. M. Fitzpatrick, M.P.

Lands Department, 17 October, 1863.

I HAVE much pleasure in certifying that Mr. W. W. Stephen has been under my immediate supervision, formerly in the Colonial Secretary's office, and subsequently in this department for some ten years, that during the whole of that time his conduct has been unexceptionable in every respect. I may add that he has evinced considerable ability in the discharge of his duties, and that I consider him capable of satisfactorily discharging the duties of the office, which I understand he now seeks, namely, Clerk of the Executive Council.

MICHAEL FITZPATRICK.

Copy of letter from Sir John Robertson.

1866.

My dear Mr. Stephen,
I have your note of yesterday's date, informing me that you are thinking of making application for the * * * * * and asking me for a note stating my opinion of yourself, and of your ability for that office; or for a memorandum in general terms, without reference to any particular office. I prefer taking the latter course, because I do not know what may be the claims of any other gentleman for the present vacancy, and certainly not in consequence of any doubt of mine as to your ability to fill that or almost any other non-professional office in connection with the Government of the Colony. During many years, while I was Secretary, you served in the Lands Department, and I had ample opportunity of observing, not only your ability for duties of difficulty, but also the very praiseworthy zeal and industry with which you carried them out.

I may add that I should regret for your own sake, and for that of the department, your leaving it, because in the event of Mr. Fitzpatrick or Mr. Moriarty being promoted, or otherwise removed from it, your claim to high office there, I think, could not be disputed.

Yours, &c.,

JOHN ROBERTSON.

Extract of letter from Mr. J. Bowie Wilson.

Mr. Dear Mr. Stephen,

Sydney, 15 May, 1872.

I cannot retire from the office of Minister for Lands without expressing to you my entire satisfaction at the able and zealous manner you have discharged the onerous duties of Under Secretary during my tenure of office. Your labours having been so greatly increased by duties properly belonging to the office of Chief Clerk being cast upon you,—that office having been vacant since the lamented death of Mr. Armitage. Your gentlemanly conduct and courteous demeanour have, I assure you, been fully appreciated by me. * * * *

Yours, &c.,

J. BOWIE WILSON.

Copy of letter from Mr. Garrett.

Dear Mr. Stephen,

Sydney, 2 February, 1877.

In severing my connection with the Lands Department as political chief, allow me to take this mode of expressing to yourself as the Administrative head of the department, and to the heads of Branches under you, and other officers, my sincere sense of the many obligations I feel under to you, one and all, for the ever ready and willing and valuable assistance rendered to me while I occupied the position of Minister, without which the most capable and experienced Minister would have failed in the discharge of the duties of his office. With the expression of sincere regard, and best wishes to yourself and the numerous staff of officers under you, allow me to remain,

My dear Mr. Stephen,

Yours ever truly,

THOS. GARRETT.

LANDS AND SURVEY DEPARTMENTS COMMISSION.

MINUTES OF EVIDENCE.

WEDNESDAY, 23 OCTOBER, 1878.

Present:—

MR. ABBOTT, | MR. RANKEN,
MR. THOMSON.

R. P. ABBOTT, ESQ., PRESIDENT, IN THE CHAIR.

William Wilberforce Stephen, Esq., was called in and examined:—

1. *President.*] You are Under Secretary for Lands? Yes.
2. How long have you held that office? Six or seven years. I am not quite sure as to the exact date of my appointment, not having thought of referring to it.
3. You were previously in the Government service? Yes.
4. In the Lands Department? Yes. I may say I have been in the Government service nearly all my life. I entered the service before the introduction of Responsible Government; and I was in the Colonial Secretary's Department, through which all the branches of the Government business used at that time to be conducted. Upon the creation of the Lands Department, or shortly afterwards, I was transferred to it.
5. You are the permanent head of the department? Yes, under the Minister.
6. And as such responsible for its management? Yes; subject to Ministerial control and direction.
7. Do you mean the management of the whole Ministerial Department, as distinguished from the Surveyor General's Department? Yes, as distinguished from the Surveyor General's Department; and I may state that during the last two years, through the enormous amount of work in the different branches of the Lands Department the Conditional Sales Branch has been placed under separate supervision, and as regards all its details of business is under Mr. Moriarty, who has the designation of Chief Commissioner. I have here a minute showing the terms under which that arrangement was made. It was not to disturb the constitution of the department as a whole, of which it was specifically stated I was to be the recognized head.
8. What is that agreement of which you speak? It is a memorandum submitted by me to the Minister for carrying out certain views which had been expressed in conversations with Mr. Garrett on the subject of departmental arrangements. It was thought that this would meet the difficulty caused by the greatly increased correspondence and work, and this is the basis on which the alteration was made. This minute is dated the 22nd of December, 1876, and there is attached to it a minute by Mr. Garrett, then Minister for Lands.
9. That has reference to what department? Solely to the placing of the Conditional Sales Branch under Mr. Moriarty. It was intended to relieve me of all papers and duties connected with that branch, which from that time were to be submitted to the Minister by the officer in charge, the business being transacted on the same basis as that of the "Occupation Branch," the chief officer of which submits his work to the Minister direct.
10. Could you supply a copy of this? Yes. (*Vide Appendix A 1.*)
11. Perhaps you will permit me to call your attention to paragraph 4, which is in these terms: "That the Under Secretary, while abstaining from active interference with the Conditional Purchase business or staff, should be recognized, as at present, as the official head of the whole department, and that the separation of duties, as above indicated, shall not be held in any way to alter the constitution of the department as a whole, nor disturb the present relative position and seniority of any of the officers of the respective branches, which should remain entirely as at present; and that on this understanding all matters of a ministerial or financial nature, appointments, promotions, &c., to whichever branch appertaining, should be submitted to the Minister through the Under Secretary, in accordance with the usual official practice." Was that the origin of the present arrangement under which the business is carried on? Yes; this was approved of by the Cabinet.
12. Was that originally your own suggestion? It was the result of conference between Mr. Garrett and myself. Mr. Moriarty also wrote a minute, a great deal of which I had inserted, in his own words, in the minute eventually approved; it was, in fact, a mutual agreement.
13. Is the system of conducting business at present based on that? Yes.
14. And in accordance with it? Yes.
15. *Mr. Thomson.*] Is it carried out in its entirety. Does the business of the Conditional Purchase Branch pass through your office, as implied by that document? This document does not imply that. It states that all papers or matters relating to conditional sales are to be submitted by the Chief Commissioner to the Minister; but that all other matters of a departmental nature are to be dealt with and submitted through me.
16. He submits the papers in relation to his branch in the same way as you submit your papers relating to the department generally? Yes.

W. W.
Stephen, Esq.
23 Oct., 1873.

W. W. Stephen, Esq. 17. *President.*] He controls the business as between the department and the public? Yes; that is as regards the conditional sales business.

28 Oct., 1878. 18. And you have reserved to you the right to control the persons employed? Yes. The rule laid down by the Minister—there having been a little controversy on the subject—was, that Mr. Moriarty should have the option of making recommendations for appointments in his own branch, but that all such recommendations should be submitted to the Minister through me. As a matter of fact, I seldom if ever interfere with them.

19. *Mr. Ranken.*] You mentioned the Occupation Branch. Is that also in a similar position. Have you the supervision of the department generally, and does the officer of the Occupation Branch carry out all the details? The Occupation Branch is now transferred to the Department of Mines, but before that transfer Mr. Herriott occupied exactly the same position with regard to the Occupation of Lands as Mr. Moriarty does with regard to conditional sales.

20. *President.*] Was the arrangement as regards the Occupation Branch of recent date? No; it has been in force for years—long before the arrangement with reference to the conditional sales. I have with me a printed statement showing the different branches into which the whole department is divided and the business transacted in the different branches.

21. *Mr. Ranken.*] The notification in respect to departmental arrangements, stated on the 14th of October, leaves all the correspondence respecting the various matters therein mentioned in your hands? Yes; there was a notice published in April last when I was away, which did not clearly state what the classification of the business was; but I left it alone, until the recent new administrative arrangements—transferring certain work to the Mining Department—took place, and then I had to prepare the notice of the 14th of October as the former did not apply. The general heads of the work I have to supervise are briefly though more fully stated in the notice of the 14th of October.

22. *President.*] Do you find that the arrangement of which you have just spoken answers well in the interests of the department? I have nothing to say against it, because I believe it is simply impossible for one person to perform all the business.

23. You now think it an improvement? I think it an improvement upon the old system if properly carried out. I should like to be able to do all the work myself, but I cannot.

24. *Mr. Ranken.*] Is that mainly from the increase of the work? From the great increase in the general business and correspondence, and also from the increased work caused by some of the provisions of the "Lands Act Amendment Act of 1875."

25. *President.*] Do you not think that in all cases divided authority is not desirable? From my experience I think it is decidedly objectionable.

26. Then how can the arrangement answer well? I understood you to refer to the constitution of the department generally. What I mean is this: It would be far better that the whole of the work of the department, excepting of course matters of routine, should pass through my hands if that were possible; but various Ministers have admitted the impossibility of one person attending to it. Therefore I considered it at the time the best arrangement that could be made. There must be a divided authority under that arrangement as regards the details of office work.

27. Do you think that no arrangement is possible by which you could get such assistance as would enable you still to keep the control of the whole business of the department in your hands? I think that if the heads of branches were entrusted with more authority than they have at present they would relieve me of hundreds of cases which are sent to me, as I think unnecessarily.

28. *Mr. Thomson.*] Would the appointment of an officer under you enable you to still retain the authority in your own hands, the officer being required to submit all special cases to you? Possibly there is a great deal of work besides mere details in the Conditional Purchase Branch, and in all others which might be performed by such an officer; and there is also an immense amount of work which must be submitted to me as well as to the Minister.

29. You do not now see any plan by which the whole of the responsibility and authority can be retained in your hands, provided you had other and better assistance? Certainly not, unless the heads of branches were invested with far larger powers than clerks in charge of branches are supposed to possess.

30. Do you think that would have the effect? I think it would to some extent.

31. Has any such plan as that ever been suggested? No. I cannot at the present moment call to mind that any such suggestion has been formally submitted.

32. Do you think it would be possible to do it? Yes, with judicious management and all the officers of the department pulling well together. As far as the detail work is concerned, I believe the present arrangement works well.

33. Do you not hold the heads of branches under you responsible for the proper management of their respective branches? Yes, as regards the duties they perform.

34. Many of them perform a great number of duties which, under other circumstances, would devolve on you? Many of them perform work which I never see at all, that is, matters of detail, and certain classes of letters also they generally sign, where the action to be taken is so palpable, and so in accordance with precedent, that they do not think it worth while to submit them. In those cases I hold them responsible; but the number of cases which are submitted are beyond conception, unless you were to be in the office and see them.

35. *President.*] Are there any written rules with reference to the management of the business of the department? Do you mean for the conduct of the business of each branch?

36. For the business of any branch, or for the office generally? No; there are no written regulations.

37. Are there any regulations with regard to the hours of attendance? There is an understood rule; I believe there was a regulation made years ago, but I do not know that I can refer to it. I can only say that the office hours are supposed to be from 9 till 4.

38. *Mr. Thomson.*] You do not know whether the hours were fixed by minute of the Executive Council? I am certain almost that there was no Executive Council minute. But there was a departmental order, I think, issued some years ago; I believe it was by Dr. Wilson.

39. During your tenure of office? Before I was Under Secretary. It is the generally understood rule throughout all departments. I do not think there has been any special regulation, other than the order I have just referred to, for the Lands Department.

40. *President.*] Are any means taken for the observance of that rule? Heads of branches have had instructions

instructions from me to report anybody who was late, and to call upon them for an explanation. There are general instructions, that any clerk coming after a certain hour is to be reported. No time-book is kept.

W. W.
Stephens, Esq.
28 Oct., 1878.

41. Are any means taken to enforce that regulation as to the time of arrival in the department, and the remaining there during office-hours? The heads of branches have instructions to see that their clerks are regular in their attendance, and they are to report any breach.

42. Are those instructions general or understood? I believe I have written one or two memoranda.

43. *Mr. Thomson.*] Has there been any circular or memorandum for all to sign? I have written different memoranda to different heads of branches at various times; but no special instructions applicable to all. There have been repeated instructions in a general way.

44. *President.*] Have there been any complaints from the heads of branches to you? Yes.

45. And how have they been dealt with? On two or three occasions, where the offence has been repeated two or three times, I have reported the offender to the Minister, and that has generally resulted in a memorandum of censure. In one case, a short time ago, where late attendance was reported, I recommended that a day's pay should be stopped, but the clerk explained that he was ill, and I did not enforce it. I cannot call to mind just now that any punishment has been inflicted for any ordinary late attendance,—that is, where clerks come at a quarter to 10 or 10 o'clock instead of 9. Where there have been repeated absences for days and days together that is a different thing. That does not happen once in twelve months.

46. But you say there is no time-book kept? No.

47. Have time-books never been kept in the department? Not for years past.

48. *Mr. Thomson.*] Were they ever kept? Yes; ten or twelve years ago.

49. Before you were Under Secretary? Yes; when the department was much smaller.

50. *President.*] Can you say why it was discontinued? No; it fell into disuse. I do not know who ordered it; *Mr. Fitzpatrick* or the Minister.

51. Can you give any opinion as to the effect of its use? It is so long since it was used that I cannot say. No doubt it would be obnoxious to many; grown up men do not like to put up with it. They think it rather derogatory to them as men; but I have always said that if they did not behave like men, or appreciate the confidence placed in them as regards their attendance, they should put up with the consequences. *Mr. Baker*, when Minister for Lands, gave instructions to have a time-book prepared; but when the next Minister came into office he said he did not care about it.

52. Do you think it would lead to an improved state of things? It would have the effect of bringing late attendance more prominently into notice. As a general rule, or with few exceptions, the clerks are tolerably regular.

53. With regard to absence from the office during office-hours, do clerks absent themselves from the office of their own accord, or must they ask leave? If they want to go out for half-an-hour or an hour they get leave from the head of the branch. If they desire leave for any time beyond that, they submit a memo., through the head of the branch to me. Any application for leave for more than two days I submit to the Minister for Lands, and sometimes when he is inaccessible I approve of the application for him.

54. Do you hold the heads of branches bound to report any breach of that rule to you? Yes.

55. And have you had many reports of that kind? Not very many.

56. What power of punishment have the heads of branches, or have you, for offences of that nature—for late attendance, or unauthorised absence from office? There is no power of punishment given, none at all, except where a case is specially submitted to the Minister, no punishment, as such, can be inflicted except by the Minister.

57. No punishment of any kind? No, unless a reprimand can be called punishment.

58. *Mr. Ranken.*] Has there been any such thing as dismissal? There would be dismissal in the case of repeated neglect.

59. *President.*] Has there ever been a case of frequent or habitual absence? We have had a clerk lately who was suspended for being absent most of the time I was away at Deniliquin, some four months ago. He left without reporting himself. I reported him to the Minister, and the Minister suspended him. He was called upon to show cause why he should not be dismissed. He submitted a representation which was accepted in some degree as satisfactory, but his salary was reduced by his being placed in the next lower grade.

60. What was the complaint against him? He was away without leave, and for a month hardly came near the office at all.

61. Is he now in the Government service? Since the occasion above referred to he was reported for some neglect in the transmission of moneys to the Treasury, and he was suspended for that. The report of the Inspector of Accounts for the Treasury exonerated him from any dishonesty, but showed that he was guilty of gross neglect. The Minister, upon consideration of the matter, decided that he should not be allowed to remain in the Lands Department, but gave him the opportunity of effecting an exchange into some other department within a reasonable time, and failing that he was to leave. He has left the department. He ceased to draw salary on the 30th of last month.

62. That was for repeated absence and for irregularity in his accounts? For repeated absence; not irregularity in his accounts, for he did not keep accounts. Postage stamps, however, or small sums of money were I believe left lying in his drawer, instead of being transmitted to the Treasury. He does not appear to have used them.

63. They ought to have been represented by accounts? Yes, they ought to have been entered into a money book and sent up to the Treasury.

64. *Mr. Thomson.*] Are you referring to the record clerk? I am.

65. Was there any charge of drunkenness against him? No.

66. Is it not a fact that he was given to intemperance, and that that was the cause of his repeated absence? I cannot say, from anything I have heard officially. I may have heard private conversations out of the office, but I do not know whether I ought to mention anything of that sort.

67. He has been dismissed the service? He has not been formally dismissed the service, but I think that at next Executive Council he will be, or called upon to show cause why he should not be. We wrote to tell him, that as far as we knew he had made no arrangement for an exchange, or even any attempt to exchange, and that his connection with the department would cease on the 30th of September.

- W. W. Stephen, Esq. 28 Oct., 1878.
68. *President.*] How long is it since he was suspended? I think about two months and a-half ago.
69. How long before that was it that these complaints were made against him? He was suspended twice. The first time for absence from office, and then he was reinstated, but disgraced. Some time afterwards a report was made that some money had not been sent to the Treasury. He said that he had sent it to some other branch of the department, and had not received it back. He was suspended again for that. Reference was made to the Inspector of Accounts. Now he is out of the department, and the probability is that he will be dismissed.
70. Were these two complaints the only complaints you had to make against him? No. I have complained two or three times about his absence from the office when I have sent for him and found that he was not in.
71. *Mr. Thomson.*] Do you think that an officer who is unworthy to hold an office in the Lands Department should be permitted to hold an office in another department, even if he could obtain it by exchange? The head of the department into which he would be transferred would know what his character and conduct were from what the Minister had decided with regard to him.
72. He would not tell that himself; and it would not be learnt unless it came from some other source? No; an attempt was made to get him into the Department of Mines, but they would not avail themselves there of his services. I believe also that he tried to exchange into the Audit Office, but I do not know that officially.
73. *President.*] You say that he was record clerk? Yes.
74. His duties were of a responsible nature? Yes; he was the custodian of public documents, and had the sub-heads of branches under him. For example, there is a separate register for each of the branches into which the departmental work is divided, and he was the clerk in charge of the whole.
75. Upon the good management of that branch the good management of the whole department would depend? It is the mainspring of the department as regards all information required about official documents. If the public write about any particular subject we have to go to the "Records" to know where the papers are.
76. Any defect there would be felt throughout the whole machinery of the office? Yes. Instead of having one large room it has often occurred to me that it would be better if each branch were to keep its own records, and if possible in its own rooms. There is now one large record room, in which all the records of the department (excepting those relating to Conditional Sales) are kept.
77. *Mr. Ranken.*] You would distribute them? Yes; attach them to the branch to which the business related.
78. *President.*] How long is it since you had cause to find fault with the manner in which the clerk of records performed his duty? For some time past—I used to look upon him once as a good officer.
79. How long ago is that? I cannot say that I have looked upon him as a good officer for the last eighteen months or two years. I have sent for him when I have wanted papers, and found that he has not been in the office. He never committed any flagrant breach of discipline. He was never so very irregular until the last occasion, which led to his suspension, that I thought it necessary to submit his conduct to the Minister.
80. You have found fault with him? Yes, and remonstrated with him.
81. And still there was no action taken? Yes, but there was always some excuse. At one time his brother-officers thought well of him.
82. In whose hands is the power of suspension—have you the power of suspension? I do not consider that I have any power, except in an extreme case where the Minister may be absent. If the Minister for Lands were absent I should perhaps suspend temporarily, but seek confirmation of my action directly from some other Minister.
83. You do not consider that any one has the power but the Minister? No.
84. And there is no other known method of punishment? No; a system of fines has been spoken of amongst us—that is between myself and the heads of branches.
85. But nothing has been done to introduce it? No.
86. *Mr. Thomson.*] Did you ever ascertain from inquiry of the law officers of the Crown whether it would be legal to inflict fines? I do not think that there has been any reference to the Crown Law Officers upon the subject. It was done in our department some years ago. To disgrace a man is most effectually to fine him. That is approved by the Minister and Executive Council, as in the case of the record clerk.
87. *President.*] In Sydney the initiative of all business with reference to country lands is almost altogether by letter? Altogether I may say, nearly. In fact we could not well act on verbal representations.
88. Your communications from your own officers and the public are nearly always by letter in the first instance? Yes.
89. I suppose the correspondence is very considerable? Tremendous.
90. Have you any idea of the number of letters you receive? I have prepared a statement showing the number of letters received during the first nine months of this year and for the corresponding period of last year. That shows that the total number of letters which pass through my hands is at the rate of about 42,000 per annum. (*Vide Appendix A 2.*) I may mention also that I have brought the returns for which I was asked by the Secretary, showing the difference between the permanent and the temporary staff. (*Vide Appendix A 3.*)
91. *Mr. Thomson.*] Is that independent of the correspondence in the Conditional Sales Branch? Yes; it is the correspondence of which I have the actual control, the letters which are registered in the General Records Branch; but I have also applications in virtue of improvements or intended improvements and applications for leases which are registered in the particular branch to which the business relates, so that the actual correspondence of the department is greater than is shown in the return handed in just now.
92. *Mr. Ranken.*] Does that return show an increase in the number of letters for the first nine months of 1878 as compared with the like period for 1877? Yes; but there is a small decrease in alienation caused by the stoppage lately of selections after auction.
93. What do the Ministerial letters relate to? As distinguished from the other branches into which the department is divided, all applications for appointments, returns for Parliament, applications for the temporary use of public reserves, grants of money for various purposes, gold-fields reserves, proclamations in regard to which are specially placed under the Land Act.

94. *Mr. Thomson.*] Is not that now transferred to the Mining Department? No; it is a duty purposely left with the Minister for Lands. It is placed under him by the provisions of the Mining Act. W. W. Stephen, Esq.
95. You have some system of records in some of the branches? Yes; supposing the original document is an application for a pre-emptive lease or an improvement purchase, instead of sending it to the General Record Room, it is entered in the branch to which the business relates. 23 Oct., 1878:
96. In place of sending letters to the Record Branch you think it would be better to send more to the branches? Yes, that is being done now; it is more convenient, and we can deal with them more expeditiously.
97. *Mr. Ranken.*] These letters are the letters received? Yes; I hoped to have had a return of the number of letters despatched as well—they form a very considerable item of the daily work of the department.
98. *Mr. Thomson.*] You propose that each of the various branches ought to keep its own records; if that were done, would not the main record office be thrown into confusion; would you not lose the run of papers for the office prior to the change? I think it could be arranged without confusion, by providing that on and after a certain date each branch should keep the records of all the business belonging to it.
99. But many of the papers coming in after that date might be the continuation of others which were in the office before it? There would be a difficulty in that way, but I think it could be got over. The papers would gradually become connected together.
100. *President.*] Time would work them off? I think so.
101. What paper is that which you are about to hand in? It is a return showing the number of improvement purchase applications received during the year 1878 to the 22nd of October, and the same information for the like period of the previous year. (*Vide Appendix A 4.*) I have another return showing the number of leases and lease applications which are also kept separate from the General Records Branch. (*Vide Appendix A 5.*)
102. *Mr. Thomson.*] So that you have a division of registration now? Yes, but it is very slight.
103. *President.*] With regard to the letters received, what arrangements are there for the opening of them? Sometime ago I used to open them myself, but I found it took too long to do it. It took often a good hour. They are now opened by the head record clerk, who has generally another clerk standing by him to sort them as they are opened, distributing them amongst the different branches. They are classified according to the business, and they are then handed in to the record clerk of the particular branch to which they belong. He appends the particulars of previous papers about the same matter, and they are then sent to the heads of branches respectively who have to deal with them. Some are sent to me, and the others to heads of the different branches.
104. The record clerk is the gentleman you spoke of a while ago? Yes.
105. How long has that arrangement lasted? About two or three years.
106. I suppose there are 130 to 150 letters a day? Sometimes more than that.
107. On an average, how long do you suppose it would take daily to open those letters and ascertain the pith of them? As a general rule, all letters coming to the department are opened and registered by about half-past 11 or 12 o'clock. They have to be stamped with the record stamp of the department, and each letter has a distinguishing number affixed to it. This is absolutely necessary in such a large department.
108. That is done in the record-room? Yes; but the day's correspondence does not leave the record-room until about 12, except in cases of a special or urgent nature. Occasionally, it is despatched sooner.
109. But it would not take the record clerk and his assistant all the time from 9 till 12 to open them? I think so, that is to enter them in the registers, mark them off, stamp them, and obtain former papers.
110. I mean the mere opening of them? That would take about three quarters of an hour.
111. You have to deal with all these matters ultimately, and do you not think it would be better if you always opened them? I think it would be better.
112. Would it not be safer? It would.
113. Is it not absolutely necessary? I do not think that; I have never found anything wrong from not opening them.
114. *Mr. Thomson.*] Suppose you did open them. Could you ascertain the contents of them from opening them? I could tell pretty quickly to what branch a letter should be sent, and I could tell exactly which letters were urgent, and ought to be dealt with, and go to the Minister at once.
115. *President.*] In the case of any matters of an urgent nature who would deal with them? If I opened the letters.
116. No. As the letters are opened now, who would deal with those which required to be dealt with at once? The head of the branch. There are various degrees of importance. A matter of urgency would come to me at once. I should write upon the papers stating the nature of the case, and recommending or suggesting what the Minister should do, or I should see him about them, with the view of obtaining his decision.
117. But it would be in the judgment of the record clerk to say what were urgent and what not? Yes; he has instructions.
118. In what way are matters, which are not supposed to be urgent, brought under your notice. Do you wait for further applications from out of doors? How do you mean?
119. How are the subjects of these letters brought before you,—in what course? The record clerk will open a letter, and he will find that it relates to an application for a reserve, or the revocation of a reserve, an application to purchase in virtue of improvements, an application for the appointment of trustees, and so forth, and he sends the letter to the head of the particular branch which has charge of the business to which the letter relates. If the head of the branch looked upon it as an ordinary case he would write his minute upon it, and recommending perhaps the action to be taken from the nature of the case, and the former papers. The case is then submitted to me. If the head of the branch thinks I ought to deal with it without any memo. from him because of the importance of the matter, or any speciality connected with it, he would bring it to me, leaving me to submit it to the Minister, with my own minute.
120. *Mr. Thomson.*] Then all letters go to the heads of branches? Yes. The ordinary run of correspondence comes to me from the heads of the branches.
121. They are new to you till then? I have no means of knowing of them till then. 122.

- W. W. Stephen, Esq.
23 Oct., 1878.
122. And you are responsible for dealing with them? Yes; I recommend certain action for the Minister. He cannot go through every particular case. He holds me responsible to him; and to a great extent I hold the heads of branches responsible to me.
123. *President.*] Letters are not sent by you to the branches? That used to be the practice, but it caused much delay.
124. *Mr. Thomson.*] Who marks these papers off to the heads of the branches? The record clerks, and my rule is that they shall reach the head of the branch the day they are noted.
125. Have you a stamp for each branch? Yes.
126. And you stamp each document with a printed stamp? Yes.
127. The document on the table is marked with the "Ministerial stamp?" Yes; that is, the stamp of the Ministerial Branch of the Department.
128. If you were to mark it off afterwards to a particular branch have you a smaller stamp? No.
129. Then papers may go down to various branches and there is nothing to show what branches they have been to? The record clerk is responsible.
130. But there is nothing on the document itself to show it? It is entered in pencil in the general register book. It is pencilled in the general column for remarks—to say, Mr. Edwards, Mr. Rich, or whoever it may be.
131. Is not that an imperfect method—the pencilling may be rubbed out? Papers fluctuate so between the different branches that you must have pencil notes. Papers will be sent to the head of a branch, and be back to records next day, in transit to the Survey Department, or elsewhere.
132. You have no means of fixing that a document was sent to a particular officer on a particular day? No.
133. The officer might hold it over for a week or a fortnight, and say he only got it to-day? Yes.
134. *President.*] All this marking and sending to different branches is done without you in the first instance? I have no knowledge of it in the first instance.
135. It is quite possible for a matter of business to be in the office for some days without your knowing anything at all about it? It is quite possible under the present system. If inquiry were made about a matter I should refer to the record clerk. He would inform me that the letter had been received on such a day and referred, say to the Survey Department, on such a day. We should then send to the Survey Department for it.
136. *Mr. Thomson.*] That complaint would go the very same round that the first letter had gone, and you would have no knowledge of it until it came to you from the head of the branch? No; they are very often submitted to me.
137. *President.*] You said that a matter of new business might be somewhere in the office before you had any knowledge of it at all. Would not the delay in bringing it to your notice depend very much on the state of business in the branches through which it passed? Decidedly.
138. And is it not a fact that business in most of the branches is in arrears? Not very much now.
139. Although you are the responsible head you might have a matter in your office for sometime without you knowing anything about it? Yes, but not any important matter.
140. Is not that a very bad system? I cannot say it is a good one.
141. And inquiries made about delayed business must take the same course as the original letters? Yes, in the generality of cases.
142. *Mr. Ranken.*] I understood you to say that these letters go the same round in the Survey Department? A large proportion of our cases are matters for the Survey Department to take preliminary action on, and they are referred straight from the heads of branches to the Surveyor General, or rather to the head of the particular branch of the Survey Department, which deals with the particular class of business so referred relates. When papers go to the Survey Department they stop there until their action is completed, and until they come back I never see anything of them.
143. *President.*] They may be there for any length of time without the matter having come before your notice at all? Yes; they have to go, and it saves time to send them direct.
144. *Mr. Ranken.*] Does the Survey Department carry on correspondence direct on the same subject with the public? No, they do not. A portion of the clerical staff of the Survey Department used to do that some years ago but it was found not to work well. When Mr. Fitzpatrick was Under Secretary, a memo. for the amalgamation of these clerical branches was drawn up and approved, and as the result of the change then made the whole of the correspondence with the public is carried on through me by the department of the Minister. The Surveyor General corresponds only with and directs his own officers. I have a paper showing why that was done and when. It was by an Executive Council minute of January, 1867, and the present arrangement has therefore been in force over ten years.
145. Do you treat the Surveyor General's Department in the same way as the Conditional Sales Branch, —as a branch of the Lands Department? It is a branch in effect under separate control. We call it the Surveyor General's Department or office. I have to treat the business that comes from there on my own responsibility. If I do not agree with any recommendation which may be submitted by the Survey Office I make my own, giving my reasons.
146. You are the head of the department? Yes; but I am not supposed to correspond with or direct in any way the surveyors. Once I communicated with a surveyor, wishing to get a piece of land surveyed quickly, and forgot (as I intended) to tell the Surveyor General, who was at the time away from the office. The Surveyor General and his Deputy rather took umbrage at this, and the Surveyor General said that he could not control the movements of his own officers if I telegraphed instructions to them. I think in this perhaps he was right. I acted however in that instance under special circumstances, which I explained.
147. He holds virtually the same relation to his officers that you do to the subordinate branches of your department? Yes.
148. *President.*] But the head of the Occupation Branch communicates direct to the Minister and the public? Yes.
149. But the Surveyor General does not? All communications with regard to his officers, appointments, promotions, and so forth, are submitted through me, as Ministerial matters. The documents submitted in 1867 (which I just now alluded to), affirmed the desirability of the Lands Department conducting the administrative and clerical work, and the Survey Department dealing with the professional work. In the minute

minute written by the late Surveyor General on the 27th of December, 1866, he addresses the Under Secretary for Lands as follows:—"Referring to your letter of the 28th of November last, respecting the amalgamation of the clerical branch of the Survey with the Lands Office, with a view I am informed, under an altered system of management, of promoting its efficiency and facilitating the despatch of public business, I fully concur in the desirableness of such an arrangement, as I have long felt that the Survey Department was encumbered with the discharge of duties not properly belonging to it, to the unavoidable neglect of work more especially appertaining to the branch."

W. W.
Stephen, Esq.
23. Oct., 1878.

150. I understood you to say that you thought the plan of having the letters opened by anyone but yourself did not answer well, as you did not know of letters being in the office? I could not possibly recollect the contents of 150 letters. The only advantage in my opening them would be that I could myself pick out which were urgent at once.

151. You could do that on your own judgment? Yes, but I should not think of dealing with them until I had had them registered in the Record Room.

152. Could you not give special instructions? I do not think it would save much time, because the Record Branch has instructions already. I should have to open the letter, send it down to the Record Branch, and get it back again. If the record clerk is an intelligent man and carries out his instructions properly, it is better that he should open the letters and register them than that they should be lying on my table until I could open them. The post-bag comes in at a quarter past 9 o'clock, and directly the letters are in the office the clerk is supposed to open them. They might be in the office sometimes an hour before I could commence even to open them.

153. The importance or non-importance of a matter is left not merely to the record clerk but to the branch to which he refers it? The head of the branch is equally responsible.

154. But it is only on their judgment that you are made aware whether a matter is important or not? Yes. I know sometimes that papers, reports, &c., are coming in to the department. I may expect some report from the Crown Solicitor, for example, on some particular matter, and I send a memorandum beforehand to the record clerk, or tell him myself that immediately such a letter comes in he is to submit it to me.

155. Do you not think that you could devise some plan under which, by additional assistance, you could acquire a more intimate knowledge of the correspondence from the beginning? I might possibly. However, eventually, it must come before me.

156. But sometimes it travels long distances all through the Surveyor General's Department? Sometimes it has to be sent a hundred miles or further into the country to some surveyor, and after it comes back to the Survey Department it remains there until they deal with it.

157. No matter how urgent it may be? Yes.

158. *Mr. Thomson.*] Supposing you did make yourself acquainted with the letters which came to the office, you would not deal with a letter until you had referred it to the officer who had special charge of the business? Except under very urgent circumstances.

159. Suppose you were to receive letters that some special business had not been attended to, I presume you would take some special action? If I received such letters I should send them to the head of the branch, and make special inquiries myself, also.

160. You would ask for an explanation? Yes; in nearly all cases I may state we send out an acknowledgment of having received the letter, and informing the writer that it will receive due attention.

161. *President.*] I cannot understand how these complaints would reach you any sooner than the original letters. Would not the complaints be sent after the papers? I have had cases in which the complaints were sent after the other papers into the Survey Office, and there they have stopped.

162. And if the letters were opened by yourself you would see what were complaints, and would attend to them at once? Yes.

163. *Mr. Thomson.*] But still the papers must go to the branch which they concern? Yes.

164. *President.*] What is the practice in other department—do not the Under Secretaries open all letters? I believe they do; but where they get ten letters in the day I get fifty. I have a statement here showing that the staff of our department is more than nearly all other Ministerial departments put together. I have also a statement which I drew up representing the difficulties which have arisen, and in which I recommended the appointment of a chief clerk. The Minister wrote a minute upon it, stating that he considered it an important matter relative to the efficient working of the department, and that he would bring it under the notice of his colleagues at the earliest possible period. It has been decided, however, not to appoint one.

165. What was the date of that minute? 17th July last. The duties of such an officer as I proposed would be to exercise a general superintendence over the whole of the branches and correspondence. At present the heads of branches are nearly as much interrupted as I am. If a chief clerk were appointed he would superintend the whole of the office, and go through the different rooms. It is impossible that I can go round about all day. Each Ministerial department, except the Lands Department, has a chief clerk.

166. If you had a chief clerk he would relieve you? Yes, to a great extent. As I have said here: "Irrespectively altogether of the Conditional Sales Branch, the business of which has for the last year or two been conducted under the immediate supervision of the Chief Commissioner of Conditional Sales, is actually greater by one-third than the four Ministerial Departments of the Colonial Secretary, Justice, Mines, and Works. If each of these departments, therefore, has a chief clerk, surely this department ought to have one, especially when it is borne in mind how scattered about, and how difficult consequently of supervision the different branches are."

167. *Mr. Thomson.*] Is not the head of each branch equal to a chief clerk in position? Not exactly. I have taken that point into consideration as well. He is chief clerk of his own branch.

168. Instead of one chief clerk you have half a dozen? Each head of a branch has enough to do with his own work. The powers and functions of a regularly appointed and recognized chief clerk would be far more extensive.

169. *Mr. Ranken.*] Does that statement include the correspondence about conditional sales? I left that open purposely, for after consideration.

170. Did you not mention the number? I said "irrespectively of conditional sales." I wrote to the Minister trying to get him to make the appointment. I wrote as follows,—“Assuming it to be admitted that such an appointment is required, I will point out as briefly as I can the duties which should devolve upon

W. W.
Stephen, Esq.
23 Oct., 1878.

upon such an officer. I propose that he should exercise a supervision of the different branches of the department, with a view (while not interfering with the system of direct reference from branch heads to the Under Secretary) of directing generally as to the classes of cases requiring submission so as to relieve the Under Secretary of the immense mass of papers with which he is at present unnecessarily inundated, and that he should take means to enforce punctuality of attendance of officers and prevent accumulation of arrears. He should also be a reference in any special matters, and otherwise act for the Under Secretary when deputed to do so, and it will be his duty to carry out any minor arrangements which from time to time may be approved or found necessary for the better administration of the affairs of the department."

171. Will you leave that document with the Commission? Yes. (*Vide Appendix A 6.*)

172. Since when has this great accumulation of correspondence commenced? It has greatly increased since the passing of the Land law of 1861.

173. From the natural working of the Act? From the working of the Land law in all its various provisions and details.

174. You do not think it arises from the repeated delays and the confusion which is said to exist? I really think not.

175. Are not letters and applications respecting the alienation of land repeatedly made on the same subject? Not very often. The "Alienation Branch" correspondence refers chiefly to auction sales and selections. What we call the "Miscellaneous Branch" is in my opinion the heaviest in the department. It embraces a greater variety of cases.

176. What matters are referred to it? All correspondence about reserves for water supply and other public purposes under the 4th section of the Alienation Act, the dedication of lands for religious and other public purposes specified under the 5th section, which when once dedicated you cannot resume except by Act of Parliament. Reserves made under the 4th section can be revoked at any time by authority of the Executive Council. Correspondence respecting purchases in virtue of improvements and intended improvements is also dealt with in this branch, and numerous other matters.

177. Does it deal with auction sales? No; those come under "Alienation." Correspondence about the appointment of trustees, the reclamation of land, rescission of reservations of water frontage, the erection of wharfs and jetties, and so on, also comes under the Miscellaneous Branch. I do not think that return I have handed in (*vide Appendix A 3*) gives any real idea to the public or to anyone outside the department of the amount of work to be done. You can hardly obtain a proper idea of it without spending a day or two in the department itself.

178. Is the work of each room defined? Yes; and it is left to the head of each branch to carry out. I am pretty well acquainted with the working details of each branch, notwithstanding what our friend the reporter from the *Herald* recently wrote. The work is sent to me from the head of each branch. As I get a chance to look at it I do so, initialling or writing on the papers, and taking them in to the Minister. But sometimes I am days before I can get them in to the Minister. I am constantly interrupted by the public, and so is the Minister. I have known the Minister begin a memorandum at 10 o'clock in the morning and not be able to conclude it before 3 through the incessant interruptions.

179. That very fact must retard public business? It is one of the chief causes of it. I have made suggestions, and notices have been issued begging the public to keep away from the office except between the hours of 11 o'clock and 3. If that could be carried out it would be a great help to the Minister. In Victoria, where the work is not half so great as it is here, the Minister only sees people three days a-week. Here he is interviewed all day.

180. I think you have admitted that there is a certain deficiency in delay caused by the transmission of papers from one department to another—from the Lands to the Survey Department? There is a delay, but I do not see how it is to be avoided.

181. Does not the crowding of the office arise from the fact that people go there because their papers are not dealt with? In many instances it does.

182. Could you not give us any suggestion for an improved system in this respect? In regard to the transmission of papers?

183. To obviate the general delays which arise out of the working of the system. I believe there has been a report from an officer who went to Melbourne and inquired into the administration of the Lands and Survey Departments there. Do you not think that decentralisation would be a good thing? The Deputy Surveyor General went down to Melbourne and went through the department there, but I have never seen any report from him. I remember a suggestion about carrying a new system of road districts, in which he referred to some system in force in Victoria, but I never saw a report on it. The roads business is now however under the Mining Department.

184. I think the report referred to the whole Survey Department? I do not recollect seeing it.

185. *President.* I think there is a report from the Surveyor General, and another from the Deputy Surveyor General? I have only seen one from the Deputy about roads.

186. *Mr. Ranken.* Have you any knowledge of the Queensland system? No, I have not.

187. It is very much a local system, the head office being little more than a court of appeal. I want your opinion as to whether a movement in that direction would not facilitate work? I have never had time in the great pressure of daily business to give much attention to the matter, I am so busy the whole day at the office. The work of the head office might perhaps be relieved a great deal by local Boards for each district.

188. In Queensland the whole work of alienation and survey is done by a surveyor and commissioner? If applications for conditional purchases were addressed to a surveyor or commissioner in the country and dealt with there in its preliminary stages it might remove some of the work from the head department; but at the same time it would not do for the head department to be in ignorance of what was going on in the different districts.

189. A duplicate of all the work that is done is transmitted weekly or monthly to the head office so that with full information of all that goes on they are able to put in the necessary check when required? The settlement of minor matters might be left to that Board, but I think that the local office would have a great deal to contend against, and that people would not be satisfied short of an appeal to the Minister.

190. The local staff could get the routine work done before such a case went to the head office? I think something might be done in that way to relieve the head office. There is a great deal of delay. If local land agents could have their maps kept properly up, they ought to be able to at once tell applicants for conditional purchase whether they could have the land applied for or not.

191.

W. W.
Stephen, Esq.
23 Oct., 1878.

191. You think a move in that direction might be beneficial? I have not gone into all the details. The matter is new to me. It would take some years' time to bring about any such change where we have worked on the one system so long.

192. You have superior officers in the Lands Department to take charge of such a system? Perhaps so. And *vidæ voce* evidence given in the district on disputed cases would no doubt be of great advantage? I have been used to the present system all my life. I still think if it were more vigorously and effectively carried out it would not work so badly. You cannot act on cases without referring them to the Minister, and the Minister's time is so taken up that sometimes I cannot get near him for a whole day. I was in favour myself of establishing an inquiry office the same as exists in Victoria, but the present Ministers would not have it. Former Ministers were going to adopt it. Cases of this kind occur: A person comes and sees the Minister about some matter. The Minister sends to the head of the branch for the papers, but when the papers come he cannot know what the case is about without having perused them. There are hundreds of cases on which people trouble the Minister, but which might be settled without parties going to the Minister at all, and thus his time is wasted. They could get the information they wanted from the Inquiry Office in an hour, or in the course of the day. At present they rush to the Minister, who cannot be supposed to know what their business is about, or to give an opinion or decision, without having first seen the papers to which it relates.

193. Mr. Thomson.] I think you said you had no check upon the attendance of an officer? None beyond what I have stated—that the heads of branches are supposed to report.

194. Do you allow your officers to go out for lunch? Yes.

195. Is there any fixed time for the lunch-hour? No; there is a generally understood rule that half-an-hour or three-quarters of an hour may be taken.

196. Is that in excess of the regulation time? It is the understood regulation.

197. Are you aware whether the time was fixed by the Executive Council or the Minister? If so, it must have been done before my time, or I may have forgotten it.

198. Have you ever heard that your officers exceed their time? Sometimes it has been represented to me that they do.

199. Has it been represented to you that they have been seen down town at all hours of the day? I have heard so.

200. Did you ever make any inquiries to see if there were any truth in such statements? I have inquired and spoken to the officers, and they have said not. They have admitted that they have occasionally exceeded the allotted half-hour.

201. Do you not hold the heads of branches responsible for the attendance of the clerks in their branch? I think they ought to be responsible. I have spoken once or twice to the heads of branches for not keeping them more to the time.

202. Is there any rule in force with regard to leave of absence? Our general rule is that they can get three weeks in every twelve months. Some take it and some do not.

203. Could you furnish the Commission with a statement showing who had got leave of absence during the last three years, and the period of absence in each case? I will try. I do not know that there is any special record. As a rule they do not take more than three weeks. Some get a month.

204. You must have some record for leave of absence? I think there is. We do not keep records where they are away for a day. I am not quite certain whether there is a register kept of annual leaves. There must be applications, and they ought to be in the office.

205. If not in the general records they will be in each branch? Yes.

206. When a clerk is absent on the plea of sickness is he bound to produce a medical certificate? That is the rule. Two days are allowed, but for anything beyond that he is called upon to produce a medical certificate. I have had two or three cases in which a man has written to say that he hoped I would not put him to that expense on the ground that his illness was one that he could cure himself. Where I have conscientiously believed the representation to be *bond fide* I have not insisted on the certificate.

207. Is it not a fact that a good number of your officers are frequently absent without any plea? I do not think the number is greater than in any other department.

208. Have you any means of ascertaining that readily? I do not know how I could.

209. Is there no record in the office? As to their staying away?

210. Yes; on the plea of sickness? I do not think so.

211. In a large department like yours, if a number of officers absent themselves on the plea of sickness, you are aware that that must be a great loss of time to the office, and must create confusion and arrears? Yes; but I do not honestly think that that is carried on to any great extent.

212. Before the next time you come to be examined would you try to ascertain if there is any means of giving this information, also information in regard to leave of absence? Yes; every man who is absent for a day is reported to me. I call upon him for an explanation; if more than a day or two, I call upon him for a medical certificate.

213. You hold the head of a branch responsible for all the clerks under him? Yes.

214. And yourself responsible to the Minister for the management generally? Yes.

215. Do the heads of the branches make reports to you weekly or monthly as to the state of the business in their branch? No.

216. Do you not think that such an arrangement as that would conduce to the good management of the department. The number of cases in hand?

217. The state of the work generally? Have you printed forms of questions which the officers can answer, from which you could see whether the work was being performed or was accumulating as arrears? Some statement of that kind used to be furnished in Mr. Fitzpatrick's time, showing the number of cases in hand, and the oldest date, and how long the head of the branch had had the paper. That is not done now.

218. If you were to resuscitate that would it not bring these arrears into notice, and if you thought any branch was not doing its work satisfactorily you could report it to the Minister? I have no doubt that would be an advantageous arrangement.

219. When overtime work was in operation a short time back did you satisfy yourself from personal inquiry that it was absolutely necessary, or were you relying on the reports from the branches? The head of the branch would certify as to the number of hours and the rate.

220. I ask whether the work was necessary or not—whether you ascertained that before overtime was permitted? The heads of branches submitted very strong reports on the subject, and I submitted a recommendation to the Minister which was approved.

221.

- W. W. Stephen, Esq.
23 Oct., 1878.
221. How long has the system of overtime payments lasted? I think about eighteen months. I had a return prepared a short time ago showing the different amounts.
222. But that was not a nominal return? I think it was prepared with the names of the officers.
223. What were the rates paid to the heads of branches? 4s. an hour and the others 3s. an hour.
224. Are you aware whether these are the rates paid for overtime in other departments? I do not believe that the heads of branches have been allowed 4s. in other departments.
225. Do you not consider that excessive? I think 3s. an hour is a fair thing all round. I do not see why the heads of branches should get 1s. an hour more. They all work the same.
226. It is reported that they did nothing at all? I cannot say; I did not stop in and watch them.
227. A boy who was receiving say £100 a-year would be paid at the same rate as the rest, and so double his salary in half a year? —
228. Was it fair that a boy should be paid at the same rate as a man who was in the receipt of a salary of £500 a year? It does not seem fair, but his work overtime might be as valuable.
229. Should not the juniors be paid in proportion to their salaries? I recommended six months ago that there should be a graduated scale according to the salary, and that no rate should be less than 1s. 6d. an hour.
230. Is there at present, or has there been of late years, any insubordination in the department? You mean the department generally?
231. Yes. Has there been anything like insubordination during the last three years? There has been some approach to it in one or two instances. There has been a case which I dare say is generally known, in which a junior officer was assaulted by a superior officer, but I do not know whether that can be designated as insubordination.
232. Are you aware of any case of incompetency amongst your officers? There are some of the clerks which do not come up to the standard of efficiency which ought to be maintained in the Lands Department.
233. Have you no means of removing them, or of suggesting their removal, to make your staff more efficient? No; men I have recommended myself have turned out well, I am happy to say; but the Minister is beset, and pestered every day almost for appointments, without reference to the qualifications of the applicants; by political * influence the Minister of the day makes a lot of appointments, then he goes out. You cannot dismiss these men unless they are downright incompetent; but they are left as a legacy to me to carry out the duties devolving on the department, and for which I am held responsible.
234. Do these inefficient clerks not create a large amount of arrears which has led to the charge of inefficiency? I do not think there is a sufficient number of them now to make any very great difference as regards arrears.
235. How many temporary clerks have you? In reply to the President's request I have brought a statement on the subject. (*See Appendix A 2.*) That portion of the return which relates to the Survey Office does not include the field officers—simply the office hands.
236. *President.*] This is only a return of the number of officers? And their names.
237. It does not include the whole of the information asked for? No; the Surveyor General says it is not possible to give the whole of the information asked for—that is as to cases undisposed of in his office on 30th June.

FRIDAY, 25 OCTOBER, 1878.

Present:—

MR. ABBOTT. | MR. THOMSON.
MR. RANKEN.

R. P. ABBOTT, ESQ., PRESIDENT, IN THE CHAIR.

William Wilberforce Stephen, Esq., was called in and further examined:—

- W. W. Stephen, Esq.
25 Oct., 1878.
238. *President.*] I think the last subject on which you were examined, when before the Commission on Wednesday, had reference to correspondence? I think so.
239. Can you tell us when the letter, which was written to the department, asking for certain cases and names of officers, reached you? I cannot say from memory; and I have not brought the letter with me.
240. How did you first become aware of its having been written? It came to me direct, before registration, with the rest of the letters, and I sent it down at once to be attended to.
241. The same day? The same day I received it.
242. That was the day on which it was written? I think, if my memory serves me, I did not get it until a day or two after it was dated. As far as my memory serves me, two of the letters I received from the Secretary to the Commission went to the Records direct. The others came to me at once; they were laid on my table, and I opened them in the ordinary way.
243. I understood that this particular letter was delivered at the office on Monday morning, and that on Thursday morning you had not heard of it? I cannot recollect. I think I did not receive the first letter until a day or two after it was written. It might possibly have been detained at the Records.
244. It was a letter of sufficient importance to be looked after promptly? Directly I got it I attended to it.
245. With regard to the person into whose hands it came first, ought he to have sent it to you? Certainly, I have told the record clerk to submit all urgent letters to me at once. If I had known you were going to question me on the subject I would have obtained all necessary information.
246. Have you any special branch or office with which you personally deal—that is to say, any branch under your own control, without reference to the head of any other branch? I cannot say that I personally deal with one branch more than another. There is a class of correspondence which may be termed "Ministerial," which is dealt with more directly by me, or by the Minister—correspondence, for instance, that has not to be referred to the Survey Department, or elsewhere. I think it will be found that the time taken in dealing with that class of correspondence is not so great.
247. Under whose control or management is the "Improvement Purchase" Branch? It is included in what we call the "Miscellaneous" Branch. Mr. Lindsay Thompson is at the head of that branch.

248.

* NOTE (on revision):—I prefer to say outside influence.—W.W.S.

W. W.
Stephen, Esq.
25 Oct., 1878.

248. What is the ordinary routine of your daily business or work? It would be almost impossible for me to state verbally all the duties I have to perform. All the cases that have to be reported on relating to improvement purchases, applications for reserves, and, in fact, everything that comes to the office out of an ordinary nature has to come to me. I have to look through the minutes; write *précès* very often of cases myself; sometimes, if I do not approve of the memorandums or recommendations of the Survey Department, I make other recommendations to the Minister. I am responsible to the Minister for these recommendations. I have every day dozens of letters to sign, and have to see people, as well as the Minister and clerks.

249. There is no rule as to how your work begins, or as to what is dealt with first? No; I have to take the work as it comes, and deal with the most urgent business first.

250. Whichever you are pressed about first? Whichever I think to be of an urgent nature; I pick out the most urgent business as quickly as I can. I often deal with matters without reference to the Minister; but of course there is very much that I have to refer to him. Then, again, my time is often taken up by cases submitted to me by the heads of the various branches; I have either to agree or disagree with their recommendations; I have to write minutes and recommendations for the Minister—recommending in fact the action I think it is desirable to take in any particular case; I state the law of the case to the Minister, and point out the clauses of the Acts which may bear upon the cases submitted, and so on.

251. With regard to those matters which you lay before the Minister for his approval or decision, how are they brought to you—by the heads of the respective branches? They are either brought to me or sent up. A very large proportion come direct from the Survey Office and from the Records to me. I may state that until a short time ago everything used to be sent to me direct from the Records Branch, but they came to me in such numbers every day that I was unable to deal with all of them, and sometimes have to put them by without even looking at them. It was afterwards arranged that they should be sent from the Records to the heads of the respective branches first—that is, that they should come back to me in the same way they went.

252. Are there any other officers of the department who have direct communication with the Minister besides yourself? Occasionally other officers have direct communication with the Minister. For instance, Mr. Farnell, from his experience in the office, knows the heads of the branches, and when he wants information relating to any particular branch, he will send for the head of that branch. If he wanted information relating to a lease he would send for the head of the Leasing Branch, on his own motion, instead of sending to me. If he sent for me, he knows that I should in most cases have to send for the head of the branch. But by sending for the head of the branch himself direct, a great deal of time is often saved.

253. Is there no officer of the department in direct communication with the Minister, of his own motion, or in his own recognised right, besides yourself? No, the Chief Commissioner of Conditional Purchases and the Deputy Surveyor General go to the Minister direct, on business connected with their respective departments. All the persons who have a recognised right of communication with the Minister, besides myself, direct, are the Surveyor General, the Deputy Surveyor General, and the Chief Commissioner. The others do not usually go unless the Minister sends for them.

254. I think you said the other day that the Miscellaneous Branch was looked upon as the most important branch of the department? I look upon it as such. I do not say exactly that the work is more important, but it is more complicated—there is a greater variety of subjects dealt with.

255. There is more responsibility on the head of that department? Yes, there is more responsibility on the head for the reasons just stated, more actual work, a greater amount of correspondence, and a greater variety of cases dealt with.

256. Who is at the head of that branch? Mr. Lindsay Thompson.

257. Do you recollect how many clerks are employed in the Miscellaneous Branch? There are ten on the permanent staff, and about seven or eight on the temporary staff.

258. A return before the Commission gives the number on the temporary staff as five? Yes, I think there are two short just at present.

259. Would it be possible for you to say what are the particular matters dealt with in that branch? There are two clerks, say, who have to deal with purchases under the 31st clause of the Act—purchases by virtue of intended improvements; then there are two clerks who take a certain division of the colony, and attend to all work connected with appraisements of lands, and general correspondence in connection with sales and improvements. The other clerks take other districts of the colony. Their work relates to applications, registering, writing correspondence, and preparing cases for the appraiser, and so on,—work which in all its details it would take a long time to explain. Then there are the appointments of trustees, the dedication of commons, the proclaiming of reserves, the revocation of reserves, the dedication of lands for schools and churches, and for different public objects mentioned in the 5th clause of the Alienation Act. All these matters involve a large amount of work.

260. How long has Mr. Thompson been at the head of the Miscellaneous Branch? I think for about 6 or 7 years.

261. How is he set in motion with regard to the particular matters—how do they first reach him—that is, particular matters coming within his jurisdiction or management? He takes the initiatory action himself. The letters are first received at the "Records," excepting the applications themselves, which are entered in the registers of his branch. I handed in a return the last day the Commission sat, showing the number that were entered in the register of the branch and the number that went to the Record Branch. With regard to other correspondence it goes direct to him from Records and he gives it to the clerks, according to the class of cases to which each letter belongs; or he may refer some to me for decision, or to be sent to the Minister, as the case may be.

262. Then you know nothing about those matters coming within his province until they have passed through his hands? No; the great difficulty I have to contend with is the delay when I have to forward letters to the Surveyor General's office; there is perhaps unavoidable delay, but I sometimes do not see them again for months afterwards. The public outside do not understand the delay that takes place between the Surveyor General's Department and the Lands Department. A person may write to the Lands Office complaining of not receiving information about his application for land or other matters, when the reason he does not get it is owing perhaps to the papers being in the Survey Department, waiting for surveys to be made, or plans charted, or other action appertaining to that department, so that

- W. W. Stephen, Esq.
25 Oct., 1878.
- that I never have a chance of answering people until I get the cases back from the Survey Department. I refer of course to matters belonging to or having first to be dealt with by the Survey Department.
263. And the action on the part of the Survey Department may involve a large amount of time? Yes. I remember two or three particular cases which I especially brought under the notice of the Minister. I showed him how we were subjected to complaints on account of delay in the Survey Office. The Minister agreed with me, and referred the matter to the Surveyor General, and asked if some arrangements could not possibly be made for obviating such delays; but nothing has been done.
264. The delays in the Survey Office are caused by the cases having to be referred to the surveyors in the country? Undoubtedly; but I maintain there is an unnecessary detention in the Survey Department when the papers come back from the surveyors. Take for instance the case of a man who applies for a selection in virtue of improvements. When the papers are returned from the surveyor in the country, in nine cases out of ten you can tell from his report whether the applicant can have the land or not; and by giving the applicant a simple answer to that effect, months of delay might be saved. But instead of the papers coming to me, they are (being directed to the Surveyor General) kept in the Survey Office until the plans are charted, and all that time the applicant is kept without an answer. If the papers came to me at once I could immediately communicate with the applicant, and the papers could then be sent to the Survey Office for the charting. And that office often keeps the papers to write memoranda, which it need not write at all—to make recommendations, which I maintain it is only within the Ministerial province to make. It is needless to delay a case five or six or eight weeks, if not more, merely to write a memorandum that the application cannot be granted.
265. They keep papers six or eight weeks to enable them to make recommendations which it is not in their province to make? It is not in their province to make them, excepting in particular cases, when advice of a professional character is required.
266. Besides the delays in the Survey Office there are delays caused by referring matters to the district surveyor or licensed surveyor in the country—the licensed surveyor may keep these matters back until they are dealt with, which may take months or even years? Yes.
267. I suppose you have known cases that have been in hands of the Surveyor General for more than a year, waiting survey? Yes. I have brought the papers relating to two or three cases with me. They are forcible illustrations of what I am saying. I have written a short *précis* of each case, giving dates, and what was done. The first is a case in which a man named James Godwin applied for land in virtue of improvements on a gold-field; the application was made under the "Crown Lands Alienation Act of 1861"; it is dated September 22nd, 1875. The report of the gold-fields warden upon it was received in July, 1876. It was not then received back from the surveyor into the Survey Office until February, 1878, after the lapse of a period of one year and eight months from the time the papers were sent to the Survey Office. On the 4th March, 1878, a letter was received, complaining about the delay in the case, from the applicant, and the Survey Department was put in motion to search for former papers which still remained with them. Instead of the papers coming back to me in February, which they might have done, they remain in the Survey Department, and it is only in August, 1878, that I get them back. I did not know the case was in the Survey Office until Mr. Beyers called attention to the delay that had taken place in dealing with it. (*Vide Appendix A 7.*)
268. Did you see the application before it went to the Survey Office? No; I had no personal knowledge of it. The application was received in the Lands Department on 22nd September, 1875; it was sent to the Survey Office, and it was August, 1878, before it was received back in the Lands Department.
269. Having been in all the intermediate time in the Survey Department—between the officers of that department or under their control? Under their control, with the exception of the time it was in the hands of the gold-fields warden.
270. When did that application first come under your own personal knowledge? The first time I had any personal knowledge of it, I recollect, it was through Mr. Beyers, the Member of Parliament, coming to complain of it, that led me to ask for the papers, and get them from the Survey Department. On or about the 8th of August, Mr. Beyers having complained again, I had an inquiry made, and found that further action was stopped through the loss of a plan.
271. Then you heard of the application for the first time when complaints were made of its not having been dealt with? Yes; the whole action of the Lands Department is impeded by the time it takes to get papers back from the surveyor in the field, and from the Survey Department.
272. You attribute the delay in the business of the Lands Department to the detention of papers by the Survey Department—in the field and in the office? Yes, it cannot be otherwise.
273. What is the other case you referred to? It is the case of the Messrs. Landale, who applied for a portion of land by virtue of improvements in 1876; it went direct from our office to the Survey Department; that was in September, 1876; the report of the surveyor was not received until the 8th September, 1877, that is nearly a year after the application was sent to the Survey Department; it then remained in the Survey Department for the charting of plans, and so on, and was not returned to the Lands Department until the 5th August, 1878. The Commission will thus see that under such a system of action it has taken just two years to reply to an application for a portion of land situated within two days journey of Sydney. Complaints have so frequently been made against the Lands Department of delay, that I brought the matter under the notice of the Minister, with the view of showing him how the delays really occurred. I mention the matter now, not with the view of in any way making complaints against the Survey Department, but because I think it is only fair to the Lands Department to deny most emphatically the statement that has gone forth, that professional action is delayed by Ministerial action. Quite the contrary is the case; the Ministerial department cannot act until it gets the papers back from the Survey Department. (*Vide Appendix A 8.*)
274. When did the case you have just referred to first come under your notice? In August, 1878.
275. How was it then brought under your notice? It was submitted to me in the ordinary way. After the application was returned to the Survey Department it was kept there for the charting of the plan; that plan was charted in June, 1878; it was then kept in the Survey Department from June till August, in order that it might have a recommendation written on it—"It is recommended," and so on—an action that I could have and ought to have taken myself.
276. It was delayed unnecessarily in the Survey Department in order that a minute might be written, which you think it was more properly your duty to write? Yes.

W. W.
Stephens, Esq.
25 Oct., 1878.

277. Was there no special complaint with reference to that case? No; I took it from a batch of cases laying before me; I did not select it particularly. I suggested that, to obviate delay of this kind, directly the survey report was received it should be sent on to the Ministerial department first; we could inform the applicant of the result; and it could then be forwarded back to the Survey Department for the plan to be charted.

278. Have you any other case you wish to refer to? No, I only thought it necessary to bring these two cases. Oh, I find I have another one, a worse one; but it is, I believe, an extreme case.

279. I think we had better have it? This was a case in which some applications were made for improvement allotments on a gold-field. Two of them were made in September, 1872, six years ago; the other four were received about four years ago—they are applications by William Macarthur for the purchase of improvement allotments within a gold-field. Two of them were made in November, 1872; the others in 1874; they are returned to the department finally by the surveyor in November 1877; in January, 1878, there is a memo. written in the Survey Office, to the effect that the portions of land applied for are included within the temporary Common of Young. If the papers had come to me at once through the ordinary course, in January, 1878, that is, as soon as returned, I could have informed the applicant that he could not have the lands, unless he could prove they were applied for before the reservation of the Common was made. Instead of that, they are kept in the Survey Department in order that a minute may be written on them—"It is recommended that the owner of the improvements on the land be informed that he cannot have the land," and so on, a course of action purely for the Lands Department to take. (*Vide Appendix A 9.*)

280. Was the Survey Department in a position to have written that minute in January last? There is nothing to show it to the contrary; so far as appears by the papers they were in a position to write the minute in January last, the plan being noted as examined and charted in November, 1877. I declined to take the action which the Survey Department recommended, because four years, and in two of the cases six years, had elapsed since the applications were received. I said that I could not agree to the recommendation after the extraordinary delay that had taken place. I took another course. I wrote to the land agent of the district in which the land is situated for the necessary information. I may say that this is an extreme case which I have just referred to.

281. You wrote to the land agent? Yes.

282. And how has the case been dealt with? I do not know just now whether the report has been received yet.

283. *Mr. Ranken.* Did you notice that all these old outstanding matters came to you in August last? This last case came to me in September.

284. August and September? Yes, two of the cases came to me in August.

285. Did it not occur to you that that was remarkable? It does seem extraordinary. I took the cases up promiscuously; it did not strike me at the time that they all came to me in the same month. One is dated February, and did not come to me until August. I did not notice the singularity before.

286. *President.* Up to August last you had no means of knowing anything of the position of these cases—they first came under your notice then? Yes. These ordinary applications are passed on to the Survey Department to be dealt with without writing to the applicants at all.

287. They first came under your personal supervision in August? Yes, because there was no Ministerial action to be taken with respect to them; they were sent on to the Survey Department in the ordinary routine without my knowing anything about them.

288. You said you could undertake to supply the Commission with a memorandum giving some of your own minutes on these cases—a *précis* of each case in fact? Yes; there are *précès* attached to the cases I have brought with me, to which I have referred. I should like it to be understood that I feel rather nettled about these matters, but I am not saying anything with the view of casting any reflection upon or making any complaint whatever against the Survey Department. I know what a great dearth of surveyors there is, and that the department has many difficulties to contend with. But it is said that the Lands Department is to blame for all the delay that takes place, and I have felt bound therefore to put cases before the Commission to show that it is not.

289. Do you think any blame attaches to the Department of Lands for the responsibility of these cases for not looking after them—has there been no means of reaching these cases so that the department which is responsible for delay could have the matter brought under its notice? I cannot think that our department is responsible for what is out of our hands altogether, and being dealt with by the Survey Department.

290. Then who is responsible to the public? The Lands Department is looked upon as responsible; and that department is dependent upon the movements of the Survey Department in regard to a great proportion of its correspondence.

291. It is left to the Survey Department although that department is not responsible to the public? It is not responsible to the public; all cases are submitted through me, and I have to communicate with the public.

292. In cases like those you have mentioned is there no action taken by the Lands Department to follow them up, or complain if they are not being dealt with? If they go to the Survey Department?

293. Yes; are they left there for an indefinite term? Yes; the Surveyor General is supposed to keep his surveyors in check. After these papers go to the Surveyor General he is supposed to remind his surveyors when the work is in arrear. We do not correspond with the surveyors at all. When the papers leave our department we lose control of them until they are returned.

294. And the Survey Department is not responsible to the public? I should suppose there is a regulation in the Survey Department against surveyors keeping work in hand beyond a certain time.

295. But you say you feel no responsibility from the time the papers go to the Survey Department? Not until they come back.

296. And you have no duty which involves your looking after these cases? Not cases that go to the Survey Department. When they return from the Survey Department of course my responsibility commences.

297. If a case is delayed six or seven years? I should know nothing of it unless a complaint is made. In one case I have referred to no complaint has been made notwithstanding the delay. I do not know what has become of the applicant.

298. The case in which Mr. Beyers moved? Yes. That case is a most striking illustration of the system I complain of.

W. W.
Stephen, Esq.
26 Oct., 1878.

299. Is it not a fact that there are a great many such cases of delay—delays varying from a month or two to six or seven years? The statement which I have handed to the Commission shows the number of cases relating to improvement purchases waiting action on the part of the Survey Department.
300. This return shows there are 6,160 cases in the Survey Office? Yes.
301. This return refers to the Improvement Branch? The same branch in which the cases to which I have referred are dealt with. Before an answer can be given to applicants we have to wait the return of these cases from the Survey Office.
302. Is the Lands Department powerless to interfere? I cannot interfere with the Surveyor General. He has the control of his own officers.
303. And the Lands Department is powerless? Yes, under the existing system.
304. And has no means of expediting business? Unless we bring cases of complaint under the notice of the Minister, who would set the Survey Department in motion.
305. That of course involves further correspondence? Yes, further correspondence and delay. I have drawn up suggestions for preventing this delay, but Mr. Farnell thought that as this Commission was about to begin operations the matter had better stand over.
306. Is it a fact that the business in other branches of the department with which the Survey Department deals is in the same state of arrear? The same practice applies throughout.
307. The same amount of delay? The same defects permeate the whole system of the Survey Department as regards its connection with the Lands.
308. And your department has no power to insist upon the completion of business? None; I cannot instruct the surveyor to expedite his work; it must be done by the Surveyor General.
309. The Survey Department is not directly responsible to the public? No.
310. You spoke the other day of the large amount of correspondence which your department has to deal with;—would not these innumerable delays and constant complaints double the correspondence? There is no doubt it increases it very considerably. There are not so many complaints, however, as you would think, considering the number of delays there are. In one of the cases I have referred to the applicant has made no complaint, although six or seven years have elapsed since he sent in his application.
311. *Mr. Thomson.* Is it not possible, in regard to that case, that the man may be occupying the land without paying anything for it? Yes; but he must be in "authorised occupation" to entitle him to apply for the purchase; he may be paying his miners' fee or business license.
312. *President.* Does not this delay, more than anything else, account for not only the increase of correspondence but for the personal interviews between yourself and the Minister when complaints are made? To a great extent it must. I say I do not think there is really much to complain about with regard to correspondence that has not to go out of the office—that which we can submit to the Minister when we get a chance.
313. But a far larger proportion must go out of the office? Conditional purchase applications and all other applications for sale must go out of the office.
314. And you have no power to expedite business? No, not that belonging to the Survey Office.
315. A delay of business is caused by persons seeking interviews with yourself and with the Minister? Yes.
316. Did you bring any other cases besides those you have referred to to show the delay that takes place? No; I just put these cases in my box, on the supposition that they might be required as samples of the general run of cases in which there is delay.
317. Have you noticed lately any increased activity in the office, or in any one or more portions of it, within the last few months? I cannot say that I have. In one or two of our branches I know that there are hardly any arrears at all. I was asking about it yesterday, and there are really very few arrears in the Correspondence Branch, except in some cases which I am myself responsible for, and with which I have not had time to deal. I have a number of cases in my hands which I have not been able to submit to the Minister, simply because I have found it utterly impossible with my other duties.
318. And you attribute your inability to deal with those cases, I understand, to interruptions caused by people calling to have interviews with you, and your endeavours to see the Minister? I have to see the Minister; to see people wanting information; to see clerks who come up to ask about certain cases; sign letters; write *précès* in many cases; and all these things take up a great deal of my time.
319. Are not the minutes and *précès* that you write, generally about those cases in which there has been so much delay? No, I could show you many cases I have to prepare for the Minister, showing him the way in which I think they should be dealt with. I sometimes have to write minutes showing how the law applies in particular cases. I am pretty well up in the different clauses of the Lands Acts, and write memoranda for the use of the Minister. There are large numbers of cases which come up from the Survey Office, relating to dedications and reserves, and matters of that kind, containing recommendations which I can see at a glance are right; but sometimes cases happen, and have happened within the past two or three months, in which I have pointed out to the Minister a different mode of action to that recommended by the Survey Department, and the Minister has approved of my recommendation. I often think that that looks like doing work twice over. It is harder to go against a recommendation made by an officer than to make one yourself. The Minister says that he holds me responsible, and I do not therefore like to pass anything which I do not think is quite right.
320. You are held responsible for the conduct of business? Yes, my signature appears to the letters and they look to me.
321. You said, I think, that you had no other cases of a similar nature to those you have referred to with you? No, but I can get you others if desired.
322. If you would choose some you would be in a better position to pick out cases which would give us information than we are? I am under the impression myself that the cases I have laid before the Commission, and the statement I have written on each, showing exactly what they are, apply more or less to the general run of cases. If there are any others of a better or worse character I could bring them. There is no doubt there are delays. The return I have placed before the Commission refers to one class of cases, I.P.'s., (*i.e.*, improvement purchases) as we call them.
323. Do you not think that these delays, which are very reasonably complained of, increase the work of the department very considerably, and occupy the time of the department? Certainly, and I find it very hard to overtake arrears when they once begin.
324. Is it not a fact that generally when a case is delayed at all it is left until some stir is made about it by the individual who is interested? I think there is a general tendency to get rid of the current business.

business. If there are several cases of not very old date, three or four days perhaps, there is a disposition to get rid of those, before cases of an older date, unless some land agent, or some one interested, comes to complain, and routs the cases out.

W. W.
Stephen, Esq.
25 Oct., 1878.

325. And so it goes on to years as well as months? I do not think there are any such cases in our office.

326. The cases you have referred to? Those cases came to me on the 4th of August, and they were dealt with on the 9th.

327. But there are cases delayed which ought to be acted upon much sooner? Undoubtedly, for the reasons which I have pointed out.

328. And land agents exist in consequence of those delays? I cannot say that exactly. There is no doubt that agents get business expedited much more than it would be if left to the ordinary routine of the department. Of course they see the Minister, and they know the offices so well from experience.

329. They hunt up things that are allowed to rest whilst current work is being looked after? Yes.

330. So that in point of fact the agents exist almost because of the inability of the department to cope with the business? To some extent that is true, and that is one reason why I proposed a short time ago the establishment of an inquiry office. It would not suit the land agents, perhaps, because they no doubt derive their power, or rather the persons who employ them think they derive additional power, through their being able to see the Minister, or me, or other chief officers of the department; whereas the ordinary run of applicants, who have to trust to their own writing, have to rely upon the attention that can be given them in the ordinary routine of business.

331. From your experience of the system pursued by land agents, what is your opinion with reference to it; do you think it desirable they should have the position you describe? I think —. Well I was going to say they are a necessary evil.

332. You look upon them as an evil? I can scarcely say that. They are, certainly, at times great interruption to me personally; but I must say they expedite the work of their clients, and get their business pushed through in perhaps half the time it would take if those clients had only themselves to trust to. And this may easily be accounted for, from the fact that there are numbers of persons of all classes, who are unacquainted with the working of the Land laws, or with the proper mode of applying for or representing what they require. They naturally, therefore, place their business in the hands of those who thoroughly understand it and are at hand to watch it through the different stages which it has to pass.

333. Then you look upon them as an assistance to the department? Yes, in regard to the cases they take in hand.

334. They do work which the department ought to do? They take up cases that hang fire, and which do not get dealt with, because, it may be, of the difficulty of bringing them before the Minister, or for other reasons.

335. *Mr. Thomson.*] Is that fair to the general public—that because people do not employ a land agent their business is to be delayed? No; I say that those who can afford to pay a land agent are better off than those who cannot afford it.

336. *Mr. Ranken.*] Still it relieves the office of an accumulation of papers? It relieves the department in a particular way.

337. *President.*] In point of fact, what is the superior position of the land agent—has he a more ready means of access to the Minister or to you than any other person would have? I think that any other person has the same means of access.

338. Then how is the land agent's position superior? When he goes to see the Minister about one case he can also deal with others. A land agent has so many cases to attend to. Besides, he has this advantage: he knows most of the people in the office, and knows the branches to which the papers would be referred, and he will go and ferret the papers out—worry, as it were, until he gets them.

339. What do you mean by ferreting out—that he is allowed to search? No; but he will get the register number of the particular paper he wants, and take it to the branch, where it is likely to be found, say, for instance, the charting branch, and he will say to the chief, "Such and such a paper was sent to you; get it for me." If the clerk does not give it him then, the land agent will call again next day, and he will at last get it, much quicker than if it had gone through the ordinary routine of the office.

340. Then that must interfere very much with the officers of the department in the performance of their duties? I think it does—that is, their current work.

341. And prevents their doing their legitimate work? It occupies their time; it occupies the time of the heads of the branches. It would not be so bad, I think, if a rule were made to keep open the office for certain hours to the general public.

342. Do you think anything could be done to prevent this interruption to business by persons outside? So long as the system is recognized in the department I do not see how it could.

343. You said something about an inquiry office? I think an inquiry office would be a great boon both to the Minister and myself, as well as to the heads of the various branches. People come and ask the Minister all sorts of questions—questions that could be referred elsewhere.

344. What would you propose? One man to superintend the inquiry office, and one or two clerks or assistants. A memorandum of what I recommend has been printed and laid on the table of the Assembly.

345. That contains your ideas on the subject? Yes; my idea is, that there should be a large room with a large counter in it, and two or three clerks always in attendance to get information which persons come about—at once, if possible; but that in all cases requiring to be referred to the Minister, arrangements should be made to lay the cases before the Minister beforehand. At present the Minister is often kept waiting whilst the papers in any particular case are being looked for; and when they are found he has perhaps to look through them. In this way much of his time is wasted.

346. Would the plan you speak of prevent personal applications to other officers of the department? Yes; it would prevent unnecessary interruption of the Minister, and it would prevent land agents going at all times to the different branches. We have tried to start a counter once or twice, but the size of the rooms will not allow of it.

347. *Mr. Thomson.*] Do the land agents go to any branch without your permission? Yes, they do go.

348. So that you really do not know what interruption is going on in the different branches? I do not know, but I am assured by the heads of the branches that they are interrupted sometimes half-a-day by the land agents and the general public.

W. W.
Stephen, Esq.
25 Oct., 1878.

349. *Mr. Ranken.*] In regard to the inquiry office, do you think there is any probability of the clerks employed in it having any superior mode of access to information, or the means of getting information—would it not be just the old routine—would they not have to ferret all through the place, and would it not end in the public wanting access to the branches after all? No I do not think it would.

350. Would not the effect of establishing an inquiry office such as you propose practically be to exclude the public from the branches? It was not meant to exclude the public altogether, but to prevent people from interrupting the heads of the branches, when they might obtain the information they required without such interruption.

351. Is there any probability of their getting the information they asked for? Yes, I had in my mind with respect to the inquiry office two intelligent clerks who are quick, and who know every branch in the department, and who have a peculiar aptitude for that business.

352. Suppose such a case as Godwin's, to which you have referred—would an inquirer have any means of getting an answer at all about such an improvement purchase? The clerks would be able to find out where the papers were. When that case was brought under my notice I at once sent one of the clerks to get the papers from the Survey Office. They were in the Survey Office waiting for the plan to be charted, and for months and years the applicant did not know what action was being taken in regard to his application.

353. If the clerks appointed to the inquiry office had authority to inquire for papers they could procure them? Yes, they would have instructions, and the different departments would also have instructions to give these clerks information directly they asked for it. That was my idea. Of course it would be only an experiment at first; but I think it would work well.

354. As to land agents—on the whole do you think public business would be facilitated if they were excluded from the branches? Decidedly, except with regard to the particular work with which the land agents are entrusted.

355. Is not the business they take there an important part of the public business? I do not think it is more important than other business; it is more important to their own constituents.

356. It forms a very large portion of the business of the department? I would not say a very large portion; it is a large portion. The business conducted without any reference to land agents is far in excess of that conducted through land agents.

357. Then you think there would be a balance of advantage in favour of the public by excluding land agents from the branches? I think there would be with the exception before stated.

358. *Mr. Thomson.*] The business would be conducted in a fairer manner to the public generally? Yes.

359. Business would not be taken out of its proper course; it would have to stand its proper time? It would have to stand its proper time. There is an advantage to people living at a distance from Sydney in employing an agent; an agent having a personal interview with the Minister when a reserve, for instance, was wanted; could point out many things in favour of a client which perhaps an officer of the department would fail, or not be in a position, to point out.

360. That goes to prove that those who cannot afford to employ a land agent are liable to suffer? Exactly.

361. You think that a properly organized inquiry office would be a good substitute—that it would do all the work of the land agents itself? Yes; the Minister and the heads of the various branches are constantly interrupted about cases respecting which a clerk could give the desired information. But at the same time there are many cases in which personal interviews are really necessary.

362. *President.*] Is it not, after all, the fault of the department that there is so much delay. All these interruptions you speak of, by land agents and others, is it not all attributable to the delay in the department generally? No; I think it is attributable, to a great extent, to the immense amount of business in the department—the inability of the department to cope with it in a way that it would be dealt with in a smaller department.

363. If the business were not hopelessly in arrear there would be no necessity for land agents; for instance, in this return you have given us, there are 6,160 cases in arrear—that is, work that might legitimately be taken up by land agents? Yes.

364. If you have all these arrears in one branch does not that show that the work of other branches is in arrear, and ought to be dealt with by land agents? Yes; land agents do certainly expedite the work of the branches.

365. And they take a large majority of the cases? No, not a large majority.

366. When you have more than 6,000 cases in arrear in one branch? That has extended over some years. I do not say that all those cases are in the Survey Department; but they are waiting certain action by that department.

367. They are in arrear? They are in arrear.

368. If you found a land agent dealing with any one of those 6,000 cases, would you not say it would be a good thing for his client? Yes; so long, however, as a case is in the field, an agent could not forward it much; but as soon as it comes back to the department he could forward it.

369. If the business were not in arrear in this way there would be no necessity for land agents? You would still have land agents, but there would not be the same necessity for them.

370. If it were possible for you to keep up with the business, would it not do away with land agents? Yes; the department does require them now; or, rather, they expedite the business by their inquiries.

371. Suppose the case of a private institution, say a bank, in which the business had naturally increased by the advance of the Colony, you would never allow outside people to come in to facilitate the business of the bank; nor would such a thing be thought of in a merchant's office? I do not think any parallel can be drawn between a bank or a merchant's office and a public institution like the Lands Department.

372. The banks have branches all over the country, and hundreds of employes in every direction? You can hardly compare the institutions. In the Lands Department there are so many details to be dealt with; so many references outside the department itself to be made.

373. Taking the cases you have referred to as specimens of the work in the Lands Department, do you think the banks would be complimented by having any comparison made? I do not suppose any one would be allowed in a bank to facilitate work; I do not suppose outside people would prove any help to a bank.

W. W.
Stephen, Esq.
25 Oct., 1878.

374. It ought not to be necessary as regards the Lands Department, so far as you say—could any private institution exist under similar circumstances? I do not think myself you can fairly draw any comparison between the business of a bank and the business of the Lands Department.

375. Or a merchant's office? Or a merchant's office either.

376. You think the Lands Department stands alone? Yes; there is no comparing it with any other institution, or with any other Government department; there are more difficulties connected with it.

377. Is there no arrangement under which you have reports made to you, or to any one in the department, in regard to business in arrear, from time to time? No; there used to be. There used to be monthly returns made out showing the number of cases in arrear, and the number of months each case had been in hand. It fell into disuse after a few years. It has not been in use since I have held the position of Under Secretary.

378. Do you not think that since the business increased so much, such returns are all the more necessary? Yes.

379. Because it is shown that no one knows what is in arrear until complaint is made from outside? The returns would show if returns were prepared.

380. I suppose an account might be kept from day to day in each branch, and reports made from week to week, or from month to month, or for any period—if it were done in that way it would not take so long? It is not done. I think if an increased superintendence were exercised over all the branches, by a regular superintendent, or chief clerk, such as they have in other departments, who would ascertain all the cases in arrear, how long they have been in arrear, and who would have power to fine for unnecessary arrear, it would prove beneficial.

381. Has that ever been attempted? Never, so far as I can recollect. It is a very hard thing to institute a thing of that sort. Then again, as I have said, I am responsible for the work of a large department and I have no voice in the appointment of the clerks who do that work. Every person who passes the Civil Service examination, brings his certificate, and seems to think he has a claim to appointment because he has passed the examination, although he may be unfit for the work required of him.

382. Yes, but you would not appoint him because of his opinions? That is only one of the evils.

383. That would not have any influence with you? I have nothing to do with it; it is a matter for the Minister. I think the Legislative Assembly made a mistake when it passed a resolution that a man must pass the Civil Service examination before appointment in the Civil Service. I would rather judge of the ability of a clerk from three months' trial; it would be easier to form a correct opinion of a man from actual trial as to his abilities to write letters, and his general aptitude for business, than from the Civil Service examination.

384. But they are not appointed indiscriminately to any vacancy? The fact of their having passed an examination adds weight to their importunity before a Minister.

385. But whenever the person appointed is found to be unfit for the work it is very easy to get rid of him; he would not be retained in the office if you said he was unfit for his duties? It is not very easy to prove incompetency in a large department. You cannot keep your eye upon every one. A man may be idle and careless; but if he can just do the work well enough not to draw particular attention to him, or to disqualify him, it is hard to justify his dismissal or removal.

386. In the case of incapacity, would not the head of the branch report to you? He should do so.

387. And if he did, you could deal with the matter? But I do not see the work of one-half the clerks. There is an immense amount of work performed daily which does not come directly under my notice.

388. *Mr. Thomson.* Has not the work of the Lands Department been reduced very much since the formation of the Mining Department? It was reduced at the first blush of the thing, when there was a great run of mining work on the Lands Department; but since then I do not think there has been any reduction worth speaking of.

389. You then got rid of the whole of the gold mining business? Yes.

390. A large staff is now necessary for the management of the Gold Mining Department? I have nothing to do with the Mining Department. I think there were about five clerks transferred from our department to the Mining Department. I am not certain; but there were some questions asked in the Assembly some time ago, and the answers furnished by me would show the number transferred.

391. In removing those five clerks from the Lands Department do you think that the work they did was also removed? Yes.

392. So that it did not relieve the work of the department generally? It did not relieve the work of the department generally, because the clerks went with the work that was removed.

393. But it relieved you to some extent? Yes; there was daily routine work in connection with applications for gold mining leases, and so on.

394. There has recently been a re-arrangement of the department by which the Occupation Branch and Stock Branch has gone over to the Mining Department;—will not that be a relief to yourself personally as Under Secretary? In the case of the Occupation Branch not more than a hundred cases a month were conducted by the chief officer through the Minister; I never had to look at a case or sign a letter in connexion with that branch. It is no relief to me; it is a relief to the Minister, but not to me.

395. And with respect to the Stock Branch? It is a peculiar sort of work, work of a particular character and Mr. Bruce, with very few exceptions, deals with it.

396. Had he communication direct with the Minister? In special cases he had to see the Minister; the Minister used to send for him; but he used frequently to come to me; I used to write the minutes on some of his cases.

397. On the whole you do not think there was any relief to the Lands Department by the formation of the Mining Department, and the removal of the Stock and Occupation Branches to it? I should say the relief is merely nominal; it is far more relief to the Minister than it is to me, as before explained.

398. Referring back again to the practice respecting the registration of leases in your department—or rather the opening of leases—do you know what the practice is in other departments, whether the Under Secretaries open the letters, or whether the duty is performed by their clerks? I think they are opened by the Under Secretaries.

399. In the case now of letters complaining of delay in the transaction of business, or inattention to previous letters, have you ever given instructions to your record clerk to bring these cases under notice specially? Not very lately; I have given verbal instructions, but no written instructions.

W. W.
Stephen, Esq.

25 Oct., 1878.

400. Suppose you did give instructions that all complaining letters should be first brought under your notice, and that you dealt with those specially, and asked why previous letters had not been attended to, would not that conduce to the expedition of business? I think it would.
401. You could depute some person to attend to that particular duty? Yes, I think that would be a good arrangement. It is done more now than it used to be.
402. Do you answer all letters that come to the office, on whatever business they may be—that is the official acknowledgment sent to the writer? In cases where the matter can be dealt with at once, no formal acknowledgment is sent; but where there must necessarily be some delay in dealing with a letter, we acknowledge its receipt by sending a small printed form, stating that the communication will be attended to as soon as possible.
403. That necessary steps will be taken to deal with the business required? Yes, they are sent out by the heads of the branches; they are supposed to be sent out the day the letter is received.
404. You say that some letters are signed by the heads of the branches—that is, only in regard to a particular class of cases? Ordinary cases.
405. Not cases of importance? I sign every letter of importance.
406. That is if a complaint about delay was made, or if half-a-dozen complaints had been previously made, the head of the branch would write a letter explaining the cause of delay and bring it under your notice? All cases of that sort would be submitted to me.
407. So that you would come to know the cause of delay by having the delay brought under your notice? Yes.
408. If the head of a branch is allowed to explain the cause of delay without your knowledge, he might excuse himself in a way you would not approve of? I do not think that takes place; I am not aware that it does.
409. It might exist? It could be traced, because no letter goes out of the office that is not entered; and if any letter was sent explaining the cause of delay in a way not justified by facts, I should know of it.
410. I think you said that you signed all letters of importance that went out of the office? Yes, and a great many that are not of importance. I sign nearly all the manuscript letters, and some of the printed ones.
411. Before signing these letters, is it possible for you to make yourself acquainted with them, the nature of the reply they contain? In a large number of instances I am obliged to take the authority or rely on initials of the head of the branch.
412. You have so many to sign, it is impossible for you to read them over before you sign them? I can generally tell the nature of the letters at a glance.
413. There are some that are brought before you specially? Not many.
414. Most of them are of a formal character? More of a formal character. Letters of a formal character I can tell at once, from my long experience in the office.
415. Your blank-covered references are nearly as numerous as your ordinary letters? We make use of blank-covered references as often as we can, but never with the public; it is a very easy way of communicating with the heads of the departments, and land agents (I mean Crown lands agents), and other officers in the interior.
416. Is the Ministerial Department responsible for delays in the Surveyor General's Department? No; I say decidedly not. Once a case leaves the Lands Department we are not responsible for it until it comes back again, because the Surveyor General has control of his own officers.
417. But suppose a case of great delay should arise, is the Surveyor General ever called upon to explain that delay by yourself or by the Minister? The Minister would ask him to explain the cause of any great delay.
418. Does that occur often, because you stated that there are a great many cases of delay in the Surveyor General's office? It does not happen once in six months. It is left to the Surveyor General to manage his own department.
419. But when a delay of three or four years occurs in business, do you not consider it the duty of the Ministerial Department to ascertain the cause of that delay? Decidedly; that is what I did in regard to the cases I have brought under the notice of the Commission to-day.
420. There are many cases which require to be explained in some way? A great many.
421. Is the explanation of the Surveyor General considered satisfactory? I cannot call to mind a case where he has made any explanation,—that is, I cannot recollect the nature of any explanation.
422. He has not been allowed to escape? If the Minister calls upon him to explain he is bound to do it; he is an officer under the Minister.
423. Then it would be your duty to see that an explanation was furnished? Yes, if the Minister ordered it.
424. And if it were not sent in due course you would remind him? Yes, I should point out to the Minister that the Surveyor General had not furnished the explanation, and see that he was reminded.
425. I think you said that the business of your own department was not much in arrear? I say it is not much in arrear.
426. That the arrears arise principally in the office of the Surveyor General? The large bulk of them.
427. In regard to the large number of complaints made to the Ministerial department of these delays, have any steps been taken to bring the Surveyor General to book, so to speak? No.
428. If the delay occurs in his department is there no means of applying a remedy? There is the means of getting the Minister to call upon him. These particular cases I have alluded to have been specially referred to the Minister. It has not been the habit to do so as a general rule. The Surveyor General's department takes its own course in regard to its own work.
429. In the case in which Mr. Beyers interested himself, were the papers called for before Mr. Beyers lodged his complaint? No.
430. You were not aware of the case until Mr. Beyers complained personally? Mr. Beyers addressed a note to me complaining that the delays in the department were too bad; that roused me, and I sent to the Survey Department for the papers.
431. Is there no officer in your department whose duty it is to see that documents sent out of it are properly recorded? They are noted in the Record Branch as having been sent.
432. Is it not the duty of that record clerk to see that explanations or replies are returned to blank-covered references in something like reasonable time? It is his duty.
433. And he does not perform it? I gave him instructions twelve months ago to see that if any blank-covered references were not replied to in a certain time, the officer whose duty it was to reply to them should be reminded.

MONDAY, 28 OCTOBER, 1878.

Present :—

MR. ABBOTT, | MR. RANKEN,
MR. THOMSON.

R. P. ABBOTT, ESQ., PRESIDENT, IN THE CHAIR.

William Wilberforce Stephen was called in and further examined :—

434. *Mr. Ranken.*] Has there ever been any systematic control exercised by you, as the permanent head of the Lands Department, over the action of the Survey Department in reference to the cases forwarded to that department? No. W. W. Stephen, Esq.

28 Oct., 1878.

435. Was there never any such control exercised? Not to my recollection.

436. Not in Mr. Fitzpatrick's time? Not to my recollection. I was not in such a position at that time that I should have a knowledge of it; there may have been, but I do not think there was.

437. Has it been the custom to revise the records periodically, and to call upon the Surveyor General for an explanation of arrears? By the Lands?

438. Yes? No; that has been left to the Surveyor General himself.

439. Then is there no fixed rule at all about the return of the papers,—no rule or understanding? Not in regard to the return of the papers from the Survey Office to the Lands Office. They have instructions in their own department.

440. But there is no understanding with the Lands? ———

441. It is left in their own discretion entirely? It is in their own discretion, unless they are set in motion by any complaint, in which case we search up the particulars, state that the matter rests with the Survey Department, and the Minister will probably instruct the Surveyor General to expedite the report or the reply.

442. Has the work of the Lands Department increased since 1863, and has there been any effort to make the business work smoothly as between the Survey branch and your office? I have brought under the notice of the Minister two or three matters, the papers in regard to which I have already laid before the Commission; he decided that a special consultation might be had with the Surveyor General, with a view to reduce the delays in the class of cases to which I referred, but nothing has been done.

443. Does the Conditional Sales Branch correspond direct with the Survey Office without reference to your office? Yes.

444. You know nothing of what passes between them? No.

445. Does the Conditional Sales Branch correspond with the public in the same way without your intervention? Yes; that was part of the new arrangement when the Conditional Sales was made a separate branch.

446. In your office you know nothing of these matters? Not unless they come to me afterwards from the Survey Office in a dispute between a conditional purchaser and an auction purchaser, or a purchaser in virtue of improvements. It often happens that claims clash, and then the cases are sent to me.

447. Does the same want of harmony which seems to exist with reference to the Survey Department also exist with reference to the Conditional Sales Branch. Is there the same clashing of business? There is no clashing of business. The Conditional Purchase Branch have no control over the Surveyor General's movements in regard to cases or papers which have been referred to him.

448. Your department cannot follow the course of papers, and cannot get them back without special intervention by the Minister? No; and the Conditional Purchase Branch is in the same position.

449. As to the improvement purchases, you mentioned just now that they and the conditional purchases came into collision;—how does that occur? In this way: A person applies to make a conditional purchase of land, and a representation comes down to the department from the lessee of the run, or some other person in his behalf, that the land is improved; then the question arises as to which application shall stand—whether the land was barred from conditional purchase on account of improvements, or if there is an application from the lessee of the land to purchase in virtue of improvements. The question is whether his application shall stand as against the conditional purchase. We often get a memorandum from the Survey Office that a particular auction sale must be cancelled because the land has been previously, conditionally purchased, or otherwise, by somebody else. Then we receive occasionally an application that land advertised for sale may go on for sale, notwithstanding a supposed previous purchase, the object being to prevent the withdrawal of the land from sale, and the loss of two or three months before it could again be advertised.

450. The same land is often applied for under two sections of the Act? Yes; the applications often clash with each other.

451. Does one part of that correspondence come to you and the other go to the Conditional Sales Branch? Exactly. When it is known that the applications clash, and when these papers do come together, the rule is that they shall be submitted to me first.

452. Does not the record always show that the same land is applied for? No, it cannot; there are different branches for different classes of business in the Lands and Survey Offices respectively.

453. You may be dealing with the same portion of land at the same time that Mr. Moriarty is dealing with it? It may be so.

454. Is it the case that two applications have been granted in regard to the same land—that grants for the same piece of land have been issued to two different applicants? No; I do not think that grants have actually been issued.

455. Is it the case that both applications have been accepted? I know one case, notably, the case of Sir John O'Shanassy, in which he had the deed of grant issued to him for an auction selection—that is, for a lot that had passed auction, and had then been selected at the upset price. That same lot had also been conditionally purchased; and for some time afterwards the conditional purchaser was in occupation, carrying out the conditions of the conditional purchase clause, while Sir John O'Shanassy had all the time a deed of grant for the land as an auction selection.

456. If there was a general record kept, would not such a piece of confusion as that be averted, that is if the papers came together at once? If the papers could come together at once.

457. Would they not do so in one general record office? No, because we are dependent for this information

W. W.
Stephen, Esq.
28 Oct., 1878.

information chiefly on the Survey Office, which prepares the schedules for sale, and has control of the maps and plans. It is only when the land is measured that it can be identified, but it even then often happens that while land is under advertisement for sale by auction a person makes a conditional purchase of it or portion of it. This application goes to the Survey Office for report, and we receive a memorandum, sometimes at the last moment, stating that such a lot should be withdrawn from auction sale advertised for such a day, the land having been previously purchased by somebody else. I have a case in my box here, strange to say, which bears upon this particular case.

458. We should like to see it? It is a matter which I shall have to deal with myself immediately. I brought this case to produce in reference to a general question which arose about the mode of submitting correspondence, a matter which the Minister has directed shall be referred to the Commission. In this case the lots G and H were advertised for sale at Urana on the 25th of October, that is of this month—portions 153 and 154. This paper I refer to is a memorandum from the Surveyor General, saying that the lots should be withdrawn from auction sale, having been conditionally purchased by John Goldsmith. Well, on or about the 22nd of October, three days before the auction sale, I get this declaration forwarded to me by Alexander Wilson, of Coree, through his agent. It is a solemn declaration that these lands conditionally purchased on the 10th of October, a fortnight before the sale, were improved to the extent of £200; that he had not previously seen the land; and that any subdivision of it would destroy the value of the selection. I submitted that to the Minister at once. There were also applications from the conditional purchaser himself in the Conditional Purchase Branch, asking that his deposit should be refunded. I had not time to refer to these, but I took the case to the Minister on the information I had, and he decided that the sale was to go on, that is, to comply with the request of the conditional purchasers, cancel their conditional purchases, and let the land go on for sale by auction. The sale would have gone on, but the Deputy Surveyor General—following a course to which I object—found out about these sales going on, and he took a plan to the Minister showing, without reference to me, that on the 10th of last April there were no improvements upon the land at all. The object, of course, was to make out that this free selector was a dummy of Wilson's, acting in the interest of the lessee of the run; that he had selected it to prevent anybody else from selecting it. On that representation the Minister decided that the sale should not go on, that the land should be withdrawn from sale pending an inquiry whether the land was improved on the 10th of October, the day of selection, or not. That is the action I have to take in this matter.

459. *President.*] What was the name of the selector? John Goldsmith.

460. *Mr. Ranken.*] Then there are two conflicting statements in these papers? This is the memo. of withdrawal from sale from the Surveyor General; but there is also this declaration in the meantime received by me. I submitted it to the Minister, who decided that the sale was to go on, but that decision, as I have just explained, was subsequently cancelled on the action or at the instance of the Deputy Surveyor General. In this case I have not the slightest doubt from my knowledge of the matter, that the declarations will prove to be correct. I have here another case, in which William Goldsmith is the selector, which is precisely similar. I was going to say that in this case we should have known nothing about this lot that was going on for auction being identical with the conditional purchase of Goldsmith, unless we had received this memo. from the Surveyor General's office. It is possible the land agent ought to have known, but that would not matter.

461. I was just going to ask you whether the land agent could not do anything from the knowledge which he might have of the matter? No; because the land office is open on any Thursday before the day of sale. Mr. Wilson has since written in with regard to this very case, saying that he is willing to make a statutory declaration, that the declarations of the selectors are true, and that they knew nothing of the improvements when they made their selections. His complaint is that after waiting so many months he will have to wait again.

462. Is that Mr. Wilson, of Wilson Brothers? No; Mr. Alexander Wilson, of Coree. I knew there were applications in the Conditional Purchase Branch, but if I had waited to get them it might have been too late. The sale might have been over. My object was that the sale might go on if there was no actual necessity to withdraw the land from sale.

463. You had no information from the Conditional Sales Branch as to this? None whatever. The first information was from the Survey Department. We receive plenty of this sort of memoranda a few days before the day of sale.

464. Is there much correspondence, or does much confusion arise from the method in which reserves are made? There is a great deal of correspondence, but I do not know that there is much confusion in these matters. Any application made by the lessee or by a surveyor to have certain lands reserved are decided on by the Minister.

465. Are these reserves generally made by the direct action of the Minister, or by the recommendation of a surveyor or other officer who is aware of the facts of the case? Generally on the recommendation of an officer who is aware of the facts of the case. Frequently a person outside the Department recommends that a reserve should be made.

466. Is that recommendation adopted without the report of the surveyor? No, not without inquiry. Very often when a surveyor is going about the country in the execution of his duty he recommends that certain reserves should be made in the public interests. The Surveyor General submits them through me for approval, and if the Minister approves of them they are submitted by him to the Executive Council.

467. Have you had correspondence with the Conditional Sales Branch in consequence of selectors on reserves? Not exactly with the Conditional Sales Branch. There is frequent clashing of papers. If a conditional purchase is found to be on a reserve it is reported by the Survey Department to the Conditional Sales Branch, and they take the necessary action for refunding the conditional purchaser's deposit and cancelling the selection.

468. Are these reserves in such a form that they can be identified by a person who desires to acquire land. Can a land agent point them out with reasonable accuracy. Are they marked on the ground? No, that is one of the great difficulties we have to contend with.

469. There is no probability of a selector finding it out? No; I have known hundreds of cases where a free selector makes an application which is passed by the land agent. The free selector is obliged to reside on his land within a certain time, and after eighteen months or two years' residence he is told that he is on a reserve.

470. What is the cause of the delay? We have to wait for the Survey Department. If the land agent passes

W. W.
Stephen, Esq.
28 Oct., 1878.

- passes the application, it goes to the Surveyor General to determine what surveyor shall measure the land, or to ascertain whether the land is on a reserve or not, or for some other reasons unavailable.
471. These selections on reserves cause a great deal of departmental work? A great deal.
472. Which might be avoided if the land agent were informed of their position, and if the reserves were marked on the ground? Yes; or if the parish maps were kept up to date.
473. If the corner trees or other natural boundaries were properly marked the difficulty would be obviated? Partly, perhaps; but mistakes would happen sometimes, as reserves are not legally surveyed, only geographically defined by certain known points.
474. Have you heard that at times selections on reserves have been made intentionally with a view to get them cancelled through political influence? I cannot recollect. It is some two years since conditional purchases came immediately under my control. I have had, however, a good deal to do with them, and I believe that something of that sort used to go on. I believe that selections would be sometimes made, knowingly, upon a reserve.
475. Selections upon travelling stock reserves? Yes; or reserves for water supply, &c. I think it used to be carried on in the earlier part of the working of the Lands Acts, if I recollect aright.
476. In that case would the land agent have any power to refuse or suspend action in the matter from his own knowledge? If the land agent has reason to suspect that an application is within a reserve, but is not certain of it, his instructions are to accept the application, and report the fact immediately to the department. If the land contains improvements he is supposed to warn the applicant that the land is improved.
477. He has no power to do anything but warn him? Yes; I think that is about all.
478. He accepts it as a preliminary application? Yes.
479. Are you brought into correspondence with other branches with regard to pre-leases? The pre-lease branch is one of those which I have to control.
480. But as to the Survey Office? Applications for pre-leases are always referred to the Survey Department to see whether the lands adjoining the conditional purchases, or the grants of land in virtue of which the pre-leases are claimed, are actually available.
481. Is it the case that when large quantities of land on a run become purchased the pre-lease portion is under your supervision, and the leased portion remains under the Occupation Branch. Where there are intersected lots running all through, do the pre-leases remain with you? Yes; and the others remain with the Occupation Branch.
482. Does not that cause confusion? I do not think it does very much. We know that all the annual leases, pre-leases, and auction leases come under us. They absorb sometimes a great deal of the runs under five years tenure. It may create trouble in this way, in that it often causes re-appraisements of runs.
483. Is the Occupation Branch under the Lands Department now? No, it has been transferred to the Mining Department.
484. What is the meaning of that arrangement? It is an administrative arrangement, determined upon by the Minister. It is attributed to different causes. Some say it is to relieve the Minister for Lands; others say it is to give the Mining Department more to do. I would like to hand in for the information of the Commission a minute which I drew up some time ago on the subject of the transfer of this and other branches to the Mining Department, and the recommendations in which are substantially those which have been adopted by the Government. (*Vide Appendix A 10.*)
485. Is it supposed that there is any connection between mining and pastoral occupation? The two things may seem rather incongruous. There is, however, occupation for mining and occupation for pastoral purposes. It is occupation, but in a different sense of the word, and I think that idea may have had something to do with it.
486. Was it part of the same theory which was followed in separating the Conditional Sales Branch and the Survey Department—was the object to relieve the Lands Department from pressure of work? Do you mean the separation of the Conditional Sales Branch?
487. I mean the putting of it under a separate head, and the working of the Survey Department separate from the Department of Lands. I suppose that is part of the same system? Yes, part of the same system.
488. Has the proposed relief followed from these separations or partial separations? As regards the Conditional Sales Branch it has relieved me from the mass of papers which used to come through me to the Minister.
489. Has it accelerated the public business of the Colony? I think it must have done so. It certainly ought to have, because there are two persons now to manipulate papers, and submit them to the Minister, where before there was only one.
490. But practically you think that the general tendency of this separation has rather been to establish rival departments, whose officers appear to think they have an interest in ignoring instead of in supporting each other? I maintain that something of that sort has happened in this case.
491. You think that has been the result to a certain extent? I do not think it should have been so, or that it need have been so. It is traceable to circumstances which perhaps I cannot or would rather not explain.
492. Is it not a fact that a large portion of the correspondence and crowding of the office by the public arises from the delays produced by the different branches in retarding and jostling each other? I do not think that exactly. I do not think there is any inclination exhibited, as far as the clerks are concerned, to jostle each other in the performance of their duties. It is not in a very large proportion of cases that my work clashes with the work of the Chief Commissioner of Conditional Sales.
493. With regard to the Survey Office—I understand that you have admitted that that has been the result to a certain extent of your dealings with that office? I do not quite understand your question.
494. We were speaking of the fact that the tendency of the separation of these departments has been in your opinion to create rival establishments, whose interest appears to have been to work separately rather than in harmony? I have had to point that out with regard to the Survey Department. There ought to be no clashing because I contend the duties of the Survey Office are quite distinct from the duties of the Ministerial Department. If the Survey Department adhered distinctly to their own duties, and passed on the papers to me as soon as they were ready, a great deal of delay might be avoided.
495. These duties have not been defined, have they? I do not think they have been properly defined, except

W. W.
Stephen, Esq.
28 Oct., 1878.

except in regard to the amalgamation of the clerical branches of which I spoke some time ago. The object of that was to leave the Survey Department free to attend to their own duties, obtaining reports from the surveyors, drafting, and controlling their own officers.

496. With regard to the Survey Office, do existing arrangements retard public business? The three cases I submitted the last time I was examined illustrated what I mean. After the professional work has been done the papers are kept there for a long time to suggest action for the Ministerial Department to take, instead of being sent on to the Lands Office at once. If they had been referred to me as soon as the charting was done, we could have taken action upon them at once. They are kept waiting until a lot of memoranda are written recommending that such and such action should be taken which have to come to me on their way to the Minister after all.

497. You have not got similar difficulties to encounter with the Conditional Sales Branch have you? I have great difficulties to contend with with regard to that branch as regards cases upon which I have made recommendations and obtained the decision of the Minister upon matters relating to my own division of the work, but which have to go to the Conditional Sales Branch for subsequent action. That action has been interfered with two or three times, I may say many times, by the Chief Commissioner of Conditional Sales, who has attempted to get my recommendations reversed. That is where the Auction Purchase and the Conditional Purchase Branches clash with each other. When papers have come to me I have taken certain action in regard to them which the Chief Commissioner has thought to be wrong; but I maintain that any action which may be taken to vary or reverse my recommendations should be referred to me in the first instance.

498. Then does not this clashing between the two branches retard business? It does in some cases. It creates a lot of correspondence, and a want of harmony which is very undesirable in the department. I have a very particular case which happened when Mr. Driver was Minister, and which shows what I have to complain of.

499. Do you not think that the public business would be expedited if every branch of the Lands and Survey Departments were focused under one permanent responsible head? I think that would be hard to do, and for this reason: I could not control the professional work, not being a professional man. The charting of plans must rest with the Surveyor General.

500. But as far as the administration of the law is concerned how would it work? The administration of the law?

501. Yes? I think it should be under the Minister and a permanent responsible head. As far as I am concerned, I wish I had never consented to its being done in any other way.

502. The principal difficulties which you have described appear to have arisen from the separation of the departments? Yes; from the very arrangement which I thought would have expedited business; and I say still—although it may appear inconsistent—that the division of labour would facilitate the business of the department greatly if the arrangement had been properly adhered to, and carried out in the spirit in which it was approved by the Minister.

503. But its tendency has been to form several rival establishments? To ignore me as the head of the department, in cases which I ought to deal with. Ministers come in who naturally do not know the course of official etiquette and business, and that is sometimes taken advantage of. My position has been one of considerable difficulty, and I do not think that any other Under Secretary would like to change with me.

504. Do you not think that the increase of work which has taken place would be better met by the separation of districts than by the separation of branches of the department? Do you mean for all classes of work?

505. Yes; both administrative and survey? I have not paid much attention to that.

506. Suppose the work could be done on the spot, would not the confusion and delay of which you speak be stopped at once? If all these conditional, improvement, and auction purchases could be dealt with in the district in which they arise, would it not stop much of the muddle which arises now? I dare say it might; but I think if the present system were vigorously carried out, if the delays of the Survey Department could be got over, if the Survey Department had sufficient surveyors to carry out the work, and if the work were handed in without delay to the Ministerial Branch, the delays would be decreased by 50 or 100 per cent.

507. But would not the work be better done under an effective district system, such as they have in the other colonies? I have not had much opportunity of knowing. What would apply in Victoria and Queensland might not work well in this Colony, where the present system has so long existed. It would involve a complete revolution of the existing system, and would, I am certain, take years to effect the change were it even desirable.

508. Do you not think it would be desirable, if it could be done, that all detail and routine work should be carried out by the local authorities, and that the central department should become merely a Court of appeal, record, and supervision. Would not that be infinitely superior to having the central department crowded with detail? The head of the department would have to be aware of every application that was made.

509. Suppose that the work was done in duplicate, and that one copy was sent to the head office? That would be really doubling the work.

510. Would it not be simplifying the work? I think that about three-fourths of the cases that were dealt with in the different districts would eventually have to be referred to the central land office. A great deal of preliminary delay might be averted with regard to all conditional purchase applications up to the date of survey; but when it came to questions of dispute and interpretation of the law, the cases would have to be referred to the head office.

511. Do three-fourths of the cases which come under the land law involve dispute? As far as I can see three-fourths require reference to the responsible or political head of the department or the Under Secretary.

512. To what do you impute that unfortunate result? I think that the present land law opens the door to so many disputes.

513. That is the policy of the Act with which we have got nothing to do? Under a different Act the difficulties might be decreased. I do not think they will under the present.

514. Three-fourths of the cases need to be referred to yourself or to the Minister? I may be beyond the mark.

mark. I am speaking generally. I am talking of the number of cases which come to me, and upon which I have to decide as to which of them shall be submitted to the Minister. There are numbers of cases which might be settled by myself without reference to the Minister.

W. W.
Stephen, Esq.
28 Oct., 1878.

515. You believe that three-fourths of the cases would eventually have to be referred to head quarters? The law requires that the forfeiture of a conditional purchase and numerous other matters where even there is no dispute should be recommended by the Minister to the Executive Council, and no Minister would act in a matter of that kind without first ascertaining that there were good grounds for his recommendation.

516. Would not a certain number of cases be plain sailing? A great number would.

517. Do you still think that with regard to three-fourths of the cases, questions of dispute would arise which would have to be referred to head quarters? I am only speaking generally. I know that in the conditional purchase cases which come more immediately under my notice, there seems to be nearly always some dispute or hitch.

518. In most of them? I will not say most of them; three-fourths may be too large a proportion. I am alluding to the proportion of cases in the whole department.

519. In a considerable number that is the case? In a very considerable number.

520. *Mr. Thomson.* Before you became Under Secretary you were at the head of the Conditional Sales Branch? Yes.

521. What time was that? For some three years immediately previous to my appointment.

522. Can you tell the date of your appointment? I was appointed Under Secretary on the 1st of October, 1870.

523. For three years before that you were at the head of the Conditional Sales Branch? For some three years.

524. I suppose you had a pretty good knowledge of the working of that branch? Yes.

525. Are you aware that the business has increased very much since you were there? Yes, considerably.

526. When was Mr. Moriarty appointed head of that branch? On the 11th of August, 1875; that is as Chief Commissioner of Conditional Sales, but as a matter of fact he has not been formally appointed by the Executive Council, even now, to that particular position.

527. Did he perform the duties of the head of that particular branch before that date? No; before that he was chief clerk. He used to superintend the office generally.

528. Then he really occupies the position which you think should now be restored—that of chief clerk to the whole of the department? Yes.

529. Was it by your recommendation that he received his appointment as Chief Commissioner of Conditional Sales? It was after conversation with Mr. Garrett who one day said that he thought something must be done to relieve me. He thought this would relieve me and expedite the business of the Department. That led to his appointment. I drew up the minute.

530. Did you not represent to Mr. Garrett that it would be necessary to fill up his place with another officer? I did not think it would be necessary.

531. You thought you would be able to perform the whole business of the Under Secretary's office without the assistance of a chief clerk? I did. I looked at it very much as a question of expense, and I suggested, in order to get over this difficulty, that the salary of chief clerk should be merged in that of Chief Commissioner, so that we might obtain greater efficiency without much increase of expense. I thus gave up the chief clerk.

532. Since then you have found reason to change your views, and you now think that a chief clerk is really necessary? I think so.

533. What has caused you to think so? Because the work has increased, and because of the impossibility of supervising, personally, the work of the whole office.

534. Do you ever look into the different rooms to see that the work is being properly carried on by the heads of branches? Very seldom.

535. Have you not the time? I have not the time; I occasionally do it, but very seldom. I hardly think it business appertaining to the Under Secretary.

536. You consider that the head of each branch is really responsible for the working of his particular branch? That was my object.

537. Although you are responsible for the working of the office generally you would not hold yourself responsible for anything going wrong or for any delay occurring in any particular branch? I am afraid I should be held responsible.

538. Would you not in your turn hold the head of the branch responsible? Yes.

539. And if you could show the Minister that he was the guilty party, the Minister would be satisfied with your explanation? Decidedly.

540. I suppose you are willing to admit that the complaints about delay and want of attention to business on the part of your department are justified—that the persons who make these complaints have grounds for making them? I admit that there are grounds for complaints in a great many cases—in others there are not; but the delays are not in the Lands Department always.

541. Can you specify any particular way in which these complaints arise—I don't want any special case, but a statement of the cause of them in a general way? How do the delays arise?

542. Yes. What is the nature of the delay for instance—is it inattention to letters? I think not. There are delays for reasons already explained.

543. I am referring to your particular department, not to the delays which arise in the Surveyor General's Department. Are there no delays and inattention to business on the part of your officers which cause the letters of complaint? In some instances there may be.

544. Do you think that these delays are caused by the carelessness or irregularity in attendance of your officers? To a very small extent they may be.

545. You have said that you do not consider it to be your particular duty to see that every officer of the department is at his post daily? I do not consider that part of my duty.

546. The head of each branch ought to see to that? Yes.

547. If every man were at his post at the proper time, might not the work go on much more smoothly? I cannot say that the difference in the hours of attendance would make much difference in the complaints. Late attendance does not amount to more than half or a quarter of an hour.

548. In a large department like yours half an hour late each day would make a great deal of lost time in the course of the week? The corresponding clerks are most regular in their attendance.

549.

W. W.
Stephen, Esq.
28 Oct., 1878.

549. It has been stated that some come at half-past 9, 10, 11, and half-past 11;—do you think that that is the case? No; but I do not time them.
550. Do you think that that is a libel? I do. They may come at half-past 9 o'clock sometimes, or even 10; but if any body will come to the Lands Department any day at a quarter to 10 o'clock or earlier they will find all there but about a dozen; the majority are there at a quarter past 9.
551. Is not the time 9 o'clock? Yes; but a certain grace is allowed to those who live a long distance—a quarter of an hour or so.
552. Do the head officers report those who are late? Their instructions are to do so; I cannot say of course whether they always do.
553. Have you any remembrance of cases reported from time to time? Any particular individual?
554. The heads of branches reporting particular individuals who are late in their attendance or absent from the office during the day? Very few.
555. Have you taken any steps to bring these officers to a sense of their duty. Have you reported them to the Minister? I cannot say that I have reported them all. I have, when I thought the case was sufficiently glaring. I have for some time thought of making or recommending a regulation on the subject, but I have not decided on recommending whether the punishment should be by fine or otherwise.
556. You have been thinking of it? Yes; that some regulation should be framed for punishing those who are noted for late attendance, or reported for it.
557. Do you allow officers to leave the office without permission? If they want half an hour they are supposed to get leave from the head of the Branch; if more than half an hour they have to submit a memo. through the head of the Branch to me.
558. Are you aware that complaints have been made that officers of the Lands Department have been seen down the town at all hours of the day in the *caf  *. Are you aware that such a case as that has been dealt with by the Minister? No; the Minister mentioned that certain cases had been reported to him recently, but he did not mention the names.
559. You took no steps to ascertain if there were any truth in the report? I did not take any action officially. I meant to do so, but it went out of my head; besides it is hard to act on private information.
560. You are aware that the department gets a bad name in consequence of these reports? There are complaints I have no doubt about it, but a great many of them are unfounded. I have proved some of them to be unfounded. A person in our department was reported to be always away in a billiard-room, but he has not played three games of billiards in his life. He is a gentleman against whom some other person is always making complaints. The Minister has lately written a minute arising out of one of these complaints, saying, that he completely exonerated the officer, but that the rule which required that officers should not go out for refreshments, with the exception of the half hour for lunch, or for some other special reason, ought to be revived.
561. Do you think that the want of proper accommodation would in any way account for the alleged unsatisfactory condition of your department? It has a great deal to do with it.
562. In what way? When papers are wanted references from one branch of the Lands and Survey Office to another become necessary. Where the work is in arrears you must have personal references; the clerks must go out.
563. When an officer has to go out he may stay out longer than he ought to do? It is quite possible that time is wasted in that way. I do not think there could be any effective supervision of that sort in the present state of office accommodation.
564. I think you told us the other day that most of your business hinged upon the correspondence, and the way in which it was duly recorded? To a great extent numbers of registers have to be kept, notations have to be made, irrespective of the general record registers, and there is a variety of other work to be done—a great deal of detail which never comes before me or the head of a branch, but which is necessary in the working of a large department. It can only be explained by going through all the books, and the different branches.
565. Have you had any complaints from any of the other departments as to the work not being attended to? Yes.
566. Which department? The department which chiefly complains at present is the Audit Office, with regard to lease rent vouchers, papers known as lease refunds, and so on. That is forming the subject of a rather lengthy correspondence with the Audit Office at the present moment.
567. Have you made any inquiries as to whether those complaints are well founded? Yes.
568. Is it your opinion that they are well founded or groundless? There has been a great deal of delay, but it was partly unavoidable.
569. What branch was referred to? The Lease Branch. It is a matter, however, more of detail than land administration.
570. Who is at the head of it? Mr. Charles Brown.
571. Will this be referred to the Commission? The Minister has written a minute, stating that he considers it may be desirable to refer it to the Commission.
572. You would not hold yourself responsible for these delays, as Under Secretary? I cannot possibly myself superintend all these things, *i.e.*, land agents' receipt vouchers, questions as to whether such and such rents have been paid, &c., &c.
573. They simply pass through your hands as the medium of communication? Yes.
574. If there is any blame it will fall chiefly on the head of the branch? Yes; he admits that there have been delays, but he has explained the cause of them, and taken steps, by the completion of registers, to avoid future delays.
575. Some of the officers are allowed to sign letters for you? Yes.
576. Will you tell us who they are? There are certain classes of ordinary or formal letters which the heads of branches are allowed to sign.
577. But there are some which use a stamp with your name on it? I have a signature stamp in my room.
578. Other officers cannot use it? Only one uses it.
579. Other officers are allowed to write for the Under Secretary? All ordinary and formal letters which do not require any approval from the head of the department.
580. Do the heads of the branches do that? Yes, all of them.
581. Does the head of the Auction Branch, for instance? Yes.
582. Is he authorized to write letters for you? He signs a great many for you.

583. Does he ever sign letters authorizing the refund of money? He has authority to sign for the Under Secretary; but if I recollect aright that only applies to the time when I happen to be absent.
584. Are you quite clear on that point? No, not without referring to the terms of the authority.
585. Supposing he was authorized to sign for the refund of money, do you not think it is rather dangerous power to place in the hands of any officer of the department? I think it is, perhaps, a bad plan, and should be avoided. Mr. Blackman, I know, signs all refund vouchers.
586. If Mr. Edwards signs them, what would be the nature of the refund? The refund of money in an auction sale, which it was found necessary to cancel, on account of a conditional purchase having been made previously, or on account of money paid on excess of area.
587. Supposing he authorised the refund of money which had been paid for some auction purchase, what check would you have that the grant for the land would not also be issued? Every precaution is taken in the notation of the register. The sale is marked cancelled. The sale list could not possibly go on to the Deeds Branch for the preparation of the grant. If a refund is made, the entry of the sale in the book and the sale list are noted, that the sale has been cancelled.
588. Supposing there was any collusion between the head of the branch and the person who had purchased the land, he would not only get his grant but have his money returned? It would be possible by collusion.
589. Is not the power of authorising the refund of money a dangerous power to place in the hands of any officer but yourself? Suppose I did sign the refund voucher, I should have to look at every single case and see myself that the cancellation had been made, and that the sale list did not go into the Deeds Branch.
590. Could you not require the initials of some officer on the papers to show that the deed had not been issued for the particular refund of money? That idea has not occurred to me.
591. Some time ago the Governor refused to sign the deeds? Yes, I am aware of that.
592. On what ground? I cannot say exactly. His minute and the whole of the correspondence on the subject was laid on the table of the House of Assembly.
593. It was on the ground, I believe, that it would be possible, if you had not an honest officer at the head of the Deeds Branch, for collusion to take place; that the money might be refunded and the deed passed? Yes.
594. Did he not suggest some check? We have additional checks now. Before each deed is issued it has to be initialled by Mr. Thurlow, and also by the chief professional description writer to the Survey Office. The deeds are also now countersigned by the Minister.
595. Do you think that that is a sufficient check? I really do not know any other that could be taken. I did propose myself, as a further check, that the head of each branch should certify that each purchase was complete, but that was not carried out.
596. Would not the signature of the Auditor General be a more perfect check; would he not whether the refund had been made, and if so, could he not stop the issue of the deed? That was one of the proposals made.
597. Did he object to it? I think he said it would create a great deal of delay, and there is delay enough already. The Auditor General's initials would only have to be affixed upon the statement of some officer of our department.
598. But the Auditor General certifies to all refunds, and that being the case he could tell you if a refund had been made, and so be a thorough check upon the issue of the grant? Exactly; that is as to refunds only.
599. Are the letters and papers brought to you at any particular hour of the day, or do they come at random? The papers that are submitted?
600. Yes; that you have to deal with? No.
601. Not at any particular hour of the day? They are brought as they are thought to be most urgent. They come at all hours of the day.
602. What time have you for arranging matters? I take them as I find myself able.
603. Have you any large number of cases that you have not submitted to the Minister? I have at present a good many that I have not been able to look at.
604. The delay is on your part, not because the Minister has not time? No; I have papers waiting for him, papers which I have looked through, but there are a great many other papers I have not been able to look into or write my minutes upon.
605. Are the letters which are sent to you for dispatch usually signed and sent away the same day as they are sent up? A day's delay sometimes intervenes—sometimes two.
606. The fact is you seem to have more work to do than you can really get through? I may say that is the case. Things are, however, a little better now. I have lost a little of the work, not much, by the transfer of the Roads and Stock Branches to the Department of Mines.
607. Would the appointment of an assistant Under Secretary relieve you very much and benefit the public? I do not know. I think the appointment of a chief clerk, with powers such as might be conferred upon an assistant Under Secretary, would be better if his duties were so defined that there could be no clashing.
608. The duties would be much the same under another name? The duties of such an officer would be to prepare papers for me to enable me to submit them to the Minister, to deal with many matters now submitted to me, and exercise a general supervision over the office and the clerks.
609. You receive a good deal of money in the Lands Department during the year—money that comes in letters? Yes.
610. People make mistakes, and send such letters to the Lands Department instead of to the Treasury? Yes.
611. Who deals with these letters? The record clerk, who opens them.
612. Are they now opened in the presence of two officers? Yes; Mr. Patterson opens them, and another officer stands by.
613. Does he initial the books in which they are entered? Yes, and the money is taken up to the Treasury.
614. And the officer at the Treasury initials the statement? Yes.
615. The money is never retained? No.
616. That is only a recent arrangement? No; it has been in force some time.

- W. W. Stephen, Esq.
28 Oct., 1878.
617. Is your accountant one of these check officers? The instruction was that he should generally attend when possible, and stand by while the letters were being opened.
618. He makes the record? Yes. I am not quite certain that the rule is being carried out now, but I believe it is.
619. Are any of your officers under security—those who handle money, for instance? No.
620. Do you not think it necessary since you had a recent case almost of malversation? I think it would be a right thing.
621. They have never been looked upon as public accountants within the meaning of the Audit Act? I believe that is the reason.
622. How many land agents are in the habit of doing business with the Lands Department;—do you know? I must leave out Members of Parliament now, because they are not supposed to be land agents. Do you call a firm one?
623. Yes, call a firm one? I can recollect only about seven.
624. These are town land agents? About seven *habitués*, so to speak, of the Lands Department.
625. Have you any country land agents? I know there are such, but they do their business by letter. It would be hard to define who are land agents, and who are not.
626. Are the town land agents very pertinacious in their applications? Do you mean in making inquiries?
627. In their inquiries, and their determination to have the business pushed through? Yes; quite properly so too, I think.
628. Have you had any complaints from the heads of branches about the obstruction to business in consequence of land agents having the run of the office? I cannot call any of them to mind. Sometimes when I have asked the head of a branch about a particular matter, he has said that Mr. So-and-so has come in, and that a large portion of his time has been taken up with land agents.
629. Could not their business be equally well done by correspondence, so as to avoid the interruption to business through the day? I think not. In many cases you can do more by a personal interview than by writing two or three letters. When the land agent is on the spot he can see the paper, and points may arise and be settled in conversation which it would take a long time to deal with by correspondence.
630. Are you not then giving the cases of land agents precedence of all others? I have always said so. It follows as a matter of course.
631. Can it be right that because these people are more pertinacious than others that their cases, which may be comparatively young, should be dealt with while the older cases are left in abeyance, there being no one to push them forward. Would not that be the result? It is no doubt very often the case; but the land agents come and ask about cases, and the sooner the information is got the sooner the decision of the Minister can be obtained.
632. Might this not be one of the great causes of the complaint which has been made throughout the country? I do not think it has arrived at that stage at present. I do not think that it is any great cause of complaint.
633. You get a great number of letters complaining of delay? We do.
634. You think that none of this arises from their business being kept back while the business of land agents is being pushed forward? I do not think so. It may be so in some cases, but I do not think the delays are attributable to that. In fact I have only recently seen one complaint of that nature, and it was against myself. A certain person wrote to the department—I will not say who it was—complaining that a case was delayed, and that if it had been the case of a rich man, who could afford to employ a land agent to hunt me up, it would have been dealt with. It happened to be a case which I was trying to push forward. Mr. Farnell said, "Let the matter be expedited." I never replied to the letter to which I refer.
635. You were in favour of having an Inquiry Office? Yes; it would save the Minister from much interruption.
636. Do matters of interruption to the Minister arise from the visits of land agents? Yes, and the outside public generally, Members of Parliament and others. If persons have cases in their hands they will see the Minister whether there has been any delay or not.
637. Would the establishment of an inquiry office relieve the Minister of Lands from interruption? Yes, if properly carried out in the way I proposed.
638. An officer at the head of the Inquiry Office could, you think, institute such inquiries in the office as would prevent the delays which now occur by persons coming to the office? I think it would not only relieve the Minister, but expedite the business.
639. Would not the officer at the head of the Inquiry Office be besieged as you and the Minister are? There would be a limit. If that were found to be the case, an extra clerk or two could be put on. An intelligent officer would relieve the Minister and myself from very much interruption. I have seen the Minister interrupted every 10 minutes in the day.
640. These inquiries at the office you would establish could not be replied to at the time? If the information could not be got at once, the applicant could be directed to call again in an hour's time, the next day, or whenever it would be ready.
641. That office would be established to deal with personal inquiries? Yes.
642. Not inquiries by letter? No.
643. They would be dealt with in the usual manner? Yes.
644. Has the resolution of the Legislative Assembly, that Members of Parliament who were land agents were not to have access to the department in their capacity of land agents, been carried out? Yes; I do not think there is one.
645. How do they do their business? By letter.
646. There is no objection to that? We have never raised any objection.
647. The resolution did not prohibit that? No; not as far as I recollect. Some of them have partners or clerks, and they come.
648. There is no objection to clerks coming? We cannot object to them. There were questions asked the other day as to whether the rule had been carried out in relation to Mr. Brown. The Minister replied that Mr. Brown did not come as a land agent at all, but that he interviewed him in the same way as any other person. The correspondence is carried on by his clerk.
649. Which is much the same thing, I suppose? Well, I suppose it amounts to the same thing.
650. Are any of your officers permitted to work after hours for fees paid by the public? Yes, sometimes, but not very often.

W. W.
Stephen, Esq.
28 Oct., 1878.

651. Is that done with the sanction of the Minister? Yes; it was an arrangement made by him. It is the custom of solicitors and others to apply for copies of correspondence to assist them in some case before the Court. The Minister has authorized that these copies may be made after office hours when the public business will not be interfered with.
652. Might that not lead to the taking of fees or bribes in other cases? I do not think it would.
653. Might persons who are in the habit of getting that work done be tempted to bribe clerks to do the work for them during the day? The head of the room would certainly see if such work were being done, and if a clerk were disposed to do such a thing he would not escape detection for more than a quarter of an hour, certainly not for more than an hour.
654. Do you allow officers to work after office hours? If they like, and many of them do.
655. That is upon the ordinary business of the office? Yes; without receiving extra pay. Several of them, I am glad to say, do it.
656. Is there not a rule that officers shall not remain after office hours? It has fallen into disuse.
657. It has never been withdrawn? It has not been formally withdrawn. The rule was framed when there was a great rush for mineral leases, and when there was a suspicion that some of the clerks gave information which they ought not to give.
658. Have you any suspicion that any of the officers who have been allowed to work overtime have wasted their time during the day in order to make overtime work in the evening? No such instance has come to my knowledge. I have heard it talked of outside the office, but I have never seen anything of it myself, nor has it been reported to me.
659. Do you not think that the high rate of remuneration paid for overtime would be an inducement to do that? It might be if persons were dishonestly disposed.
660. Is overtime-work stopped now? Yes.
661. Do you think the work has got into arrears in consequence of that? The overtime was authorised for certain specific work which has now been completed.
662. How is the work kept up? We are not authorizing any overtime. They have got to do it.
663. Do you consider your department in a good working state at the present time? Tolerably good.
664. There are no arrears of any extent? Not in the department itself, that is, not in cases in which it is possible to act, with the exception of those cases which I have in arrear myself—a number of cases from the different branches, which I have not had time to go through.
665. That arises from your having to submit to interviews by the public? Yes; if I had a week to myself I could get them worked off.
666. Do you take work home? I have often done so, especially during the last year.
667. To what branch was this overtime confined? To the Conditional Purchase Branch chiefly. I know that from the vouchers for payment passing through me; and the Miscellaneous Branch.
668. Any other? In the Auction Branch there was overtime to get up the Statistical Register.
669. Is not the preparation of the Statistical Register an annual work? Yes.
670. Why then should that create overtime this year? Because the statistical clerks told me that during the last few years it was impossible to prepare it during the office hours. They have the collating work the whole year; and overtime was allowed for it.
671. You are aware that there has been a great falling off in the land sales at auction during the last nine months? Yes.
672. Would not that reduce the work of that particular branch very considerably? I do not think it is perceptible at present. It only makes the difference of a few sale lists and final reports.
673. In addition to the reduction of auction sales, has there not also been a great reduction in the selections after auction? Yes.
674. These have been withdrawn entirely? Yes, for a time.
675. That being the case, how is it that this Auction Sales Branch should have been so overburdened with work this year as to require overtime? It was chiefly for the preparation of the Statistical Register and the compilation of one or two returns which only clerks used to the work could do. There are numbers of returns ordered by Parliament which only clerks used to that kind of work can compile. It must be done by people who know the run of the books.
676. All the arrears in that branch have been brought up now? Yes.
677. Did you employ any extra hands in order to assist in this work? No; there are two clerks less there than the actual number voted on the Estimates.
678. In the Auction and Statistical Branch you have three permanent and seven temporary clerks? But there are five voted on the Estimates for the permanent staff.
679. Are you continuing to employ these seven additional as well as the three permanent hands? Yes, they are all employed. Two of them ought to be on the permanent staff.
680. They are all required? Yes; and are all good workers.
681. It is reported that there is some disagreement between you and Mr. Moriarty;—is there any truth in that report? Yes.
682. Does this disagreement which seems to exist between you interfere with the business of the department? I think it must interfere with it to some extent, because action taken by me as Under Secretary has frequently been questioned by Mr. Moriarty, because he thinks it interferes with his own duties, or with the course he would have taken with regard to his own duties.
683. Had it been arranged that all his work was to pass through your hands would that disagreement have arisen; or has it not arisen from the fact that Mr. Moriarty has personal interviews with the Minister? Partly perhaps; but I am afraid the disagreement traces further back than that. When he was chief clerk, and in fact generally he has adopted a style in regard to me which I do not think would be tolerated in any other department.
684. Does it not set a bad example to the department generally? Yes; I have submitted that view of the case myself.
685. Is there no way of getting this misunderstanding healed so as to bring the department into proper working order;—is there no representation you could make to the Minister that would stop it? As far back as 1874, when Mr. Moriarty was chief clerk, I represented the matter to the Minister, and recommended that Mr. Moriarty should be requested to confine himself to his own duties, and that I should be recognised and upheld in my position as the head of the administrative department. The Minister wrote

W. W.
Stephen, Esq.
28 Oct., 1878.

a minute to that effect, but the interference has somehow been going on at intervals ever since. I have papers on the subject which the Minister has directed to be referred to this Commission.

686. How does he come to interfere with your particular duties if he has direct communication with the Minister? I could get cases explaining that.

687. Is the matter too involved, too complicated, for you to tell us in your own words? No, I can explain it in one way. To show the unfortunate state of affairs which exists, I will mention a case which occurred when Mr. Driver was Minister for Lands. An auction sale had been approved, and a conditional purchaser who had selected land finding that he did not want it, applied that the conditional purchase should be cancelled, and a telegram was sent to the land agent in order that the sale might go on. Application was afterwards made to me by letter in addition to a telegram which had been received from the conditional purchaser. The Minister, Mr. Garrett, was away at the time, and I approved on his behalf, as I often have to do acting on my responsibility, that the request should be complied with stating that as both parties were willing that the auction sale should go on the sale might take place, and that if any dispute should arise between them, or the conditional purchaser subsequently object, the auction sale should be cancelled. The sale took place. Mr. Moriarty went shortly afterwards to Mr. Driver, who had in the meantime succeeded Mr. Garrett, and without any reference to me, represented that what I had done was wrong. He represented that I could not cancel a conditional purchase which was placed under his branch, but that the dealing with auction sales rested with me. I had decided that the conditional purchase should be cancelled, and Mr. Moriarty wrote a minute, which he submitted to the Minister, that I had done wrong. The Minister coincided with him, and wrote a minute censuring me for what I had done, stating that he considered the whole proceeding irregular and illegal, and that he could not understand how, in the absence of the approval of the Ministerial head of the department, the land was sold.

688. *President.*] Do you identify that case? It was the case of Ellen Morris, land conditionally selected at Urana, in August, 1876.

689. *Mr. Thomson.*] Was not the land which was conditionally purchased legally disposed of? Yes; it was legally disposed of.

690. To the conditional purchaser? Yes.

691. So that Mr. Moriarty was in fact right? I will not say that, because at that time I had precedents for the course taken. I had known Mr. Farnell when in office before allow it, and I had done it myself. This decision of Mr. Driver went through the office, and I knew nothing about it.

692. In your absence? Without my knowing anything about it it was promulgated through the office. My recommendations, as head of the department, were upset on the suggestion of a subordinate officer behind my back, and for several days afterwards I knew nothing about it. Afterwards I wrote a very strong minute. It was the first reprimand I had ever had. I justified what I had done when I had no Minister to appeal to, and moreover the matter was submitted immediately before the time of sale. The Minister approved of my representations, cancelled his minute of censure, and initialled it as cancelled, as you see here. (*Paper produced.*) I refer to the case to show that an officer to whom I have a right to look for assistance, when he sees what he thinks is a mistake he takes it to the Minister without reference to me, and by his representations, unknown to me, succeeds in obtaining a memo. of censure written upon it.

693. How was it that this document, with the Minister's censure upon it, did not come to you? It came to me by accident. After Mr. Moriarty obtained it from the Minister the next action would be to send it to his branch to get the conditional purchase cancellation revoked. When it came to me it had got among some papers by accident, although eventually it would have come to me. I point that case out as an illustration of the difficulties I have to contend with.

694. Is this only a typical case? That is a case I have brought with me to show how the matter is worked. A case of the same sort occurred the other day. Being in the Minister's room, I happened to hear what was said, and I asked Mr. Farnell to let me have the papers, and he did so.

695. These disagreements must produce scandal? Scandal and discredit too. I have frequently pointed out in my minutes the bad effect it must have upon the department, and the Minister has upheld me.

696. Have you ever suggested any remedy? I cannot see what remedy there is, unless by the removal of one or other of us.* Unless my position as head of the department is clearly defined and recognized, the questioning of my action and authority in this way must produce scandal and interference with good discipline; interference of this sort is intolerable.

697. Are not the duties of the officers defined by printed regulations? No.

698. Nothing of that kind has ever existed? No.

699. If you had such a regulation printed, would not every officer know what his responsibility was? It might be done in the case of the head officers, but not of the clerks.

700. A regulation defining the class of duties so as to prevent any liability to collision? The arrangement approved of by the Cabinet, and which I submitted, ought to be sufficient if only adhered to properly. I have frequently tried to make arrangements which would lead to getting the work done with more harmony.

701. Do you think the present permanent staff too small to cope with the permanent business? Yes.

702. But the permanent staff and the temporary staff together are not? No; as far as I am concerned I think they would be sufficient.

703. Your present permanent and temporary staff are quite sufficient for the ordinary business? Yes; the temporary staff, or most of them, are to all intents and purposes so permanent that they ought to be put on to the permanent staff.

[Witness handed in a statement showing the number of letters despatched from the various branches of the Under Secretary's Department, irrespectively of the Conditional Sales Branch, during 1877 and the first nine months of 1878. (*Vide Appendix A 11.*)].

WEDNESDAY,

* NOTE (on revision):—The remedy, I should say, rests with the head of the department after my representation of matters to him. There would not be much difficulty however if Mr. Moriarty were made to confine himself to the position and the duties assigned to him.

WEDNESDAY, 30 OCTOBER, 1878.

Present:—

MR. ABBOTT, | MR. RANKEN,
MR. THOMSON.

R. P. ABBOTT, Esq., PRESIDENT, IN THE CHAIR.

W. W. Stephen, Esq., was called in and further examined:—

704. *Mr. Thomson.*] Could you tell us if you consider that the staff which Mr. Moriarty has in the Conditional Sales Branch is sufficient for the business now to be transacted there? I should judge that it is not sufficient from the terms of an application he sent in to the Minister the day before yesterday, and which I believe has this day been forwarded to me for submission to the Minister. I believe he is applying for twenty or twenty-two more clerks.

W. W.
Stephen, Esq.
30 Oct., 1878.

705. Is it part of your duty to make a recommendation to the Minister with reference to that application? Yes.

706. Then you would have to consider whether you thought Mr. Moriarty's staff too small for the present work? Yes, but I am obliged to rely to a great extent upon his representations, he being the head of that branch, and with the idea that he would not ask for greater assistance than he actually requires.

707. Then you would support the application? I cannot say; it has not come before me yet.

708. Does it not strike you that twenty or twenty-two more clerks is an enormous number to ask for at one time. Can the work of the branch have increased to such an extent as to require this extra staff? It is possible that it may have done so.

709. All at once? It must be remembered that until lately there was a number of clerks working overtime? The overtime has been discontinued, and I suppose this is a set-off against the stoppage of overtime. Mr. Blackman's recommendation contains, I am told, a variety of reasons as to why the extra assistance is applied for.

710. Mr. Blackman's? Mr. Blackman is the clerk in charge. He has submitted the matter to the Chief Commissioner of Conditional Sales, and he has recommended it.

711. Was it not represented, when overtime was required, that the work could not be done by strangers, only by the officials themselves? I believe that was part of the reason adduced in favour of overtime work.

712. You are not aware what can have changed the views of Mr. Moriarty that strangers brought into the department can now do this work? It has been stated by Mr. Moriarty and Mr. Blackman for some time past that the staff was not sufficient to enable them to cope with the work, or to prevent it from falling into arrears.

713. Mr. Moriarty has fifty-four clerks now? I think so.

714. This would bring it up to seventy-six? There was one appointed yesterday, and another will be appointed, or recommended for appointment, to-day or to-morrow.

715. He is getting extra clerical assistance piecemeal? There have been many appointments made in that branch during the last few months.

716. Are you aware of any increase in the work to cause this increase in the number of clerks? I cannot say that I can prove it. Mr. Blackman has, however, frequently made representations to me that he intended to apply for assistance, and I suppose the application which has been sent in now is what he referred to.

717. Suppose that this application is complied with by the Minister, have you room in the office for all these clerks? Four new rooms have been taken for the Conditional Purchase Branch during the last few weeks.

718. In the new building? No, rented rooms in Bridge-street.

719. You have got rid of the work connected with the roads and bridges? Yes.

720. That has been transferred to the Department of Mines? Yes, about a month or six weeks ago.

721. Has that transfer relieved your department in any way? I calculate that it relieves the Minister and myself of about 3,000 cases a year—between two and three thousand.

722. Do you consider that a great relief on the whole? I do not. The difference is small in comparison with the other work.

723. Is that relief counteracted by increased work in other branches? Yes, much more than counteracted.

724. Were the clerks that attended to the business transferred to the Mining Department with the business? Two have been transferred at present. The record clerk of the Roads Branch has been retained with us for greater convenience. The Roads business was for the most part more professional than clerical. The recommendations which used to come from the Survey Department used to be passed on to the Minister, and three-fourths of them were approved by him without any necessity for his looking into them at all.

725. The staff remains in your branch? No; the two clerks who conducted the correspondence have been transferred to the Department of Mines. One clerk of the Roads Branch remains in our building, but he is under the control of the Department of Mines.

726. You have no control over this gentleman? No.

727. Are there any professional gentlemen connected with that branch? Yes; in the Survey Office, appertaining to Roads.

728. Have they not been transferred to the offices of the Department of Mines? No; the Surveyor General said that could not possibly be arranged.

729. Is not that a very awkward arrangement for the Minister for Mines? I do not know. Nearly the whole of the Roads correspondence, when it was sent in to the Lands Department, used to be referred to the Surveyor General at once. Now that work is sent to the Under Secretary for Mines, and he refers to the Surveyor General. There is a daily transmission and return of documents between the two departments. If there are cases which require special investigation Mr. Suttor goes over to the Department of Lands.

730. That is, the Minister for Mines has to wait upon the staff in place of the staff waiting upon him? In these cases of a professional nature, in which he wishes to see the Minister or Deputy Surveyor General, he goes to the Lands Department, but he very seldom now finds a necessity to do that.

731.

W. W.
Stephen, Esq.
30 Oct., 1878.

731. Referring to the disagreement which exists between yourself and Mr. Moriarty, will you be so good as to tell us whether you are on bad terms with any other officer of the department? There has been a slight difference between the Deputy Surveyor General and myself lately, but nothing of such serious importance as the difference between Mr. Moriarty and myself, which is now of long standing.

732. Do you think that that difference is productive of any delay in the transaction of business between the Survey Office and your department? This difference with the Deputy Surveyor, if it can be called one, has arisen lately. It arose out of his questioning my authority or power to take certain action. I can explain it briefly: There was an application made for the return of a Volunteer land order certificate, upon which a person had taken up 50 acres of land. This person said that the land selected was not where he required it, and that it trespassed upon another man's run. He asked to have the certificate returned, as the land was useless to him. The case was brought to me by Mr. J. B. Watt, his agent, and upon the representation which the agent made to me, and as the matter was one of urgency, I wrote "Approved," under the circumstances explained to me. The consequence was that the selection was cancelled, and the certificate returned to Mr. Watt. The case went to the Survey Department for the return of the instruction to survey the land which was not required. The Deputy Surveyor General said that he could not recall the instructions to the surveyor unless he had the authority of the Minister, and returned me the paper. I contend that, acting for the Minister in virtue of the position I hold, and being the person responsible to him, there are cases in which I am at my discretion empowered to act, and that was one of them. I have written one or two memoranda on that subject, but I have not submitted the case to the Minister.

733. The Minister is not aware of the disagreement between you and Mr. Fitzgerald? I have not made him aware of this case; there is another one of the same character.

734. Are these disagreements of such a nature that they should be continued or lead to any bad feeling between you and the officers? I think it is a bad thing for the department generally.

735. I ask you if you consider them of such a nature that they should be continued—such a nature that the Minister's decision should not end the matter? The matter should be settled, or we shall be always disputing on the same point.

736. It is a matter of notoriety in the office that these disputes exist between Mr. Moriarty and yourself, and between you and Mr. Fitzgerald? Yes.

737. It is well known? I do not think that it is well known as regards Mr. Fitzgerald, but I suppose it is by some of the officials.

738. Do you think that it affects the conduct of the other officers of the department towards their respective heads who are concerned in the disputes or disagreements? I don't know that exactly, but the general effect must be bad.

739. Injurious to the management of the department? To the discipline and good government of the department if it were to last.

740. Can you not suggest some way in which it can be remedied. Could not a case be submitted in such a way to the Minister that he would be able to give a decision that would be satisfactory to all parties? The last case which arose out of something more serious is before the Minister now. There have been two or three memoranda between us, and the Minister was to refer the matter to the Commission. The Deputy Surveyor General has returned the papers, and states that he does not feel called upon to reply to papers of mine, written subsequent to the last decision of the Minister; but the last decision has not been replied to yet by him. I saw Mr. Farnell yesterday in reference to the case, and according to what he says upon the matter the result will be.

741. The two differences remain in abeyance at present? At present.

742. Reverting again to the extra clerical assistance in the Conditional Purchase Branch, do you not think that the work now in arrear could be brought up by the officers in the department working extra hours without extra pay? There are clerks in this branch who work till 5 o'clock now. I have seen them there myself.

743. With fifty-four clerks in the branch, working two hours a day extra, would they not soon bring up the whole of the arrears, or do you consider that there would be any great hardship in that? I do not think it would be a great hardship. This particular business has very much increased since it was in my hands, by the operation of the new Land Act of 1875, and I am bound to believe that the representations made as to the increased work are true.

744. But I understand that these are arrears in consequence of the stoppage of overtime? They may be partly owing to overtime being stopped, but, irrespective of that, Mr. Moriarty and Mr. Blackman have represented for some time that they required a larger staff.

745. Are you not aware that in other departments, when pressure of work requires it, the clerks stop in to work it off? I believe it is done in other departments, but I think the clerks are paid overtime. Several of the officers in the other branches of the Lands Department work overtime also without being paid.

746. Do you not think that an order to work overtime until the arrears were brought up would have the effect of inducing the clerks to work harder during the day than they do at present—to do a fair day's work? I cannot accuse them of not doing a fair day's work as it is. You are talking of the clerks in the Conditional Purchase Branch?

747. Quite so? I am not in their rooms. I do not see them once in six months. Mr. Blackman told me the other day that they were all good workers. I asked him how he could distribute the work amongst so many. He said he had work to distribute to thirty more clerks, if he only had the clerks to do it.

748. You are aware that it was reported that time was wasted in the department to obtain this overtime work? I have heard that stated; but I do not believe it. There may be dishonest clerks who would do such a thing; but I do not believe it is a fair statement generally.

749. Do you not think that the payment of 3s. and 4s. an hour was an inducement for clerks to shirk work in order to obtain payment for arrears? It might be so with dishonest clerks who do not take any interest in their work.

750. You are a member of the Tender Board? Yes.

751. Does that occupy much of your time? No.

752. How often does it meet? On the first Tuesday in every month.

753. Your time is not occupied very much by that? No.

754. It does not withdraw you much from the department? About half an hour or an hour on the Tuesday of meeting.

755. *President.*] You have sent us a letter with some papers bearing on a case between you and Mr. Moriarty, by the direction of the Minister for Lands? Yes. W. W. Stephen, Esq.
30 Oct., 1878.
756. How is it that the other papers asked for by the Commission the other day have not been sent since the last meeting? Which papers?
757. The papers bearing on the same matter between you and Mr. Moriarty? How is it that all the papers embodying the dispute between you and Mr. Moriarty have not been sent? I intended to have forwarded them by separate letter to day, but had not time. Two or three of them will have to be copied. I can send them the first thing in the morning. They want a little arrangement and sorting, as they have got mixed up together.
758. I should like to have all the papers from the beginning of this disagreement between you? They shall be supplied.
759. It would be desirable also that we should have the papers in this matter between you and Mr. Fitzgerald also? Very well.
760. The Secretary will be responsible for the safe keeping of any papers sent from your Department by letter to this Commission? Yes.

FRIDAY, 1 NOVEMBER, 1878.

Present:—

MR. ABBOTT, | MR. RANKEN,
MR. THOMSON.

R. P. ABBOTT, ESQ., PRESIDENT, IN THE CHAIR.

William Wilberforce Stephen, Esq., was called in and further examined:—

761. *President.*] Since last meeting, Mr. Stephen, the Commission have received some papers marked "Ministerial," sent to us by the direction of the Minister for Lands. I do not know how you identify them. Is it by the numbers at the head of them, or how? Will you identify them? Would there be any other better way? I think that is the best way. That is the record number. Observe that some of them are copies; the rest are original. I had not time to get them all prepared. (*Papers marked "Ministerial," 78-5,280.*) W. W. Stephen, Esq.
1 Nov., 1878.
762. Copies and originals, the whole matter is there? The whole matter to which those particular papers relate.
763. And I find that on one of these documents there is a minute written by the Minister for Lands which says:—"The matters referred to in these papers are, in my opinion, fit subjects for inquiry by the Commission, and ought in due course to be brought before it. Until the Commission reports to me on the matters and subject referred to, I will not entertain any correspondence such as is contained in these papers." Can you inform the Commission, Mr. Stephen, what the meaning of that minute is. Does the Minister expect the Commission to report specially to him on these matters? I think he had some idea of that sort in his head. He thought that these matters might be looked upon as special, but he has not written anything to that effect to me.
764. That minute might lead to that conclusion; and you think that that was his intention? I believe it was. The statement just alluded to by you, that he would not entertain any further correspondence, I can explain to mean that he would not be troubled with any more minutes on the subject. I wrote a memorandum, and Mr. Moriarty replied. This might again provoke a reply from me. He stated that he would not deal with the matter any further. He meant he would not have any more minutes from us on the subject, but would refer it to the Commission.
765. Then you do not think it likely he intended that that matter is to stand over and remain until the Commission has quite finished its labours on the whole question presented by these papers? My impression is, that he thought that all these and similar minutes—minutes of a similar character—should receive special attention. That is my idea, but I cannot say so for certain.
766. Otherwise, if that were not his intention, he must have had the idea that this state of things might exist for an unlimited time? Yes; exactly.
767. The state of affairs as shown by these papers between you and Mr. Moriarty you admit is very bad? Very bad, indeed. Worse than bad I should call it.
768. In fact with this feeling that exists, and the uncertainty as to the position of you and himself as heads of the department, business cannot be carried on satisfactorily? No, I think not. I wish to say, however, that there is no uncertainty as to my own position, although Mr. Moriarty fails often to recognize it.
769. How long has this state of things existed? I may say with little intermission, ever since he rejoined the department in 1874.
770. Commencing immediately after was it? Yes.
771. What position did he take in the department in 1874? He accepted the chief clerkship in the room of the late Mr. Armytage.
772. Can you state from memory how long it was after he took that position these squabbles took place? Within a very short time after he rejoined the department. If my memory is right, within six weeks after.
773. And what was the origin of it? The origin of it is disclosed in the papers which I have sent in at the request of the Commission.
774. Is this the case? No, I have arranged the different cases, according to chronological order.
775. Is it referred to here? It is referred to fully by me in one of my minutes.
776. It is referred to; and I think you said the same state of things has existed from that time to the present? It was referred to by me to show that the Minister had given certain instructions, that Mr. Moriarty should keep his proper position, and not interfere with me; and that after the lapse of four years the same state of things was going on.
777. And you quote from that minute of Mr. Farnell, written in 1874? I quote from that.
778. I forget whether you gave me an answer to the question as to what was the origin of it, and the reason put forward by Mr. Moriarty for his commencement of this controversy? I stated that the origin is shown in these papers, but I can state it from memory. It was this: Mr. Farnell informed me one day that Sir Henry Parkes, then Colonial Secretary, had noticed certain letters signed "A. O. Moriarty," without stating

W. W.
Stephen, Esq.
1 Nov., 1878.

stating his designation "chief clerk," or writing "For Under Secretary," but signed on his own responsibility, I being away at the time for a few days. I told Mr. Farnell, in reply to his inquiry, what the usual practice was, and then he wrote that minute, which you will see with these papers, stating that the Colonial Secretary had called his attention to it, and laying down the rule which should be adopted for the future.

779. By that minute to which you refer in these papers? No, that is the first minute. The origin of the whole thing I may explain. Then came Mr. Moriarty's reply in reference to this, and it was in that reply, within four or six weeks after his rejoining the department as chief clerk, that he reflected on my delay in signing correspondence; what he said was, "delays so unparalleled in the Public Service, and so prejudicial to the public interest." He made that as a charge against me in reply to Mr. Farnell's memorandum. That called forth my answer, and in reference to that answer Mr. Farnell wrote the minute of February, 1874, to which I refer in these papers, stating that he would not allow the chief clerk to address the language towards me which he had, and he hoped to hear nothing more of such matters in the future. That, I think you will find, is the general tenor of the minute.

780. Then in the first instance the subject was not introduced by you; you had nothing to do with it? Nothing whatever.

781. Because of something that was done by Mr. Moriarty in your absence that the Secretary of Lands found fault with, that brought from Mr. Moriarty an accusation? Yes, this rejoinder in which he accuses me of unparalleled delays in signing correspondence.

782. And was that his excuse? I remember his words were, "I had signed them in his absence." He stated that he did not wish to sign on the responsibility of the Under Secretary. He must have known, however, the rule, that in my absence all the documents are signed "For the Under Secretary"; he said he thought it was undesirable to do so in the Under Secretary's absence, because that in his presence such "unparalleled delays" took place. These alleged delays, I may observe, were fully explained to the Minister.

783. Was there any reason from anything that had taken place between you and Mr. Moriarty previously for this ill-feeling—was there any personal ill-feeling? Previously to that nothing whatever. I was never more astonished in my life.

784. You were on good terms? Yes, he had stated his wish to assist me, and I had done everything in my power, I can honestly state, to work with him; and I did everything in my power, I can conscientiously say, to prevent his feeling in any way the change in our relative positions to what they had been formerly.

785. You had previously been in the same department? Yes, and of course I felt the difficulties in the way, and I did everything in my power to smooth them over. I was almost foolishly sensitive in my endeavours not to make him feel the difference in our positions.

786. From that time, in 1874, up to the present time, has that feeling of antagonism always been active? I am afraid it has been; it lay dormant for some time; we had a sort of reconciliation, but it did not last very long. I could not put up with his style of behaviour towards me.

787. Have you in point of fact almost invariably been brought in contact with one another; almost invariably quarrelling, that is to say, officially? I will not say always; very often. Our relative duties from the nature of the department, and the nature of the duties, often clash, and on these occasions he takes often a course which I thought was hostile; he wished to reverse what I did.

788. You say that was generally the case? Very often the case.

789. Concerning your actions with regard to the same matter? On matters which affected his branch, as opposed to or distinct from mine; as between our relative positions and duties.

790. Have you forwarded to the Commission, Mr. Stephen, all papers you have which show anything between you and Mr. Moriarty? I have forwarded I think all the most important disputes. I have a drawer where there is an endless variety of small memoranda, but I never thought of placing them together. I have never gone through them.

791. Did you not think that in a matter of such obvious importance it would be desirable that the Commission, judging in the matter, should have all the information possible, and be able to judge from the smallest things, or have an opportunity of judging? You can understand that I never anticipated any inquiry of this sort, or any reason why I should produce these papers.

792. I am only speaking of what you have? I have them, but they are scraps; they are not coherent. There may be memorandum on some matter, and perhaps I have lost another with regard to the same subject.

793. But did you not think that, having in view the accusations with regard to the papers mislaid and kept back, that appear on these papers, it would be desirable that you should send everything? Well, it might be, but the papers sent to the Commission are complete, I think. The others have not any reference to them.

794. Because there are some very serious charges? But with regard to any charges, or papers he speaks of, the memoranda I have kept, and they are there.

795. *Mr. Thomson.*] Have you all the papers in cases you submitted to the Minister? Yes, I think all these have been sent by the Minister that passed backwards and forwards between us. The other memoranda were not.

796. *President.*] You did not think it necessary to produce them? I did not think they would throw any more light than is shown in these documents. If I find any I will send them.

797. You did not consider it necessary to produce all you have in view of these charges? I think not. I think if these documents do not show what is the truth the other documents will not.

798. And are not all minutes passing between you and Mr. Moriarty looked on as official documents likely to show at any point the state of things? Well, these memoranda which I speak of have been sent to the Commission—relate to official matters, and the disputes arising therefrom. But the others were not all disputes or controversies between ourselves. There were matters also which I did not show to the Minister. I felt it to be impossible to be always troubling the Minister on these occasions, unless I thought it necessary for the good government or discipline of the office, and where I considered I could not put up with the style of memoranda which Mr. Moriarty addressed to me, or the language in which his minutes were couched, whether addressed to me, or to the Minister, of me.

799. There have been many such cases not mentioned in these papers you have put before us? Yes, there are several. I did come across a few the other day. I was thinking whether it would be necessary to send them to the Commission, but I did not think the Commission would require them, especially as they are not complete.

800. Do you know whether Mr. Moriarty has any of these memoranda or minutes that have passed between you and him? I dare say he has.
801. You do not know? I am under the impression that he has kept three or four, but I am not certain.
802. Have they any bearing on any of these cases you have sent to us? Not that I am aware of; I do not think it is possible. You see this state of affairs has been extending over a period of three or four years, and with all my other numerous duties I could not say whether there were any other memoranda bearing upon these questions. But these papers which I have produced you will see are written at intervals.
803. Will they not show more the result of what has taken place between these cases. More what led up to the position—these scraps and memoranda? I do not think they would. I can produce them if you think necessary. I have hardly looked at them.
804. Did you not think the matter of sufficient importance, not only for the Commission but for yourself? Well, I think, perhaps, it is a pity that I did not keep them more regularly. They would, perhaps, show the Commission more fully what a perpetual state of unseemly wrangling there has been induced by Mr. Moriarty's line of conduct, and they would also show that he has provoked it, as I stated before.
805. *Mr. Thomson.* Mr. Stephen might be requested to look over them and produce all those of most importance.
806. *President.* I should think they are all essential, are they not? I hardly think that in the state they are in they would be very intelligible to the Commission. I believe that these documents you have afforded ample material upon which the Commission can form a conclusion. There are five different cases.
807. You will understand that you have the opportunity of sending them if you wish or think them necessary;—of course you are the best judge of that? Exactly.
808. What was the nature of the terms existing between you and Mr. Moriarty at the time of making the arrangements for the sole control of the Conditional Purchase Department? We were on speaking terms, but I cannot say we were on very amicable terms. There always seemed to be a latent disposition to differ.
809. *Mr. Thomson.* On your part, or on his part? I say on his part, decidedly. He will say on mine, no doubt.
810. *President.* Have you never formed any idea as to what was at the bottom of it? Well, if I am obliged to state my opinion, I did not believe so for a long time—I struggled against the belief—the belief that was put into my head by many people who knew him better than I did,—which was, that he could not brook seeing me at the head of the department after being there himself. He looked on everything with a distorted vision. His insulting minutes, without any provocation on my part whatever, and his making charges against me to the Minister, showed me pretty conclusively at that time that his professions of help and good feeling were not quite sincere.
811. Have those professions of good feeling ever been followed up, in point of fact, by his actions? I should say certainly not. His actions have belied his words, most decidedly.
812. What was the date of his appointment as Chief Commissioner of Conditional Purchases? It was to that date I referred when asking as to the terms between you and him—the time of his appointment as Chief Commissioner? At that particular time, when the arrangement was first mooted and spoken of, we were upon speaking terms. It was about the time Mr. Garrett went to Melbourne—a day or so before he went to Melbourne, in the Christmas holidays. Mr. Moriarty was acting in fact, if I remember rightly, as Chief Commissioner before the arrangement was formally approved by the Cabinet.
813. Was that while he was known as chief clerk? I think before the arrangement was officially approved he had commenced performing his new duties, but I will not be certain.
814. But the commencement of these new duties made a change in his position;—they relieved him from my control with regard to the actual business relating to conditional purchases; but otherwise it was expressly enacted that the department in all other respects was to remain as a whole. The arrangement set forth was not to alter the constitution of the department in any way. The minute submitted about the departmental arrangement shows that Mr. Moriarty's appointment as Conditional Purchase Commissioner was on the 11th August, 1875, the year the Lands Act Amendment Act came into operation.
815. Now is it not a fact that every kind of application for land under our laws is liable to clash with the Conditional Purchase Branch? Nearly all; the auction sales, the auction selections, and the improvement purchases.
816. What can there be that will not clash in rival claims? I will tell you;—special alienations under the 9th, 10th, and 11th clauses of the Alienation Act of 1861.
817. There can be no such thing as conditional purchase in these cases? No; therefore they cannot clash.
818. With regard to all lands open to conditional purchase is there not a liability of clashing with the conditional purchases by all the other applications that can be made for land? Yes, there is a liability; not that the clashing occurs very often.
819. But they were rival or opposing claims? Yes.
820. The conditional purchases would be at the bottom of the whole, and more likely to be clashed with than any other? All sales of 40 acres and over. There are frequently sales made under 40 acres, and they cannot clash, being under the minimum area of a conditional purchase.
821. Applications under any other portion of the law would be liable to clash with the conditional purchase branch? Yes.
822. And thus all these things are liable to bring you into contact with Mr. Moriarty? Yes. As a matter of fact it is not so very often they do clash.
823. But in all cases of dispute is it not almost invariably the case that there is a conditional purchase on one side? Yes, almost always.
824. You do not find auction sales and improvement purchases clash? They might, but it is not the same sort of thing.
825. When you find a holder of land making application for an improvement purchase it would be on his own run? Of course.
826. Then you will not find auction sales on his run with which another man would be connected? No, very seldom; very exceptionally. All lands open to selection after auction you are aware are open to conditional purchase.
827. And that is what I want to know. And all applications for land under our land law are liable to bring

W. W.
Stephen, Esq.
1 Nov., 1878.

W. W.
Stephen, Esq.
1 Nov., 1878.

bring you into collision with Mr. Moriarty in his position? Yes, excepting those I have just referred to. 828. And I think you said the other day there were disputes in reference to nearly three-fourths of the applications? No, I do not think I said that. If I said so I conveyed a wrong impression. I certainly did not mean to say there were disputes that involved rival claims as between conditional purchasers and other classes of purchasers in so large a proportion of cases, but I said they were of a nature in which the public would only take the Minister's decision, and that in a large number of cases the Minister's approval was necessary under the law before they could obtain the land.

829. That is your recollection of your answer? That is my recollection of it and what I meant.

830. Well now, in view of the position that you and Mr. Moriarty held towards one another at that time, did you not think that ordinary foresight ought to have taught you that a division of your legitimate authority with him could only lead to extended contention? My idea was that it would separate us to such an extent that would render such collision improbable. When he was chief clerk the papers came from him to me, and it sometimes happened that he as chief clerk would question my decisions and minutes. I did not anticipate this question of clashing. It did not present itself then with the force that it did afterwards. And I say still, if Mr. Moriarty would adhere to his instructions there should be no such contentions, that these cases of clashing should come to me first, and I should deal with them as I thought fit; either refer them to him, or deal with them myself, no great difficulty would arise. It often depends upon a question of priority—who is first; or whether the land conditionally purchased contains improvements or not. Questions that refer to improvement purchases come under me, and conditional purchases come under him. I think the most legitimate way of settling such questions is that the head of the department should take the responsibility and deal with them any way he thinks proper.

831. And at the time of his appointment you knew that these questions must arise? Yes, there is a minute which I have submitted, setting out the difficulties, and proposing the arrangement which I have alluded to, and approved by Mr. Farnell with the view of meeting such cases. Mr. Moriarty tried to upset it, and I would not have it. He tried to upset it without submitting his memorandum to me.

832. If he, as chief clerk, and in a subordinate position as far as its relation to you was concerned, if he then set up his authority as opposed to yours, what chance would there be of his not taking the same course;—can you have any reason to expect that he would be content to deal with you in any other way when he was in a better and more onerous position, than he did when he was chief clerk, and there could be no mistake as to his being under you? No, I might have thought that the tendency would be to take a different course, and to question my authority whenever he had an opportunity.

833. You had a right to expect that it would lead to disorganization? I thought he would adhere to the rules laid down by the department, and he has not done so. In a large department like that where the Under Secretary takes action upon the business coming under his control, when these papers are sent in the ordinary course of action to Mr. Moriarty, and he takes these papers to the Minister without any reference to me whatever, and endeavours to obtain a decision antagonistic to mine, it is quite evident, and stands to reason that the department must get into confusion. This has occurred on one or two occasions.

834. That is in his present position, since he has been Chief Commissioner? Yes; I do not remember that it occurred when he was chief clerk, because his position was more definite, and subordinate to me in everything.

835. But I understood you to say he even then questioned your decisions? He wrote a few memoranda, which I thought out of place.

836. And still you were a party to the arrangement putting him in his present position? Yes, I was a party to the arrangement. It was, however, at the wish of the Minister that it was done. He said he must have something of the kind done to relieve me from the whole of the work, and that was what we agreed to.

837. Is it a fact that the officers of the department take part with you or Mr. Moriarty according to what they may think of their treatment by either? I cannot say that.

838. Have you ever had any evidence of a feeling of that kind existing between your own legitimate department and that which Mr. Moriarty claims as his—any antagonism between the subordinates as well as the chiefs? I do not think there is; I cannot say; I never noticed it.

839. *Mr. Thomson.* You have never received anything from Mr. Blackman as antagonistic to yourself in consequence of Mr. Moriarty's antagonism? I remember on one occasion, shortly after this arrangement, that there seemed to be some doubt as to the particular position the clerks were in, irrespective of their duties in the Conditional Purchase Branch. I remember speaking to Mr. Blackman one day. He said, "I do not think I can take your instructions." It was on some matter of departmental instruction. He said, "I consider myself by the new arrangement under the control of Mr. Moriarty." He did not say it offensively at all. But on one occasion when there was some trifling dispute Mr. Moriarty said to Mr. Blackman, "Please you will take your instructions from me, and not from the Under Secretary." That was in my presence. That was the only occasion, and the point was afterwards settled.

840. *President.* In point of fact, as shown by this minute of Mr. Farnell, there was a dead-lock between you and Mr. Moriarty? Yes, we must call it a dead-lock. It is not such a dead-lock as that the business of the department does not go on. I submit my case, and he submits his.

841. So far as cases are concerned where your views and his would clash, where he says he has a right to submit the case first? I am submitting them all at the present time. There is an instruction to the Surveyor General to do so. Nearly all cases where this clashing does occur are cases remitted from the Survey Department. They address all cases to the Under Secretary for Lands, except those which relate solely to conditional purchases, where the correspondence shows there can be no clashing.

842. Where there is no necessity for your interfering? No, no necessity.

843. Do you think the business of the department can be carried on satisfactorily whilst you and Mr. Moriarty hold you present positions towards one another; and of course there are these delays, disagreements, and differences of opinion on all these questions to be settled? I hardly see how the business of the department can be considered on a satisfactory footing as long as these dissensions last.

844. Do you think it possible that the business can be carried on satisfactorily, you and he holding your your present positions, and holding the same position towards one another? It cannot be carried on satisfactorily in regard to the cases in which our duties clash. Otherwise there is no contention, and the duties of the office go on without any disagreement.

845. When you consider that the great majority of these applications for land are with the Conditional Purchase Branch the chances that there will not be collision are very small? The cases of clashing I do not consider more than about 15 or 20 per cent., cases of actual clashing. W. W. Stephen, Esq.

846. *Mr. Ranken.*] But if there are 7,000 cases each month, it would be a very considerable number? Of 1 Nov., 1878.

847. *President.*] We are told there are 7,000 applications every month? Yes.

848. And I should think 700 disputes between you and Mr. Moriarty every month would keep you very busy? It does not follow that there are disputes in every case between Mr. Moriarty and myself where the different classes of purchase clash with each other.

849. You have reason to expect them? Yes, I have reason to expect them.

850. And it would keep you busy all the time? Yes, very often.

851. *Mr. Thomson.*] You do not mean to say that this clashing means quarrelling. It simply means that some of the cases you have to deal with have also to be dealt with by Mr. Moriarty? Yes; but it keeps up a perpetual state of bad feeling. If I might give you a case in point. If there has been a conditional purchase made, for instance, and that land is by some error perhaps in the Survey Department, which often happens, advertised for sale by auction, and within a day or two of the auction sale, the conditional purchaser finds out that it is advertised for sale by auction, it is sometimes stated that he will relinquish his claim to this land. He will write to us, saying that the land is improved, that he will take back his deposit, and the land may go on to auction. In that case the question requiring first and prompt settlement is whether the land is to go on to auction, or to be kept back. This makes all the difference to the man who is waiting for it, because if it is withdrawn there is some three months more delay. There is all the Gazetting, and the time required to elapse by law after Gazetting. In a case of that sort I say they should come to me first; the matter of the conditional purchase can be settled afterwards. In some cases I have recommended that the auction sale should proceed, and that there were sufficient grounds for the conditional purchase to be declared void. After the sale by auction has taken place, the papers go to the Chief Commissioner for him to cancel the conditional purchase. He then goes to the Secretary for Lands and states, perhaps, that the course taken at my instance is not legal or right at all; he will endeavour to obtain a decision from the Minister, reversing mine. That is a case in point, in which the matter ought to be settled promptly and quickly, and the decision should stand.

852. *Chairman.*] But up to the last moment all lands advertised for auction sale are open to selection? Yes, but I refer now to lands actually selected, but at the same time about to be sold by auction, or advertised for auction sale.

853. But is it not a fact that that is looked upon as one of the best dummy plans? It often is, there is no doubt about it.

854. People who desire to have auction sales have land selected by their servants, and when it gets close to the time for auction have it abandoned? There can be no doubt that that phase of dummyism is often carried on. But at the same time, with regard to the case which I submitted to you the other day (Goldsmith's conditional purchase), in that case if I had not taken it to the Minister, it would have been too late. I submitted to him whether the sale might go on. There were letters from the conditional purchaser himself in the Conditional Purchase Branch three days. They might not have been submitted till the auction sale was over. If I waited for the papers to come up from the Conditional Purchase Branch, it would have been too late to decide the question. In this case, the Deputy Surveyor General, or Mr. Moriarty, I do not know which, took the papers to the Minister, and he reversed his decision. He said it was evident that they were dummies, and Wilson was determined to get the land. The conditional purchaser made declaration that the land was improved, and they would take their money back. There was no objection to that, unless you had reason to believe that these men were dummies. Mr. Fitzgerald took that objection, because up to the 10th April there were no improvements shown on the plan. I did not recommend the land to be sold at auction, but I told the Minister I thought it might be fairly. These cases are being referred for the value of the improvements; and I am as certain as I am sitting here that the Goldsmiths, instead of being dummies, are simply "black-mailers," settling on the land to induce Wilson to buy them out; but finding that there were improvements, and that they could not on that account hold their selections, they thought it was no use being out of their money, and they would get their money back. The sale by auction has been withdrawn, and the matter is now being investigated.

855. In cases such as you have referred to, cases of black-mailing, would you consider it a proper thing to return their deposit? They would either have to reside or they should forfeit their deposit.

856. These cases of this kind are of frequent and common occurrence; cases between what you consider your legitimate province and what Mr. Moriarty considers his? Yes.

857. Do you think it would be possible, under any circumstances, to get any person who would be able to fill the position Mr. Moriarty holds, with the powers he has to deal with these cases; do you think it possible for any man to hold that position without being brought into collision with the Under Secretary, no matter whoever he might be? I think it all depends upon the man who holds that position.

858. Do you not think it is a division of the authority that the Under Secretary ought to have in his own hands? It amounts to that.

859. Do you think that desirable? No.

860. Do you think it possible for anyone to hold that position without leading to the same results, more or less? I feel certain that if any other head of a branch had the same powers the whole thing would go on satisfactorily.

861. *Mr. Ranken.*] Is it not a fact that your knowledge of these cases of collision comes not from the Conditional Purchase Branch but from the Survey Branch; that a portion of land may be dealt with in the two branches without your becoming aware of it subsequently from the Survey Branch; that Mr. Moriarty may have in his province dealt with some piece of land without you knowing of it from the Survey? As a matter of fact the Survey Department would point out the collision or clashing of cases, because that is information obtainable in their office.

862. In that case collision might occur by some one most amicably disposed towards you? Yes, to any person. I allude, of course, to collision of cases, not personal collision.

863. There might? In one case the conditional purchase would be upheld by Mr. Moriarty's action, and the auction upheld by my decision or action.

864. *President.*] They are adverse decisions? Yes, but they do not happen very often.

865. It could not happen if you had the control of the Conditional Purchase Branch as well as your own? No, it would not happen. 866.

W. W.
Stephen, Esq.
1 Nov., 1878.

866. Then do you not think it desirable? Certainly.
867. You said you as often hear from people outside and you are set in motion as often as in any other way with regard to cases likely to refer to their interests? Very often it is brought under notice by the action of the department.
868. And all these cases may be done without your knowing anything about it? They might.
869. And decisions given contrary to what you believe they ought to be? Yes, but through the disregard only of instructions as to the way of submitting the cases.
870. And you are still the responsible head of the department? The chief objection is in the fact of recommendations made by me and approved by the Minister being attempted to be reversed by a man in a subordinate branch because he differs from me, and that upon matters in my own particular province to deal with.
871. If all these matters have to go to the Minister for Lands for his decision, he who has to deal with the public in his political duties as well, and he can give decisions in all these cases, there is no reason to suppose you can not deal with the whole of these cases and take them to the Minister as well as Mr. Moriarty? Decidedly; but the question is the time it would take to deal with all the cases properly before submitting them.
872. And if he can do the duty which you both bring to him there is no reason to suppose he could not do it if you brought the whole of it to him? No, if I had the time.*
873. You say that this state of things is an hindrance to the public business. Can it be remedied? Of course; there is one most effectual remedy.
874. And what do you think is the remedy, because there must be some way out of the difficulty? Well, I should be very sorry myself to propose any arrangement which would affect Mr. Moriarty, but I think if he will not carry out his duties, and will rebel against every instruction given to him in these matters that his position ought to be altered, or he should be transferred to some other department. The Minister gives a decision, and two or three months afterwards Mr. Moriarty comes in and states his case, and the Minister, pressed with business, and upon statements which I am not present to refute, gives another decision upsetting mine without seeing the real effect of it, either as regards my position before the whole department, or the effect upon the work itself. For instance, in one of these cases whereupon my recommendation the land has gone on to auction, it follows that the action which must necessarily ensue is the cancellation of the conditional purchase. But when these papers are forwarded to Mr. Moriarty he says—"I will not do that, the Under Secretary is wrong." He will take the papers to the Minister, as before stated, and work in an adverse way to me. That must be radically wrong.
875. Is it not unsafe to the Minister, he being responsible for proper decisions? Certainly; it places him in a false position.
876. If there are two decisions one must be wrong? Then he would hold us responsible.
877. Which would he hold responsible? That is the question. The ground would have to be gone over again, and we should each have to tell our reasons for our own action.
878. Can the Minister protect himself against mistakes of this kind in any other way than by going through all the papers which you bring him? No.
879. There is no way he could protect himself except by going through all the papers that you and Mr. Moriarty put before him? No, except by relying on my *précis* of the case or recommendation.
880. Doing the work that you and Mr. Moriarty ought to be responsible for? Exactly.
881. This state of things arose from the fact of you and Mr. Moriarty being, as it were, opposed to one another, and exercising divided authority? Yes, on these matters, from his personal antagonism, I am afraid I do not think I have ever sought to reverse his action on office matters in which he is concerned without letting him know. I think he does not hold the same position which I do.
882. Any man in his position, looking upon it as his right, would do it without thinking it necessary to let you know. There might not necessarily be anything wrong in that, as far as he was concerned? Not at all, if it actually were his right to do so; but it is not, so far as regards matters I have to deal with.
883. Then whoever was in the same position, the same state of things might arise? It might, but I do not think it would if anybody else were there. We would mutually consult each other.
884. Would it not be as well that all the cases should be placed before you, as that the Chief Commissioner should consult with you? That was my proposition, that in all such cases I should submit them, and my decision should be upheld.
885. The remedy you suggest, the only remedy you can think of is the removal of Mr. Moriarty? Yes. I should not like to suggest my own removal, but one or the other should be removed. I would not say it if he was obliged to keep his position. It has a bad effect on the department and on the discipline of it, because these discussions get known through the department.†
886. Of course they do. You view is that one or other of you must leave the department?‡ That is my view. I say, if things go on as they do at present I think it for the public interest that one of us should leave the department; but I wish to state that it should not be so, that Mr. Moriarty should be made to adhere to the rules, and if he will not the Minister should suspend him.
887. That would be rather worse for him that his removal to another sphere of action? Considerably worse. I am certain that if Mr. Moriarty was transferred to another department, and another person qualified were placed in charge of the Conditional Purchases, it would be better. But I do not think from my experience I would, as far as I am concerned, consent to another Chief Commissioner of Conditional Purchases. Except there are two or three people in the department under me with whom it would work well perhaps.

888.

* NOTE (on revision):—There is, however, a vast difference between giving decisions on cases, the facts of which are clearly before the Minister, and preparing the same cases for his decisions. The Minister will often in one hour write "approved" on cases which it has taken days to get submitted in proper shape. Of course there are numerous cases as well which he has to carefully consider.

† NOTE (on revision):—I do not think that I have stated this, nor do I think that any such remedy should emanate from or be proposed by me. My duty is to represent the matters I complain of to the Minister, which I have done repeatedly. No such remedy as that referred to should be necessary in my opinion if Mr. Moriarty were compelled to keep within his own position, as distinctly laid down, and to adhere to the instructions which the Minister has given (as will be seen) more than once, for Mr. Moriarty's guidance, as regards his relations with me.

‡ NOTE (on revision):—That would be my idea; if Mr. Moriarty will not alter his present line of conduct I certainly do not think that I should suffer, or the department either. If he will insist upon disregarding all official rules in his dealings with me, as well as all instructions, I conclude that the Minister would eventually suspend him.

888. In looking at these papers, referred to by number, I see there is the copy of a memorandum bearing Mr. Moriarty's initials, in which he says, speaking of some arrangement he states as having been made, "This arrangement which was arrived at by agreement was set aside by instructions from the Under Secretary, to the effect that all such cases were to be referred direct to him and not to me." This has obvious relation to the instructions in depriving the Minister of the information afforded by reference to these branch surveys, and the assistance of the officers in this class of cases—namely, disputed ones in which such information and assistance is likely to be of most value, was pointed out by me in certain memoranda, which were referred by Mr. Secretary Driver to the Under Secretary, and shared the fate of similar documents? Yes, I have explained all that in my last minute, and I can state the circumstances also from memory. Mr. Moriarty alleged in that minute that, by the arrangement arrived at by mutual agreement, and set aside by instructions from the Under Secretary, &c., &c. I deny that most distinctly, and I have proved it. It was not likely that I would make any arrangement without a word having passed between us. Again it states, set aside by instructions from the Under Secretary. I produced to Mr. Farnell the official document registered and approved by Mr. Driver. That is the only formal arrangement ever made. Mr. Farnell then said he had been misled by Mr. Moriarty's statements, and that he was upsetting the arrangement made by Mr. Driver. Mr. Moriarty tried to make out that I was trying to upset the formal and recognised instructions by my own motion. I showed that the only arrangement was the one approved of by the Minister, and I stated in a memorandum the reason for making that arrangement. I cannot see how Mr. Moriarty should have forgotten it.

W. W.
Stephen, Esq.
1 Nov., 1878.

889. That was when he stated it was done on your instructions, when it would have been setting aside the Minister's decision? Exactly. Again, that was an arrangement affecting my work far more than his. Surely the natural routine was to submit it, through me, to the Minister. As I have stated in my memorandum very strongly, Mr. Moriarty submitted that minute to the Minister without these officially recorded papers, with Mr. Driver's approval on them. Mr. Farnell never saw these papers until I referred to this minute, and I produced them. Mr. Farnell said, "I was under the impression that I was restoring the arrangement of Mr. Driver; but on perusing the papers I find it is not so, and I see no reason for departing from the practice."

890. Where were these papers which you say Mr. Moriarty did not produce to Mr. Farnell? In the proper place—in the official records office.

891. And available to Mr. Moriarty? And available to Mr. Moriarty.

892. And was, in point of fact, the statement made by Mr. Moriarty, as to your action in the matter, incorrect? Certainly, most incorrect.

893. And he had the means in his own power to ascertain the facts? Certainly. He submitted his suggestion to Mr. Farnell, and Mr. Farnell approved of it, not knowing of this approval of Mr. Driver, as he stated.

894. That is another effect of his having access to the Minister? Certainly. In that case I have no doubt his object was to obtain a reversal, partly as an annoyance to me. Before the minute came back to me it was promulgated through the Survey Department without my seeing it.

895. You say he did it intentionally, with the idea of bringing you into contempt in the department? I will not quite say that. It looks very like it however. That was the effect of it, and I think he must have known of it. I would not say he had that express object.

896. If he had not that object in view, what was his object? He placed it on the ground of the public interest. He may have thought it the best plan, but there was a proper way to go to work. He says, "in order that the Minister may have the most experienced advice." The inference was that he was the only person who could give it to him.

897. Can you tell us what was meant by this expression of Mr. Moriarty, "shared the fate of similar documents"? I suppose he thought I had destroyed it, but there it is.

898. Was that what you took to be the meaning of it? Yes, that I had suppressed or destroyed it. It was in my box for weeks. Shortly before Mr. Driver went away he said, "Here is this paper." I said, "What am I to do with it?" He said, "Do what you like with it." Mr. Moriarty endeavoured to get Mr. Driver to reverse his decision given in favour of my proposals.

899. That is the meaning you attach to those words of Mr. Moriarty? Yes.

900. You stated that he intended to infer that you had either destroyed or suppressed it? He hinted the same thing several times.

901. In fact, as I understand it, the position which Mr. Moriarty assumes to you is, that he is to have the decision as to the necessity of papers going to you? Exactly. He takes that high ground in his minutes and writings as if he was the head officer and not me. There is a style about his minutes which is altogether irritating, and I do not believe any other Under Secretary would stand it, or that the Minister would ask him to stand it.

902. Do you concur with Mr. Moriarty in this opinion expressed in these papers—his statement made in this minute of his:—"Various instances have occurred in which the service of the public has been damaged by this defective routine"? No, decidedly not. Mr. Farnell suggested that I should propose some modification. I proposed a slight modification, and I think improvement. But I would not do it, after that.

903. You have not made any such suggestion, and the matter remains as put by Mr. Farnell's minute? No, I have not. The suggestion I was going to make was, that when these papers were sent to me, and I found that a conditional purchase was more affected than any other class of purchases, I should send them to Mr. Moriarty.

904. And that you were to have the decision? Yes.

905. Do you think that would have facilitated business? I think it would. No doubt in some cases the papers have been detained by me for two or three days, but not when the auction sale is going to take place. When that is the case I act upon the case at once. The interests of the auction purchaser ought, I think, to be regarded as much as those of the conditional purchaser. The law was made for both.

906. You think the plan you were going to suggest would be an improvement? Yes.

907. And you have not made that suggestion? No, I have not. The matter is too recent.

908. And that because of the state of things between you and Mr. Moriarty? Exactly, to a great extent.

909. And because of these disputes or quarrels between you and Mr. Moriarty, you have not made them? No, I have not made them. If there had been any minute written after that second minute of Mr.

W. W. Stephen, Esq. Mr. Farnell's, where he stated I should suggest some modification, I intended to have done it at once; but Mr. Moriarty went back with a further minute. I really think that these documents are worthy of attentive perusal; it would show exactly in what state matters are.

1 Nov., 1878.

910. I see in a minute of yours for the Minister for Lands, in speaking of Mr. Moriarty's action, you speak of his statements as being so opposed to facts, which it is strange if Mr. Moriarty has forgotten? Exactly. It is strange that he should have omitted the real facts in his statement to the Minister as he did, which is proved by these very papers, which I have shown from records to be based on facts. I have stated nothing there which I cannot prove.

911. And the papers within Mr. Moriarty's reach would have contradicted the view which he placed before the Minister? Yes, if he had chosen to refer to them. Perhaps it did not suit his purpose to refer to them. You see the position that placed me in. Mr. Driver approved of an arrangement on my recommendation formally, and of a second one. Mr. Moriarty tried by that other minute, submitted to the Minister direct without any reference to me, to obtain a reversal of mine. Mr. Driver declined to do it, and handed the paper back to me. Time passes over, and Mr. Moriarty tries the same process with Mr. Farnell, and was very nearly succeeding. And that placed me in a false position before the department. The whole of these minutes are noted throughout the whole of the Survey Department. The result is that they say, "Here is the Under Secretary's recommendation upset by Mr. Moriarty." I was just in time, however, to stop it.

912. In point of fact the decision on this one point passed through the whole department two or three times? Yes; and there is an extraordinary thing. You will see the minute is dated the 10th, whereas the Minister's decision is dated the 11th. But I am told it was a mistake, and I do not disbelieve it for one moment. Indeed I did not mean to refer to it.

913. But the statement of this one matter was notified to the Survey Office on two occasions, passed through the whole office, noted from one clerk to another, and all because of these opposing views of you and Mr. Moriarty? Yes. One day the Minister's decision "approved" is noted. The next day they have to notify the cancellation of it. Of course the effect must be bad to see a decision going through the department, and the next day another decision reversing it.

914. And of course there must be a great waste of time all through the department? Of course, a great waste of time.

915. And I think in that way would tend to bring one or the other, or some part of the management, into contempt? Yes, it must be. There was never anything of that sort occurred before Mr. Moriarty came into the office in his present position. We all worked harmoniously; there was no dispute.

916. But before he came into the office there were complaints of delay? I do not think there were any more than there are now.

917. 1874 was the height of the mining business? That was exceptional. When I was Under Secretary, and Mr. Blackman had charge of the Conditional Purchases, and Mr. Moriarty was away, the department went on swimmingly. Mr. Blackman took the work, and did what I told him.

918. Then may we understand you that things went on better and more work was done in Mr. Moriarty's absence than in his presence? Yes; there was no wrangling—all pulled together.

919. Did you not ever consider it your duty to represent this state of things, and ask for some action on the part of the political head of the department? I have done so. There are memoranda of mine appealing to the Minister to protect me, and give such distinct instructions as would confine Mr. Moriarty to his proper sphere of duty. I put it on the ground of the unseemly wrangling. In one memorandum he accused me of "official indecency" in having some document registered. It lay on his table for some time, and nothing was done. At last it was taken back.

920. And this state of things has existed since 1874, and during the tenure of office of several Ministers; and did you ever stand on the offensive and say it could not go on, and suggest any remedy? The day before Mr. Garrett went to Melbourne, the day we had that serious altercation when he threatened to kick me downstairs, and I think he only escaped suspension because of Mr. Garrett going away, and the Christmas holidays coming on—all these papers were submitted to Mr. Stuart and to Sir John Robertson, but he was never suspended. It all ended in nothing, and there was a little calm until the next discussion arose. Mr. Moriarty looks at matters in a personal light only, simply because I will not submit to his interfering with my functions. He gives out, as I know for a fact, that he only acts on the defensive.

921. Then the result of that, so far as the Minister was concerned, was, that Mr. Farnell had a minute on the 12th October reversing the decision obtained from him by Mr. Moriarty? Yes; then he partially reversed it again on Mr. Moriarty's representation. He told me Mr. Moriarty went there, and he had not all the papers before him, and he said it placed him in a wrong position too.

922. Well, then, these three decisions of the Minister were probably—one on the 10th, one on the 12th, and one on the 15th—all coursing through the Survey Office at the same time in different portions of the office? Of course it was so. I ascertained by accident that the decision had been promulgated through the Survey Department, and I called Mr. Farnell's attention to the fact.

923. In point of fact you believe these three decisions might have been going through different parts of the Survey Department at the same time? They might have been. It could hardly have been, because all the three minutes were written on the same paper, as it happens. That minute of the Deputy Surveyor General was written separate, and then the Minister's minute was sent to me by Moriarty. He did not tell me he had promulgated it in the Survey Department.

924. But he had? He had, because the Deputy Surveyor General could not have seen it unless he had done so.

925. In Mr. Moriarty's minute of the 14th October he says—"In so many instances the Under Secretary has failed to see the matter in any other than a personal light." Has he ever made any accusation of that kind before, that you thought more of your own personal position than you did of the public interest? That is the effect of what he says. In my memorandum, however, I showed that Mr. Moriarty accuses me of taking it in a personal light because I produced official records to show that he made misrepresentations on an official matter, and I had to bring the Minister papers to show that he had done so.

WEDNESDAY,

WEDNESDAY, 4 DECEMBER, 1878.

Present:—

MR. ABBOTT,

MR. RANKEN.

R. P. ABBOTT, ESQ., PRESIDENT, IN THE CHAIR.

W. W. Stephen, Esq., was called in and further examined:—

926. *President.*] You recollect that the Commission applied to the Lands Department for some returns showing the cases undisposed of on the 30th of June last, and the cases disposed of during the quarter ending the 30th of September;—what has been done towards getting them? I had inquiry made about them both in the Lands and Survey Departments, and I am informed that the information cannot be furnished in the shape in which it is required. A letter to that effect was to have been sent to you this morning. One or two of the other returns are ready. W. W. Stephen, Esq.
4 Dec., 1878.

927. Can you tell us why this return cannot be furnished? There is only one which cannot be furnished—that which asks for a statement showing the dates upon which papers were forwarded to the Survey Department and returned to Lands. The Survey Department cannot give the information from their records, and the record clerk in our department informs me that as soon as the papers are returned the pencil notations are erased.

928. Is it a fact that the notations showing when papers are forwarded from one part of the department to another are written in pencil? Yes; because the papers are constantly being transmitted from one branch to another. There would not be room for a permanent record of all the intermediate stages through which they passed.

929. Is there no record on the papers themselves, or elsewhere, showing the position of any set of papers at any particular time? Not on the papers themselves.

930. Or in any book? No; only the notation in pencil.

931. When papers are mislaid what means have you of tracing them? The record register will always show where a particular paper is at the time.

932. How is the record register kept? It is kept in the general record room.

933. Does that show from time to time where papers are? Yes; but not from the original transmission from our office to the Survey Office and their final return to the Lands. Papers may go to half-a-dozen or more different branches, but there is no record in ink on each occasion.

934. Papers may be for years in the Survey Department and there is nothing to show where they are during the whole time? Exactly.

935. You cannot tell when the papers are sent? We can only judge from the date of their receipt, and we know that within a day or two they are sent to the Survey Department.

936. The notations are rubbed out? If I had the record register here I could explain it to you much more clearly than by *viva voce* evidence.

[*The Register of the Miscellaneous Branch No. 4, 1878, was sent for and produced.*]

937. Does not that book show that a great deal of the information asked for could be supplied? No; this only shows the final action taken which is written in ink. If a paper is sent out of the department the notation is in ink.

938. Excepting pencil memoranda, you have nothing to show your dealing with papers as between your department and the Survey Office? No.

939. If a paper were sent to the Survey Office and remained there for months, or years, you would have nothing but the pencil notation to start you in the search? No, not until it came back.

940. Does not the Surveyor General's register show when the papers leave that office? They keep their record on the same system as ours.

941. If papers are lost? The pencil notation shows the last stage.

942. That is, if it lasts long enough? Yes.

943. Have you seen the register they keep in the Survey Department? No, I have not. Papers have to go through so many stages that it is impossible to keep a register big enough to show each stage.

944. In so large a department, having so much correspondence, is there not a strong reason why you should have some check to enable you to fix responsibility without trusting to pencil marks merely? However many letters there are, if a person will give us the date of a letter and who it is from, we can tell from this book where it stands, and whether it has been disposed of up to the present time.

945. Are these pencil marks rubbed out periodically, or as the papers are returned? When the paper comes back into the record office from the Survey Office or one of the branches, the pencil notation is rubbed out, and if it is sent to any one else, it is entered to the officer to whom it is sent.

946. *Mr. Ranken.*] The final entry is not dated? No, the papers will always show what is done.

947. *President.*] Suppose the clerk receiving the papers back were to omit to rub out the notation, how then would the responsibility for the papers be fixed? I think that is hardly ever likely to happen. It is the duty of the clerk to mark the paper as put away. If a wrong notation were allowed to remain in the book the fact would speak for itself. If a paper were marked, say to Mr. Lewis, and it were found not to be with him, then the neglect would be on the part of the record clerk. A mistake of that sort very rarely happens—not once in six months.

948. Where there are a great many people and much confusion, the clerk to whom the papers are returned may neglect to rub out the pencil entry, and in such a case as that would not the person to whom they were previously marked be still held responsible, in case the papers disappeared. Would not the entry be *prima facie* evidence against him? Yes.

949. Nothing would save him from blame, no matter how innocent he might be? No.

950. Do you think that is a desirable state of things in a department such as the Lands? From my experience I do not think a mistake of that sort happens once in 5,000 cases. We cannot guard against mistakes absolutely.

951. Is it not a fact that papers have frequently been lost? Papers have frequently been mislaid.

952. Would not that account for the difficulty in tracing them? The truth is that the Minister frequently sends for papers in a hurry, and there is no time to note them. It is expected that the papers will be sent back the same day or the next; and in cases of that sort mistakes may occur.

953.

W. W.
Stephen, Esq.
4 Dec., 1878.

953. Cases might arise under this system where it would be impossible to trace the papers or account for the loss of them in such a way as to make any one properly responsible? If so, it would be through carelessness on the part of the clerks entrusted with the duty of dealing with them.

954. Where the pencil marks are rubbed out, and there has been a delay in dealing with the papers, it is impossible to say who is in fault? No.

955. The Survey Department may blame the Lands, and the Lands the Survey, and there is no means of determining which is in fault? Yes; unless we take each other's registers as correct.

956. But if the pencil marks are rubbed out there is no means of fixing the blame upon the right person? No.

957. As in the case of Macarthur, which was referred to the other day? We can tell there to a certain extent from the dates of the minutes upon the papers.

958. If the papers are lost? As a general rule the papers bear out the facts stated in the registers.

959. Those papers were several years in the Survey Department? Yes.

960. And had you anything to show where they were all that time? Nothing, except the pencil memorandum which would last until they were returned.

961. As soon as the papers were returned from the Survey Office the pencil marks would be rubbed out. If then the question of blame arose from the delay you could not tell who was in fault? Excepting where the dates on the papers indicated it. The Survey Office memos. are dated, and they would show on the face of them that the papers could not have come back.

962. Would it not have been better to have given us all the information which could have been collected from the registers than to say that no information could be given? We might have given it in part.

963. Do you think that a great proportion of cases sent from your department to the Survey Department after the 30th of June were still there when we wrote? You asked for a return of papers from the Survey Department to the Lands Department since the 30th of June. The return of the papers would show that the action to be taken upon them was complete, and therefore both pencil notations would be rubbed out.

964. And there would be no record at all? After they are returned from the Survey Department they come through me to the Minister for decision, and to the Executive Council perhaps. They would be marked to the Executive Council for approval. These registers show the present state of each case, and nothing more. You could not have a book big enough to show each intermediate stage of action from the receipt of the paper until it was finally disposed of.

965. Could not a sufficient number of books be kept to enable that to be done? The register will show where the papers are at the time they are inquired for. In some cases they may go through ten different stages before they are finally completed, and in the Conditional Purchase Branch they may go from thirty to forty.

966. It is hopeless, then, our thinking of getting the information we sought to obtain from this return we asked for? It might be possible to compile a return showing some information on the subject, but it would be rather difficult to cull it from the registers.

967. Will you inquire if that information can be given, or any portion of it? Yes.

968. Has anything been done towards getting the other returns we asked for? Yes.

969. Is there any probability of our being able to get them soon? Yes.

970. Do you know anything about the conditional purchase and improvement returns? There are two returns ready. I should have sent them before, but I wanted to complete them.

971. The improvement purchase return as well? We are not modifying that return, but preparing it in full.

972. All these returns are being prepared? As far as possible.

973. And we may hope to have them soon? Yes.

974. We have asked the Auditor General for some information, and we do not know when or how we are to get it. Would it be better to correspond with the Auditor General direct, or through your department? It would, perhaps, be better to communicate through me.

975. In one of your answers (913) you direct attention to the fact that Mr. Moriarty's minute was dated the 10th of October, 1878, and the Minister's decision was dated the 11th October, 1878. What is there extraordinary in that? The Minister's decision was dated the 11th October, and Mr. Rutter's minute promulgating that was dated the 10th October, the day before. It is a mistake in the dates, that is all.

976. There is nothing in your answer about Mr. Rutter? No; Mr. Rutter is one of the draftsmen who acts for the Deputy Surveyor General. I think it was simply a clerical error.

977. Then you referred to Mr. Rutter's minute, not to Mr. Moriarty's minute? I meant the Survey Office minute which purported to promulgate the Minister's decision, dated the day afterwards. It was explained by Mr. Fitzgerald as a mistake in dates.

978. When did the fact of this decision having been promulgated in the Survey Office first come to your knowledge, and how? I heard of it. Here is Mr. Moriarty's minute:—"I would further ask before definitely resorting again to a routine." I inferred from that that instructions had been given to go against the routine resorted to by myself. I inquired, and found from Mr. Rutter that that was the case. On the 17th of October I understood that instructions had actually been issued for altering the routine by or for the Chief Commissioner of Conditional Sales.

979. Mr. Moriarty's action was on the 10th. How did the decision of the 11th come to your knowledge;—you dealt with it on the 12th? Mr. Moriarty obtained the decision from the Minister and sent it to me, and I then wrote this minute.

980. But before Mr. Moriarty sent this minute to you he sent it to the Survey Office? It was that that I complained of. He sent me the decision without telling me that it had been promulgated through the Survey Office. It was promulgated simultaneously, if not before.

981. Referring to a minute of yours, dated the 1st of June, 1877, when Mr. Driver was in office, you say that nothing but utter confusion must be the result of allowing one portion of the department to reverse the decisions of another. Does this state of things, existing when you were last examined here, bear out what you foretold in that minute? Do you mean the state of things I complain of?

982. The state of things spoken of by you as likely to be brought about if the plan suggested by Mr. Moriarty to Mr. Driver were allowed to be carried out? Yes.

983. The course of events has proved that you were right in your opinion with reference to that? Yes. What I meant by utter confusion was this:—I referred to a particular case where, on my recommendation,
an

an auction sale had been allowed to take place. A month or two afterwards Mr. Moriarty obtained a decision that the conditional purchase should stand. I was not made aware of the decision at the time. There are two different branches of the department, having two different registers, one showing the auction sale as valid, and the other the conditional purchase as valid.

W. W.
Stephen, Esq.
4 Dec. 1878.

984. Both decisions, having reference to the same land? Yes; and that is what I meant by "utter confusion."

985. It was then that you suggested that in cases which clashed the papers should be first sent to you for examination? Yes.

986. Mr. Driver approved of that plan? Yes.

987. And ordered that it should be carried out? Yes.

988. Was that the arrangement with reference to which Mr. Moriarty wrote a minute on the 10th of October, and which Mr. Farnell reversed? Yes; Mr. Moriarty wanted to reverse that practice.

989. Mr. Farnell did give a decision on the 11th, reversing it? Yes.

990. In another minute of yours, dated 16th October, dealing with this case, speaking of Mr. Moriarty, you say, "He leaves it, purposely perhaps, a matter of doubt whether he intends his offensive allusion to apply to me personally, or to any other officers of the department, or to people outside of it." To what do you refer there? I referred to a remark in which Mr. Moriarty said that the door was left open for abuse and even jobbery, and also to some other remarks.

991. To remarks contained in these papers? Yes; and perhaps to others which I may have had running in my mind, where he said that Ministers ought to have the most experienced advice, implying as much as that I knew nothing about the matter. The remark to which I refer was this:—"These cases, involving general conflicting interests, are precisely those in which the Minister should have the fullest information, and the most experienced advice."

992. You took that as intended to imply that Mr. Moriarty had the information, and you had not? I took it as very uncomplimentary.

993. You seem to have no doubt that those allusions of his are directed to you. Do you recollect that there was anything else at the time which would lead others to suppose that Mr. Moriarty referred to any other officer, or to any of the public outside the department? I cannot say.

994. This was written in October? No doubt I wrote under a sense of provocation, and under the feeling that all through those papers there was a current of offensiveness. There is some other paper, in which he refers to some action I took in Mr. Driver's time about a lot of deposits being refunded to dummy selectors, implying that I had recommended wrong action.

995. Have we any such minute as that? You will find it among the papers I have sent in.

996. In another part of that minute you say that "matters have arrived at a climax which justifies me in distinctly declining in future to take any further notice of Mr. Moriarty's minutes." Have you acted on that decision of yours in dealing with Mr. Moriarty since that time? I do not think there has been a single minute between us since that was written. Mr. Farnell said that he would entertain no further correspondence upon the subject.

997. That expression was only intended to refer to matters between you and him on that subject? Yes; I wanted to obtain a final decision from the Minister.

998. But you only referred to this difference between you and Mr. Moriarty? When I wrote that I only referred to that particular matter.

999. You also quote a minute written by Mr. Farnell in February, 1874, in which he says that he would not allow Mr. Moriarty to adopt this style of language and make reflections he was in the habit of doing with respect to the head of the department; and you invite attention to his conduct towards you, saying that the instructions of the Minister were systematically disregarded and set at naught? That minute is given in full in the papers handed in and marked 1874.

1000. Has that mode of procedure on the part of Mr. Moriarty been continued since the writing of that minute in the year 1874? Yes; at intervals, more especially in the time of Mr. Driver.

1001. More than since Mr. Farnell has been in office? More during the first three months of Mr. Driver's tenure of office. It was then that I had reason to complain more particularly of Mr. Moriarty taking cases to Mr. Driver behind my back.

1002. When you say in your minute that reference to the Commission "might lead to the investigation of certain other questions, minutes," &c., not yet decided between the Chief Commissioner and myself, and other matters which may possibly prove of more importance, as regards the good government and administration of the department, than his daring insinuations about corrupt influences and even jobbery;—can you say what are the questions and matters you refer to? I referred to one or two of those cases which have since been submitted to the Commission—which Mr. Farnell said that he would look at and deal with, but which he did not decide. The remaining part was provoked by what Mr. Moriarty stated in his minute about leaving open the door to jobbery and corruption.

1003. These matters which you consider of importance for the consideration of the Commission would be matters of business connected with the department? I referred to the general effect of these squabbles upon the department; to the action of Mr. Moriarty in constantly questioning my authority and submitting cases to the Minister, in which he attempted to upset my recommendations and the decisions upon them; to the bad effect of our relative positions, as illustrated by these papers.

1004. Mr. Moriarty in that minute of the 20th June, 1877, reminds the Minister of a proposed refund of £1,500, the deposit on twenty-three dummy selections, which he says was authorized at the Under Secretary's instance without reference to the papers, and to some other cases of the same kind which he says he had to take the responsibility of submitting for reconsideration, and that there were others in which he had hesitated to take that course and which he had allowed to pass, having no reason for assuming that the considerations seeming to point to a different result had not been duly weighed. Can you explain anything about the proposed refund of £1,500? I have some slight recollection of the case. He called Mr. Driver's attention to it. I sent to Mr. Moriarty recently to ask him to let me see the papers, and Mr. Blackman, who asked for them, told me that Mr. Moriarty said he would let me have them, but as he has never sent them to me I cannot say anything more about it. I have not had an opportunity of refreshing my memory on the subject.

1005. You do not recollect the names of the twenty-three selectors? No; I recollect that Mr. C. B. Fisher had something to do with the case in one way or another.

1006. Who is Mr. Fisher? He is a racing man in Victoria, brother of Mr. Hurtle Fisher.

- W. W. Stephen, Esq. 1007. He is a squatter? Yes.
1008. Can you recollect how he was interested in the case? I cannot.
1009. Did he seek the refund? I cannot recollect. I only remember that he had something to do with the auction purchase. I recollect that he was interested some way or other in the matter, and that his agents were Messrs. Hoskins and Blomfield. I recollect Mr. Blomfield speaking to me about it.
1010. You cannot say whether Mr. Fisher sought the refund? I cannot say that. The selectors were the persons to whom the refund was to go. Mr. Moriarty speaks of them as dummy selectors.
1011. Do you know anything of the other cases to which Mr. Moriarty refers? I do not know what he refers to, I am sure. I recollect that case because he spoke to Mr. Driver specially about it. I was in the room at the time; and I saw the decision of Mr. Driver, which was that the purchase should be forfeited instead of cancelled; otherwise I should have forgotten all about it.
1012. Could we obtain those papers? Yes; I could get them by asking for them; but as to the other cases to which Mr. Moriarty refers I cannot tell what they are without referring to him. If you wrote to me for them, I could ask Mr. Moriarty for them.
1013. At the end of this minute Mr. Moriarty writes: "I should be wanting in self respect did I not further protest against the unseemly course which the Under Secretary persists in taking of circulating in his department matters relating to the business of this branch, and of keeping me to the last in ignorance of his having done so." Can you explain what Mr. Moriarty refers to? The matter he refers to was one affecting the whole administration of the department. It had no reference to him or myself individually, but to the mode of action in the department generally; and, following the usual practice, I had the paper marked Ministerial. Mr. Moriarty talks about me having this registered—about the indecency of it.
1014. Unseemly is the word? Unseemly; but he does not refer to matters in which he was reprimanded, suspended, and called upon to apologize to me, and in which I did not have the documents registered as official documents. I did not have them registered for reasons which he does not seem to appreciate.
1015. You say Mr. Moriarty was suspended? Yes, but I did not have that registered; I purposely refrained from having it registered, and I think before he remarks about registering papers connected with the departmental business he ought to have recollected that.
1016. Did Mr. Moriarty expect you to inform him of everything you did in connection with the department whether he was specially interested or no? That was what it amounted to.
1017. Did he ever say as much to you? No; I think his own action is quite contrary to the position he takes up, for he has promulgated matters through the Survey Department without letting me know.
1018. Does it not seem almost an absurdity that he should expect you, the head of his department, to give him information of every step you take in the management of the office? I think so.
1019. Would not every other officer at the head of every other branch have the same right? Quite so; his remark is quite uncalled for.
1020. In one of your minutes, written in October, you accuse Mr. Moriarty of causing waste of time by his mode of action? Yes.
1021. Does that refer simply to the waste of his own time or of the time of other officers of the department? I meant the waste of his own time in writing these minutes, and the waste of my time in having to reply to them. Days of official time must have been wasted.
1022. Mr. Moriarty speaks of some memo. having been in your possession for fifteen months? It may be that one which you will find among the papers marked 1877.
1023. This appears to be unregistered. He would not ask you for that would he? I think so.
1024. What is that? A minute of the Chief Commissioner of Conditional Sales, requesting Mr. Driver to transfer to his control the Pre-emptive and Auction Lease Branch.
1025. He says: "I would first beg of the Minister to be pleased to direct that my memoranda on this subject, which the Under Secretary has had in his possession for fifteen months, be attached to the other papers?" That minute was handed to me by Mr. Driver to do as I liked with it.
1026. Was that in your possession all the time? It was in Mr. Driver's box for three or four months, and when returned to me was kept by me as not having any connection with any other paper. It was an appeal or protest against action I recommended.
1027. It began and ended with itself? Yes.
1028. There was no necessity that it should be put with other papers;—there was no reason during these fifteen months why it should be produced to anybody? No; Mr. Driver handed it back to me when he went out of office.

MONDAY, 9 DECEMBER, 1878.

Present:—

MR. ABBOTT, | MR. RANKEN.

R. P. ABBOTT, Esq., PRESIDENT, IN THE CHAIR.

W. W. Stephen, Esq., was called in and further examined:—

- W. W. Stephen, Esq. 1029. *President.* Have you seen this return (marked A) furnished by your department on the 6th instant? Yes.
1030. Was that sent in as an answer to the request contained in the letter from the Commissioners on the 24th October? Yes.
- 9 Dec., 1878. 1031. Is that all the information we are likely to get on the points referred to? Your letter asked for a return of the cases undisposed of on the 30th of September. Some time elapsed before the return was put in hand in the different branches, and when Mr. Thomson resigned things were left in abeyance. There is nothing to show that there were any cases undisposed of on the 30th September. All the cases were acted upon. There were no such arrears as your letter supposed in those branches.
1032. Do these six branches represent all the department? Yes, excepting the Conditional Sales Branch.
1033. *Mr. Ranken.* In which branch are the improvement purchases dealt with? In Mr. Lindsay Thompson's.

1034.

W. W.
Stephen, Esq.
9 Dec., 1878.

1034. *President.*] The work is kept up in all these departments? Our work is all kept up.
1035. That return shows it? I should not call it kept up to date. These are the replies furnished to me by the heads of the different branches.
1036. Do not the books in each branch show how the cases stand, or have been disposed of on any particular day? No; there are many different stages; the papers going backwards and forwards constantly.
1037. If an improvement purchase application goes to Mr. Thompson on a particular date, he takes what action may be necessary upon it, and then sends it on; would he not have a record to show what he had done in the matter? There is nothing to show the cases which were undisposed of on the 30th September. If I were requested to state what cases were undisposed of to-day, I could immediately go and get the information.
1038. According to that return there were no arrears on the 30th of September? The return is applicable to the date on which that letter was written, the 6th December. The papers go through so many stages that if all were noted the papers would be covered with notations.
1039. By disposed of do you mean that the papers have been sent on to the Survey Department? No; cases in which a decision has been given and acted upon. I have received a minute from Mr. Stack, explaining that his notations only referred to the Charting Branch of the Survey Department. He said he was a little flurried when he saw the Commissioners on Friday. His register does not deal with cases in the Roads or Reserve Branch. He gave me an explanatory memorandum, which he wanted me to send up.
1040. There are several other branches of the Survey Department dealing directly with the Lands Department? Yes.
1041. Do you know whether they also keep registers as the Charting Branch does? I do not know, but I think they do.
1042. *Mr. Ranken.*] Is Mr. Stack engaged in making out the return that you asked for? He is engaged in preparing some return you asked for.
1043. *President.*] Are you aware that Mr. Stack said that he would have no difficulty in preparing the return we asked for, as far as his own branch was concerned? The memorandum which he handed to me this morning was to the effect that he could not give it; that he must have misled you or that you must have misunderstood him. That is what I understood. I do not know anything of his book, and I never saw it.
1044. What Mr. Stack said he could give from his book was a return showing the date upon which each case was received from the Lands Office, and the date when it was returned. He was quite clear upon that? I do not know as to that.
1045. Do you not think, in view of the safety of the papers, that it would be a good thing if somebody had to preserve a record of them at the various stages? I think it would.
1046. I suppose you will send us Mr. Stack's memorandum? Yes.
1047. We can get no more of the information for which we asked than is shown in this return A? Having received your letter to day, we shall for the future be able to tell the dates of transmission. Mr. Stack's book, as I understand it, shows the register number, and the dates when he received the papers and sent them back to the Lands Department.
1048. Is not Mr. Stack's book a safeguard to the Survey Office? Yes; I should like to state that all these matters are matters of detail which I cannot be expected to know. The clerks in the different branches or at the heads of branches have to attend to them. They do not come within the range of my personal duties at all.
1049. As between this Commission and the Department when we ask for a return, of whom can we ask but you? Quite so; but you are asking me as to the system of notation.
1050. As involving the question of responsibility for the safety of papers, do you not think the system of the office ought to be known to the Under Secretary? I know that if a paper be asked for, we can, in ninety-nine cases out of a hundred, tell where it is; but as to the dates of transmission of papers to the Survey Office and return, our system has not been so complete as to show. It shows only when the cases have been disposed of.
1051. As a matter of fact, have not papers in your department frequently been lost? I would not say frequently. I think it is wonderful that so many papers are forthcoming when asked for, considering the enormous number of papers which pass through the office every year, and the way in which the different branches are scattered about.
1052. *Mr. Ranken.*] On the 23rd of October we applied for three sets of returns—the first with respect to conditional purchases from the 1st of January to the 30th June; the second with respect to the fulfilment of the conditions of residence; and the third, with regard to improvement purchases. With respect to the first two we had a conversation with Mr. Moriarty, in which we agreed to take the returns in a condensed form—that is, instead of the whole six months we arranged to take the first land office day in each month. These returns have not been furnished? I have not received them from Mr. Moriarty.
1053. As to the improvement purchase return? I believe they are all but ready; but it takes a wonderful lot of searching to get the particulars in detail from all the registers.
1054. Is there not a separate register for each land office? For the conditional purchases.
1055. Not for the improvement purchases? No; we take them in categorical order.
1056. Without reference to locality? Yes.
1057. We are right in applying to you as the permanent head of the department for that information? Yes; I refer the application to the Chief Commissioner of Conditional Sales, who submits the returns to me as soon as they are ready. I have requested that all communications from the Commission be dealt with as expeditiously as possible; and I can ask that the preparation of the return be expedited.
1058. *President.*] With reference to Macarthur's improvement purchase case, you said, I think, that you could supply a *précis* which would show all the facts? Yes.
1059. Many of the letters in that case appear to be in the nature of formal applications? Yes.
1060. In your minute submitting the case to the Minister you say, "I now submit this case as another instance, in addition to others recently submitted, to show the real causes of complaint made against the Lands Department";—what were the other cases referred to—have you sent them to us? The cases referred to are described in the appendices to my previous examination—cases in which Landale Brothers and a Mr. Godwin were interested, and which I had previously submitted to the Minister.
1061. With reference to the minute of 24th January, 1874, written by Mr. Farnell, was that minute written whilst you were absent in Melbourne, or on your return? It was written upon my return from Mulgoa, where I had been for a few days.
1062. Not at Melbourne? No, I was at Melbourne two years ago; but when this minute was written I had been three days at Mulgoa.

W. W. Stephen, Esq. 1063. It was during that short absence that Mr. Moriarty took the course of signing documents without using your name? Yes.

9 Dec., 1878. 1064. That minute contains these words: "The Colonial Secretary has personally called my attention to the fact that certain documents bearing the initials and signature of the Chief Clerk that should have borne the initials and signature of the Under Secretary"; and then Mr. Farnell goes on to direct that in your absence all correspondence ordinarily signed by you should be signed by the next officer in official rank for you, and so on. Has that been the practice which has always prevailed? It is the practice universally recognised in all the Ministerial Departments.

1065. In every department of the Government? It is the understood rule of the Service.

1066. Can you now say, or did you understand at the time, what Mr. Moriarty's reason was for departing from that obviously proper course? I cannot say. I can only conjecture. I recollect distinctly a remark he once made upon the subject, but I do not know whether you wish me to give it in evidence.

1067. I think so? When a dispute arose about it, Mr. Moriarty said, "I never signed for anybody in my life, and I never will if I can help it." I have a distinct recollection of his saying that.

1068. In his minute he says: "In the absence of the Under Secretary, and acting on my own responsibility, I did not think it would be regular or proper to assume to act on the responsibility of the Under Secretary by signing as for him?" I never could understand that part of his minute. It seemed to me that he was taking more responsibility by signing for himself, and against what he must have known to be the rule of the Service.

1069. It was hardly reconcilable with the verbal statement which he made to you? No.

1070. In this minute Mr. Moriarty proceeds to say: "Personally I should very much prefer not signing at all, and have only done so with the object of avoiding injurious delays, the more undesirable in the Under Secretary's absence than even when he is present—the delays in the signature of correspondence are so unparalleled and prejudicial to the Public Service." Was it not clearly his duty in your absence to deal with and sign these papers? Yes. When I am away a short time the general rule is that all important letters should wait until I return, but letters which ought to be sent away at once ought to be taken to him and he should sign them "for the Under Secretary." As a matter of fact I never complained of that at all. I did not know it. It was Mr. Farnell who drew my attention to it, the Colonial Secretary having drawn his attention to it.

1071. Up to that time was there any reason for Mr. Moriarty giving these strong opinions in reference to you,—anything personal between you, or anything which in the performance of his duty required it? Nothing.

1072. How long before that was it that he joined the Public Service? I think it was only about two or three months. He rejoined the department as chief clerk in November, 1873, and this statement was made in January, 1874.

1073. Referring to these remarks about the unparalleled delays in the signature of correspondence, had there ever been any question between you on that point before? No.

1074. Mr. Moriarty had not said anything about it previously? Nothing.

1075. Nor had you spoken of it? No.

1076. This minute written by him, and his action in signing these documents, was the commencement of the feeling which has existed between you since? The very commencement.

1077. In your minute on this same subject, written on the 2nd of February following, you refer to something you had told him three months before? Upon the matter being brought under my notice, I said that as this particular duty appeared irksome to him I would sign everything myself if possible, but that no letters ought ever to leave the office which were not either signed by me as Under Secretary, or "for the Under Secretary."

1078. On what occasion did you tell him that? I have a distinct recollection that within a fortnight or ten days of Mr. Moriarty joining the office, the subject arose between Mr. Blackman and myself. I think he did sign two or three letters "A. O. Moriarty," and I spoke to Mr. Blackman about it. He was rather annoyed at that, and said "If you have got anything of that sort to say I wish you would say it to me and not to Mr. Blackman." I am speaking from memory.

1079. Did you at that time tell him you would sign as much as possible? Yes; I said "If you do not like signing for me I will try and sign everything myself; but everything that goes out of the office ought to be either signed by me or by you for the Under Secretary."

1080. You said that out of consideration to his feelings? It really was that. I did everything on his joining the office to smooth over little difficulties which I knew that he would feel.

1081. Feel because of his having been there before in a superior position? Yes; that was really my motive in the matter.

1082. In your minute, dealing with that of Mr. Moriarty's, you say that you are responsible only to the Minister with reference to these charges? Yes.

1083. Why then did you think it necessary to point out for Mr. Moriarty's information that the business had increased, and refer to the fact of your not having a stamp for signature as he had? I do not think there was any occasion for me to do it, but I thought at the time that I should like to state the matter fully.

1084. Would it not have been better if you had been more decided in putting things on their proper footing at the commencement? It may have been a mistake on my part, but it arose from the fact that I did not wish to make Mr. Moriarty feel the altered position in which he came back.

1085. You say:—"I would however wish, in case Mr. Moriarty has forgotten it, to observe that the number of letters now received as well as written in this department is infinitely and in an unprecedented degree in excess of what they ever were in the time of either of my predecessors; and that the work in every branch of the office has increased in proportion. Mr. Moriarty had also his signature stamped, which I have not as yet, and which certainly saved more than one half of the time taken up in signing by hand as I have to do." Was Mr. Moriarty ever Under Secretary? Yes, before me.

1086. Mr. Ranken.] I thought his position was Chief Commissioner of Crown Lands? He was Chief Commissioner, and when the vacancy occurred in the office of Under Secretary by the resignation of Mr. Fitzpatrick he was appointed Under Secretary, with the idea that he could do the other duties as well. It was from that office of Under Secretary that he was removed, and I succeeded him.

1087. You succeeded him? Yes; I was in the place which he once occupied, and when he came back and found me as Under Secretary I feared that he would feel the difference.

1088. Your action was out of consideration to him? Yes; I did every thing I could to prevent him from feeling the altered position between us.

1089. *President.*] I have been under the impression that Mr. Moriarty was only your senior in some other branch of the department? No; when Mr. Fitzpatrick resigned, Mr. Moriarty succeeded to the position of Under Secretary.

1090. And he was Under Secretary when he was removed from the Government service? Yes; and I succeeded him.

1091. Did you press for any further action in this matter between you and Mr. Moriarty? No; I obtained Mr. Farnell's decision, which is dated February, 1874. I did not have the paper registered as an official document, but I fortunately kept it.

1092. You did not register the papers because you wished to spare Mr. Moriarty? Yes.

1093. You allude to the style and language in which the minutes are written by Mr. Moriarty, and you regret that you are obliged to allude to them; and you further say in your minute that they are such as no other head of a department would be expected to submit to, and that you can only conclude that Mr. Moriarty considers that your former official relations with each other entitled him to make an exception in your case; that it was one of the unpleasant results which you anticipated from his appointment to his then present position in the department, notwithstanding the earnest endeavours you had made to avoid it. Is that passage in your minute explained by what you have just said about your relative positions? Yes.

1094. Do you recollect whether there was anything prompting this latter part—"one of the unpleasant results which I anticipated from his appointment to his present position in this department"? I meant that I did my best to avoid, not his appointment, but the unpleasant results which I thought would arise from it.

1095. Beyond this minute by Mr. Farnell, of the 12th of February, 1874, in which he repeats what he said in his first minute upon the subject, nothing was done? No, the matter dropped for a time.

1096. There was an end to these complaints as far as you were concerned? Yes.

1097. Mr. Farnell said:—"I have to observe that it is not Mr. Moriarty's province to take the Under Secretary to task for any delays which may have appeared to him avoidable, and of the reason of which he may not be aware; neither can I permit the chief clerk to address the official head of the department in the tone or language in which portions of his memoranda above referred to are written, and to which the Under Secretary has justly and naturally taken such strong objection." When Mr. Farnell wrote that Mr. Moriarty was chief clerk? Yes.

1098. And in a position in which he would be much less likely to act in this way than in the position which he now holds? Yes.

1099. Were you consulted about the re-appointment of Mr. Moriarty to the Government service? I cannot say that I was. I had two or three conversations with Mr. Farnell about it, and I was pressed by Mr. Moriarty's friends outside the office not to object.

1100. And you did not object? I did not.

1101. *Mr. Ranken.*] That was previous to November, 1873? Yes, before he rejoined the service. Mr. Farnell two or three times expressed to me his objections to appointing Mr. Moriarty, and he told me that he did not think that he should appoint him; but he did eventually consent to do it. Some of Mr. Moriarty's friends outside the office told me that they would be glad to see him back in the department again, and they said they thought he would be a help to me. Sir George Innes notably was one who asked me not to oppose Mr. Moriarty's re-appointment.

1102. The endeavours of which you speak to avoid unpleasantness were simply prompted by your desire that he should not feel his position in the office irksome? Yes.

1103. This, you say, was the first commencement in writing of this unpleasantness between you and Mr. Moriarty? The first writing on the subject.

1104. Since that date has Mr. Moriarty's demeanour in matters of that kind altered towards you? No; it altered just for a time. But another dispute occurred a short time afterwards, and there were other disputes and memoranda which I have not brought forward.

1105. In some of these papers I have seen the statement that hundreds of memoranda had passed between you? There were a great many, I know. I have a drawer full of the memoranda which I referred to as objectionable and unwarrantable to me as the head of the department.

1106. When was it that the first move was made towards putting Mr. Moriarty in his present position? I think it was about the time Mr. Garrett went to Melbourne—about Christmas, 1876. After conversation between Mr. Garrett and myself, it was arranged that I should draw up a minute for approval. I think he actually performed the duties a few months before his formal appointment, but, to the best of my memory, it was in 1876 that the formal approval was given. I see that my minute, upon which the arrangement was based, was dated 20 December, 1876, and this date in the Blue Book of August, 1875, must be a misprint.

1107. *Mr. Ranken.*] Can he have performed the duties since August, 1875, a period of fifteen months? No; that could not have been. The date given in the Blue Book must be an error.

1108. *President.*] You made no objection to his appointment as chief clerk? No.

1109. And from the date of that appointment, or soon afterwards, to the time when he was appointed Chief Commissioner of Conditional Sales, there were a great many occasions when you were brought into collision with him—an unpleasantness arose between you? Yes; both before and since.

1110. But notwithstanding that, you were a consenting party to his being made Chief Commissioner? I cannot say I was a consenting party. I had not the opportunity of refusing; and if I had opposed it, it would not have been any use. I did not volunteer any opposition to his appointment.

1111. You did not put forward the probability that difficulties would arise from the course of conduct which Mr. Moriarty had pursued towards you previously? No. I had had some doubts; but from one or two conversations I had with him and from what he said his course of conduct would be, those doubts were overcome.

1112. That is to say he made you understand that if he got the superior position there would be less danger of collision? No; I am speaking of the time when he was appointed chief clerk.

1113. As to his appointment as Chief Commissioner? With regard to that I was a consenting party.

1114. Notwithstanding his conduct to which you so much objected? Yes; I thought that the separation
of

W. W.
Stephen, Esq.
9 Dec., 1878.

W. W. Stephen, Esq. of duties, and the giving of Mr. Moriarty a higher office than chief clerk would satisfy him, and that he would then keep clear of any disagreement or opposition to my authority in the department.
 9 Dec., 1878. 1115. But you knew at the time that the position he was getting would almost certainly lead to collision between you in regard to the duties you each had to perform? I did not anticipate that there would be such a large number of cases in which our relative duties would be brought into conflict. The idea did occur to me, but I did not think that there would be so many cases in which he could or would have the opportunity of seeking to reverse what I had done.

1116. You did not call attention to his previous conduct whilst chief clerk towards you? No; I did not. I thought that when he got rid of the feeling of immediate subordination to me he would leave me alone.

1117. But from that day until this the change which you looked for has not come? No.

1118. In fact things have got worse? Worse if anything, I think.

1119. There have been stronger cases and greater reasons for your believing that Mr. Moriarty is not in the place he ought to hold with regard to yourself? I do not quite understand you.

1120. You have stronger reasons now for believing that Mr. Moriarty does not hold the position he ought to hold with regard to yourself? Yes.

1121. This minute marked A, attached to the papers of 1876, was written by Mr. Moriarty? That was when Mr. Stuart was in office.

1122. These papers involve a charge which ended in a Cabinet minute I think? Yes.

1123. This memorandum of suggestions by Mr. Moriarty was written after his appointment as Chief Commissioner or before it? Before.

1124. Under what circumstances was that written? It was written on an unofficial memo. which is not here, and when I was on tolerably good terms with Mr. Moriarty, I asked him to make some suggestions in connection with the proposed changes, I think at the instance of Mr. Garrett, and this is the memorandum of suggestions marked A which I received from him early in November, 1876. The minute marked B is the minute which I wrote with regard to these suggestions.

1125. I desire to ascertain the origin of these suggestions marked A? They were written in reply to a reference I made to him.

1126. That reference is not with the papers? No.

1127. You asked him for suggestions? Yes; with a view to a mutual agreement on the subject.

1128. In introducing the subject of this minute, Mr. Moriarty states, that with a view of relieving the Under Secretary of a portion of the labour and responsibility pressing upon him under present arrangements, and of simplifying and facilitating the despatch of business? Yes.

1129. He goes on to suggest that, "the administration of the Department of Lands, in subordination to the responsible Minister, be divided, and certain matters committed wholly to another officer, who should in connection therewith occupy the same position as the Under Secretary in relation to the Minister and the departments and officers concerned, and be the recognized medium of communication with the public." Was it understood at that time when Mr. Moriarty made that suggestion, that he was to be the officer appointed? It is evident that he regarded himself as the officer who was to be appointed.

1130. Had anything been said about it? I think something must have been said. He wrote that minute under the full knowledge and impression that he was to be the officer. There may be something further on in the minute which shows what his impressions were.

1131. Did you fall in with that suggestion, that he should occupy the same position with regard to the department and its officers as the Under Secretary? Not entirely. There is a memo. of mine showing the points on which I differed from him.

1132. His first proposition was that he was to occupy the same position as yourself with regard to the business taken over. You did not object to that? No; not as regards the details of the business, and communicating the decisions of the Minister to the public.

1133. Did you ask Mr. Moriarty for any suggestion about what should remain with you. He says here, "The Ministerial, Miscellaneous, Record, Auction, and Deeds Branches remaining as at present, under the personal control of the Under Secretary." Was it not with reference to the transfer of the Conditional Branch only that you asked for suggestions? Yes.

1134. Not with reference to what you should keep? No; but as a matter of fact that would leave all the other branches as named by him.

1135. His third suggestion was that the separation should embrace the Conditional Sale and Lease Branches, and all business connected with them. What part of this work was then being performed by Mr. Moriarty, as chief clerk? As chief clerk, his duties then were to supervise generally all the work before it came to me.

1136. Does he not say in some of his minutes that he actually at that time, as chief clerk, had charge of the Conditional Purchase Branch? He had charge of it; but not more particularly than any other. Each head of the branch used to submit the papers to me through him; some he could deal with himself, and others he would submit to me.

1137. His third suggestion is in these terms, "The Under Secretary, while abstaining from active interference with the business or staff of the separated branches, should, as at present, be recognized as the official head of the whole department, ranking next in it to the Minister"? Yes.

1138. "And that in the event of his absence or death, his duties should, as of course, and pending the appointment of a successor, devolve upon the officer above indicated, as next in seniority"? Yes.

1139. Did not that strike you as very like arranging the whole department and your position in it? It was a memo. of suggestions, and that particular suggestion I need not say was not adopted.

1140. Providing for the future in the event of your death? Yes.

1141. The officer referred to in that suggestion, and those which precede it, was Mr. Moriarty himself? I have no doubt of it.

1142. There cannot be any doubt of it? No; from what took place before, and led up to it.

1143. In speaking of the officer above indicated, he must have referred to his suggestion that he should have an equal position to yours in regard to the business transferred? Yes.

1144. Is the memorandum you sent to Mr. Moriarty, asking for these suggestions, in existence? I think not. If it is, it was a short memo., an unofficial memo., asking him to submit suggestions that would effect the desired object.

1145. Which was the separation of this branch? Yes.

1146.

W. W.
Stephen, Esq.
9 Dec., 1878.

1146. Did you then consider that this proposition of Mr. Moriarty's as to his own position actually had anything to do, or was necessarily a part of this arrangement for the separation of the branch—this arrangement by him of your relative positions, of the position he was to take in the event of your death—did you think that was necessarily a part of the suggestions you asked him for? No, it struck me as quite the contrary, especially the making arrangements as to who should succeed me.

1147. Arrangements in his own favour? Yes.

1148. Your memorandum did not call for that? No, that suggestion was voluntarily given on his part; was unasked for, and beyond the question, as far as the Minister and I had considered it.

1149. Was there no remark made about the position taken up by him at the time? There was, but not in writing. I underlined that particular portion of his minute, and pointed it out to Mr. Garrett, whose remark was, "I am not going to have anything of that sort in the arrangement," or words to that effect. In fact he spoke more strongly than that.

1150. Was nothing said to Mr. Moriarty by you or Mr. Garrett? Mr. Garrett may have spoken without my knowing it. I left the suggestion out in drawing up my final memo. for approval. I did not refer to it in any way whatever.

1151. In point of fact, you wanted hints as to how the separation of the branch could best be done? Yes, hints for our mutual convenience.

1152. It was a matter for your arrangements not his? Yes.

1153. You were responsible for carrying it out? Yes.

1154. In the fourth paragraph Mr. Moriarty suggests, "that this separation of duties should not disturb the autonomy of the department, all the officers of the respective branches retaining their present relative positions and seniority." As regarded the officers of the other branches, the desire was that there should be no change in their positions, only in the position of Mr. Moriarty? Exactly.

1155. When he was appointed chief clerk did he at once take seniority in the department as if he had arrived at that position by gradations from lower positions? He succeeded in all respects to the position which was held by the former chief clerk, Mr. Armytage. For eighteen months the office was vacant, but we rubbed along, and the salary continuing to be voted Mr. Moriarty was eventually appointed.

1156. Was there any special reason why he should have been brought into the department over the heads of officers already there? There is no doubt that Mr. Moriarty's ability and previous experience in land matters pointed to him as a good man. That and pressure brought to bear upon the Minister to appoint him led to his being brought again into the department.

1157. Pressure in what way? From his friends. They saw that the place was vacant. They thought it was one that would suit him, and he would suit, and as the vacancy had not been filled up, they pressed the Minister to appoint him. It was an appointment worth having—£600 a year straight away.

1158. *Mr. Ranken.*] Was there any actual necessity for the appointment at the time? I do not think there was the same necessity then as now. The work was not so heavy then.

1159. *President.*] Can you tell me what this meant:—"So long as it may not be found advisable to separate the financial and record business, the whole of such business be carried on as at present, in the Ministerial and Record branches." Had there been any question about changing those? No.

1160. Did it strike you that this minute meant anything more than what you asked for? That was another suggestion beyond the matter referred to him.

1161. Had the possibility of this change in these branches been spoken of previously? No.

1162. And there was no reason, as far as you knew, for this being mentioned by Mr. Moriarty? No. The Record Branch of the Conditional Purchase business has since been separated. It was done lately for the sake of convenience.

1163. Do you take it that Mr. Moriarty refers here only to the financial and record business of the Conditional Purchase Branch, or to the record and financial business generally? I suppose he meant the payment of salaries, expenses of the office, and so forth, and that instead of separate cheques being drawn by him, those arrangements should remain the same. As a matter of fact, moneys are placed to my credit for the payment of the salaries.

1164. Did it not occur to you that this hinted at the possibility of its being desirable to make a still further change? I thought it was a strange suggestion at the time.

1165. The second part of the fifth suggestion is this: "The officers in charge being understood to give due heed to the requirements of the separated branches and of the officers concerned therein without special reference to the Under Secretary?" He meant by that that the two branches should work together. For instance, if a record paper were wanted from the Conditional Purchase Branch, they should give it without special order from me.

1166. Does it not look like placing those two particular branches under his own orders? As regards all the conditional purchase officers and work, it does.

1167. You take that as having reference to the ordinary business in those branches, and the delivering of papers from the Conditional Purchase Branch to the Under Secretary? There is a separate register in each branch. Where the business clashes, the Conditional Purchase Branch should be able to get papers from the other record clerk without any special authority from the head of the department. He was never asked about the separation of the financial business.

1168. Suggestion No. 6 provides only for arrangements as affecting Mr. Moriarty's position, his title, and his salary. To give effect to the foregoing propositions as affecting myself, it would be proper that my present separate positions of chief clerk and Commissioner should be amalgamated by the authority of the Executive Council. The latter would be the more appropriate designation for the joint office under the proposed arrangement; and as there are several other Commissioners, the style should, I presume, be Chief Commissioner. There would not, perhaps, be any sensible increase in the amount of duty performed by me, but the responsibility would be materially increased; and it will not, I presume, be thought unreasonable that in recognition of it that an addition to the salary to the extent of £100 per annum should be provided for in the Supplementary Estimates for the present year, say from the 1st November, and in the Estimates for 1877." At that time Mr. Moriarty's position was that of chief clerk? Yes.

1169. What was his salary then? He got £600 a year; and he also received £100 a year as Commissioner of Conditional Sales for the county of Cumberland. I think that he meant that his salary, which was then £700, should be made equivalent to mine, £800.

- W. W. Stephen, Esq. 1170. He suggests that the separate positions of the chief clerk and Commissioner should be amalgamated? Yes.
9 Dec., 1878.
1171. What are the duties of the Commissioner for the county of Cumberland? They are not very arduous. There is occasionally a selection dispute which calls for inquiry.
1172. What did Mr. Moriarty mean when he said there would be no sensible increase in the amount of his duty? As chief clerk he had the superintendence of the office generally.
1173. Had he charge of the Conditional Purchase Branch more especially? I think he meant that he would be relieved of having anything to do with the remaining branches of the department, and that therefore there would be no increase to his duties, possibly a decrease, but that his responsibility would be greatly increased, because he would be more individually responsible for the action suggested. He would submit his recommendation to the Minister direct instead of through me.
1174. Upon that he asked for an increase of £100 a year, making his salary equal to yours? Yes.
1175. Was that one of the suggestions you approved of? I did not approve or disapprove.
1176. Was it ever given? No; it was not.
1177. Since Mr. Moriarty's appointment as Chief Commissioner has there been any chief clerk? No.
1178. How are the duties performed, or are they performed at all? To enable that arrangement to be carried out, I was willing to give up the chief clerk. I said that if the salary of the chief clerk were applied to this office, there would be no difficulty raised, in Parliament, because the arrangement would not occasion any extra expenditure. Since then I have found that a chief clerk was necessary for the general supervision of the office, to see to the attendance of clerks, discipline, and minor matters.
1179. What induced you to say you would do without a chief clerk? I did not anticipate that the work would have increased so largely as it has done, and I thought that the head of each branch might act in that capacity.
1180. What made you so desirous that the arrangement should be carried out? I thought it would put an end to the unpleasantness which had existed between us, and facilitate the business.
1181. Did it strike you that there was any impropriety in Mr. Moriarty's suggestion that his salary should be equal to yours? I did not see the propriety of his getting £800 a year for doing only half of what I used to do, but I never made any objection to it. I should be glad for Mr. Moriarty to get £800 a year as long as they do not take any off mine.
1182. Do you consider that the arrangement has relieved you of work or responsibility? It has not done so much as I thought it would. I have many duties which a chief clerk ought to take off my hands.
1183. I think you told us that the Conditional Purchase Branch only was transferred, not the Lease Branch? I objected to the Lease Branch being transferred. I saw no reason for it.
1184. When Mr. Moriarty became Chief Commissioner he gave up all the duties of chief clerk? Yes; so that they really all came upon me.
1185. I see from a note attached to this paper that Mr. Moriarty speaks of a memorandum about the re-organization of the department submitted by him in another shape;—do you recollect what that was? I recollect memoranda on two or three different occasions. He was always talking about the reorganization of the department? I do not recollect any special memorandum. I do not think he refers to one specially.
1186. His words are: "As to which I have stated my views in another shape"? I do not know what he refers to there.
1187. *Mr. Ranken.*] That minute relates to December, 1876, so that there was a gap of about three years between the two appointments? Yes, nearly. I know that on two or three occasions he spoke of some reorganization of the department.
1188. *President.*] Mr. Garrett was Minister when these suggestions were made? Yes.
1189. And he carried them out by that minute in which you concurred? Yes.
1190. *Mr. Ranken.*] Do you remember on what terms you were on with Mr. Moriarty in the interval of about three years from 1874 to December, 1876,—from the time that Mr. Moriarty signed the official correspondence in his own name instead of for the Under Secretary until he was appointed Chief Commissioner? We were not on good terms.
1191. But no event of importance occurred; there was nothing very marked? No, except that for two or three months there was a sort of lull when we used to speak to each other.
1192. There was nothing prominent in the way of correspondence? During the two or three years there must have been some angry memoranda. I have no doubt I could lay my hand on a few if it be thought of any consequence. There was nothing which I considered of sufficient importance to lead me to seek the Minister's protection upon as I had to do in the other cases submitted.

WEDNESDAY, 11 DECEMBER, 1878.

Present:—

MR. ABBOTT,

MR. RANKEN.

R. P. ABBOTT, ESQ., PRESIDENT, IN THE CHAIR.

W. W. Stephen, Esq., was called in and further examined:—

- W. W. Stephen, Esq. 1193. *President.*] The suggestions made by Mr. Moriarty respecting the Conditional Sales Branch were recommended by you in substance? Yes.
11 Dec., 1878.
1194. With one or two exceptions? One or two important exceptions.
1195. And they resulted in the arrangement which was made while Mr. Garrett was in office? Yes. I think I have said before that Mr. Garrett knew that I was going to submit them, and he rather wished that I should recommend them. I spoke to him before submitting them formally.
1196. One of the points upon which you differed from Mr. Moriarty was as to the transfer of the Lease Branch? That was one.
1197. That was the principal one? I do not know as to that.
1198. The other points on which you differed had no reference to the business? No.
1199. They were rather personal to Mr. Moriarty? Yes.

1200.

1200. And in the minute you wrote on the 21st November I think you stated as much? Yes.

1201. You appear to have written that memorandum for Mr. Moriarty's information? Yes; previous to the submission of the papers.

1202. You sent it to him to let him see how far you agreed with him, and how far you differed from him? Exactly.

1203. Before submitting the final minute for the approval of Mr. Garrett did you write anything to Mr. Moriarty which is not before us? Not that I recollect.

1204. On that minute which you sent to Mr. Moriarty this memorandum appears:—"As the only question remaining to be decided as between the Under Secretary's views and those submitted by me has reference to the Lease business, which does not involve the general arrangement and can be subsequently discussed more at length and settled on its merits, the papers are submitted with reference to the general measure which is urgent." How did that come to be written on your minute by Mr. Moriarty? As you suggested just now I wrote my minute for his information, and Mr. Moriarty wrote that upon it to show that the only question upon which there was any difference between us was that about the Lease Branch. I did not admit that, because there were one or two other points upon which I dissented from Mr. Moriarty's suggestions, but that was the only one affecting the general question. After that I submitted my final minute, of which I have forwarded a copy to the Minister for his approval.

1205. Was this memorandum, which you sent to Mr. Moriarty for his information, returned to you, and was it after that that he obtained it, and wrote this upon it? No; that minute of mine was sent to him; and, instead of returning it to me, Mr. Moriarty must have taken it to the Minister himself without reference to me. I think I have pointed that out in the papers submitted to you.

1206. Was that memorandum on your minute written for your eyes only, do you think? My minute ought to have been sent back to me, but I believe Mr. Moriarty submitted it to the Minister.

1207. Is not Mr. Moriarty's minute written as if it related to a question between you and him, a question that was to be decided by the Minister, and submitted to the Minister by Mr. Moriarty? Yes.

1208. Is that the only occasion on which Mr. Moriarty made any condition as to allowing this arrangement about the Conditional Purchase Branch to be carried out? I think so.

1209. Is there anything else which you can recollect which showed that Mr. Moriarty insisted on the transfer of the Lease Branch before the arrangement was carried out, or that he insisted upon having the question of the Lease Branch left open for future settlement? I do not think there is anything else.

1210. Is there anything else in these papers? No; I speak of the documentary evidence on the point; I cannot of course say whether anything else passed between Mr. Moriarty and the Minister about it.

1211. Do you not think that that memorandum was conceived by Mr. Moriarty as a matter of arrangement and concession between you and him rather than in the nature of suggestions to you as the head of the department, as you intended that they should be—that in fact the matter was expressed as a question in dispute between you and him to be finally settled by the Minister? Yes.

1212. Your minute for carrying out the arrangement was submitted to the Minister, and approved on the 20th of December, 1876? Yes.

1213. From the date of your memorandum to Mr. Moriarty on the 21st November to the 20th December, when that minute was submitted, was there any communication between you and Mr. Moriarty on this subject? Nothing, except that memo. by Mr. Moriarty on the 4th December, written on my minute, about which you were just now speaking. I will not say for certain whether I saw that minute by Mr. Moriarty before I submitted my final minute on the 20th of December. As I believe I have already stated in my previous examination, I sent a short unofficial memo. to Mr. Moriarty to obtain his views previous to submitting the matter to the Minister, and I sent my minute upon his suggestions to him for his information. That last minute of mine was, I believe, submitted by Mr. Moriarty without reference to me. I sent my minute to him in a private envelope, and he took it to the Minister as though it were an official document, when in fact it was at that time perfectly unofficial.

1214. You had had Mr. Moriarty's suggestions and you did not think it necessary to submit them? Yes; his minute was a memorandum of suggestions to me in accordance with my request.

1215. When you discovered that your minute had been submitted by Mr. Moriarty, what did you do? I said that I would withdraw it, and submit my own minute for approval.

1216. You treated the suggestions as between Mr. Moriarty and yourself? Yes.

1217. As information which you had sought from your subordinate? Yes. I kept them to show that I did not suppress them as he hinted that I did.

1218. You explained that charge of suppressing documents in your minute to Mr. Stuart? Yes.

1219. After the submission and confirmation of your minute of the 20th December, did Mr. Moriarty come to you again that day or the next? After the 20th December?

1220. Yes. I gather from the papers that there is some reference to Mr. Moriarty going into your office shortly after he became aware of the approval of the Minister? I think he did.

1221. It would be between the 20th and the 22nd that Mr. Moriarty went into your office, and that a disturbance took place? Yes.

1222. You have stated in one of your minutes that there was some one in your inner room who might have heard you? Yes; I remember Mr. Moriarty coming to my room on that occasion.

1223. Do you recollect what took place? I think I have stated that in my minute. It so happened that the door of the inner room of my office was slightly open, and the two gentlemen who were there waiting for me must have heard what took place, and I can appeal to them to verify my statement.

1224. What is that statement? A statement in which I refer to Mr. Moriarty's demeanour and tone of voice.

1225. You speak of him as having used certain language? The time when the two gentlemen were in my room was the time when only the language referred to in page 4 of these papers was used.

1226. Do you recollect what brought that about? What?

1227. The language of which Mr. Moriarty complains? I was provoked by his offensive demeanour and style of talking to me.

1228. Do you recollect what the subject was on which he spoke to you first? On the subject of these new arrangements.

1229. Not with regard to the Lease Branch particularly? That might have been included in it; I dare say it was, but I am not sure.

1230. You say that it was within a few minutes of that arrangement that he went to you? It was a very short time afterwards. I think it was the same day, but I cannot say for certain.

W. W.
Stephen, Esq.
11 Dec., 1878.

- W. W. Stephen, Esq. 1231. This paper, marked C, dated December 22, 1876, written by Mr. Moriarty, is the paper which he stated subsequently to Mr. Stuart that he read to you on the occasion that you complained of his threats to you?
- 11 Dec., 1878. 1232. Do you recollect the occasion when Mr. Moriarty went into your room and read some document which you considered to be offensive? I remember perfectly that he read from some minute. He read it very fast, and I could not catch the tenor of it, except that it was offensive.
1233. Did you see it afterwards? I do not know that I did. He read to me some minute which he said he intended to submit.
1234. But whether this is that minute or not you do not know? My impression is that it is not.
1235. Why do you suppose that? Because the language is not so strong.
1236. I think you speak afterwards of this minute as the one that was read? It may be that it was. I am not certain. My memory of it is that it was not written on the same size paper as that—that it was a rough minute written on letter-paper, not foolscap.
1237. Do you now recollect what this document is about? I think it chiefly appertains to the lease work.
1238. This is what I take to be the document which was read on the 22nd December, and to which Mr. Moriarty refers when writing to Mr. Stuart. He said there was nothing in it to give offence or to call forth heat? That is a matter of opinion.
1239. This minute was submitted within two days after the making of the arrangement embodied in the minute of 20th December, and it is dated December 22? Is there any notation on it as to when it was submitted?
1240. No. It is marked "Copy." This may purport to be a copy of the minute which, as I recollect, was written on smaller paper. I cannot say whether that was submitted to me before it was submitted to the Minister. I fancy he took it to the Minister direct.
1241. If he took it to the Minister would it not necessarily have been marked? Not necessarily.
1242. In this he speaks of an amendment of the law having been suggested by him, and he says that he had taken the greatest interest in the success of it which had surprised expectations, and that he believed such an interest was necessary to secure its ultimate success, of which he had every confidence. He adds "Without even implying anything to the disadvantage of the Under Secretary it is palpable that this business has not engaged in any degree his interest or attention." Do you not consider that offensive? I consider it decidedly offensive as being addressed to me or used of me as the head of the department.
1243. This is said to be the document which he read to you in your office? I do not remember anything so offensive as I consider that to be.
1244. He goes on to say: "No instructions or suggestions of any consequence, if any at all, have ever emanated from him with respect to it. It is not too much to say that he does not realize its present state and bearing, and that he is not familiar with the present law if he is with the former regarding it." Do you consider that offensive? I consider that decidedly offensive.
1245. Do you think it likely to excite heat or anger? Yes. As to the change of the law to which he refers I really believe that at a meeting of the heads of branches with the Minister, one of the fundamental changes in the leasing law was made by myself. There is nothing to show it in writing, and I do not wish to cavil about it. One of the chief changes was to put leaseholders in earlier possession. He wanted to take the Lease Branch. I saw no reason for it, and I am quite prepared at any time to show that there is no reason for it. As to my knowledge of the lease work, I have stated there that I had no doubt I could submit many cases which I had had to deal with, and which would show that I was not so ignorant of the lease business as Mr. Moriarty would make out.
1246. Is it a fact that that business has not engaged your interest or attention? As a matter of fact it has engaged much of my attention. It is a branch of business which, as a general rule, does not require that many cases should be submitted to the Minister; but difficult cases sometimes arise, and it so happened that about that particular time several such cases did occur. With regard to that passage, I stated verbally to the Minister that I was quite willing to leave it to his knowledge of the facts to decide as to my alleged ignorance or otherwise.
1247. Before you became Under Secretary you had to deal with that particular branch of the business of your department? Yes.
1248. You had that branch under your charge? Yes; it was then attached to the Conditional Sales Branch.
1249. And you were for some years in charge of that? Yes; but there is no reason why it should be attached to that branch. The leasing work is under the Occupation Act, and the conditional purchase work under the Alienation Act.
1250. Compared with the number of conditional purchases, there are not many leases? Not such a large proportion as one would think. The lease business comprises auction leases, leases in virtue of freeholds, leases in virtue of conditional purchases; and I cannot see, therefore, that there is any valid reason why the whole of them should be placed under Mr. Moriarty, because he has charge of the Conditional Purchase Branch.
1251. Would the division as suggested by Mr. Moriarty relieve you of the bulk of the most troublesome work, and then leave you as great an extent of work as there is in any other Ministerial Department? He must, I think, refer to the conditional purchase and lease work combined.
1252. That has been the division which Mr. Moriarty has been fighting for himself, and he says you would then be left with as much work as any other Ministerial Department? About as much, I think.
1253. In point of fact, if that arrangement had been carried out you and he would have been equal in position and salary, Mr. Moriarty having the most troublesome work? I do not know about salary.
1254. If his suggestion as to salary had been carried out? Yes; I should not say he would have the most troublesome work.
1255. He says so here? Yes; but that is a matter of opinion.
1256. The arrangement suggested would have put you upon an equality as to salary and position, and Mr. Moriarty would have had the most troublesome work? It is an immense business no doubt.
1257. In that case there would virtually have been two Under Secretaries? It would amount very much to that, except that, as head of the whole department, I should still retain the control of the financial business, should have to deal with all applications for promotion, and the general organization of the department.
- 1258.

1258. But is it not a fact that Mr. Moriarty asserts his right to deal with all the appointments connected with his branch of the department? That is not in accord with the spirit in which the minute was approved by the Cabinet.

W. W.
Stephen, Esq.
11 Dec., 1878.

1259. Did he not assert that it was. Did he not insist upon having a position equal with yours in every respect with regard to his particular branch of the department, and does he not now insist upon it? His views have been twice overruled by two different Ministers, and I do not think he insists on it at present.

1260. He has done so very recently? Yes, I think very recently.

1261. When Mr. Moriarty stated in this minute: "I trust that my views, which have no selfish aim, and if accepted will only enlarge my usefulness, may be considered sufficiently well founded to outweigh any opposition based merely on personal and imaginary grounds of the Under Secretary's position and its claims as opposed to the benefit of the service,"—did he point to any facts upon which these papers give us information? I really do not know what he alluded to.

1262. All this is contained in that document which he is supposed to have read to you on that day? He always used to write in that style—in what I may call a rather high flown style—as to what would be the benefits accruing to the department if he were to do so and so to carry out his own views.

1263. In the last paragraph of that minute he says, "With every willingness when convinced or overruled to lay aside my own views in deference to others, I must add that I do not see the utility of my undertaking the new business without the charge of that part of my present work which really in my opinion requires my services." Was that the only objection he made to you before or after the confirmation of the arrangement by the Minister under which he was to take charge of the Conditional Purchase Branch without the Lease Branch? I think that was the first time he raised these points.

1264. Do you know of any other occasion on which he said he would not take charge of one without the other? I do not recollect anything else but what appears in those written documents, beyond a general impression that he stated to me that he did not care about the position, or words to that effect.

1265. But these papers speak of his having refused to do it in another minute? I hardly think he ever seriously entertained any idea of refusing the position, because it was so decidedly to his advantage.

1266. Such refusal would hardly have been consistent with that minute of his desiring that the matter should go on, and leaving the question of the Lease Branch for future consideration? No.

1267. How did the disturbance commence of which you complained to Mr. Stuart on the 28th of December, 1876? That is, the date of my complaint to Mr. Stuart?

1268. Yes; how did it begin? I do not think I could now state it as fully, as much in detail, as I have done in that minute which was written when the matters were fresh in my mind. My minute to Mr. Stuart brought about an extraordinary counter charge from Mr. Moriarty. I made a charge against Mr. Moriarty, which I either took or sent to Mr. Stuart. Mr. Moriarty knew that I had made this charge, but before he got Mr. Stuart's minute on my letter he made a sort of counter charge to anticipate mine.

1269. Your letter and Mr. Moriarty's were both in Mr. Stuart's hands together? Yes; he made his charge against me as if in ignorance of the fact that I had already made a charge against him. Our minutes both begin in the same way.

1270. Were they substantially separate charges, or was one an answer to the other? Yes; he made his charge as if he were the first person to bring the complaint whereas I was.

1271. You say that he went into your room, and referring to a note in his hand, said, "I suppose you are aware of what Mr. Garrett has written to me?" Do you know what that note was? I cannot say exactly what it was, but I think it was some memo. from Mr. Garrett informing Mr. Moriarty that he had given his approval to the proposed arrangement.

1272. And Mr. Moriarty then began to read the document he talked about submitting? Yes.

1273. You told him he might do as he liked. Was there anyone present when he said he would show up your incapacity as well as your idleness? Not at that time. Before lunch there was. It was after lunch he came in and the thing was renewed.

1274. It was after he had spoken of your incapacity and idleness that you told him you thought it was impertinence of a strong kind? I did.

1275. Before you said that or anything of the kind he had read this minute to you which you felt to be very offensive although you only caught the general effect of it? Yes.

1276. It culminated in his saying that he would kick you down stairs? He said, "If you say that I will kick you down stairs."

1277. That was when you told him it was damned impertinence? Yes.

1278. In that complaint to Mr. Stuart you say that it was not the first, second, or third time that disagreement and discussion had been provoked by Mr. Moriarty, as prejudicial to the conduct of public business, and subversive of official discipline;—did those remarks refer to these cases which you have put before us? Yes, partly, and partly to matters which are not before you.

1279. To anything which you can recollect the particulars of now? No.

1280. You say that for reasons which you are sure the Minister would understand if he deemed it necessary that you should explain them you had submitted so far to Mr. Moriarty's conduct towards you. Do you recollect what those reasons were, or were they private reasons as existing between you and him? I referred to reasons partly of a personal nature—partly arising out of his former position in the office.

1281. Personal consideration? Exactly; that is what I referred to there.

1282. This letter of Mr. Moriarty's, dated the 3rd of January, was you think placed in the hands of Mr. Stuart before he dealt with your letter? I think so.

1283. Your complaint was dated the 28th of December? Yes; Mr. Moriarty's complaint was sent to Mr. Stuart as Acting Minister for Lands, was lodged with him before my complaint was returned to me for explanation.

1284. In this minute of the 3rd of January, Mr. Moriarty says: "I find myself under the necessity of representing the arbitrary and intolerable line of conduct pursued towards me on a recent occasion by the Under Secretary, the disingenuous treatment of an official statement prepared by me, and after perusal by him submitted to the Minister but ultimately withdrawn again, and in some of its leading features suppressed; and, finally, the grossly insulting and abusive language addressed to me without provocation by the Under Secretary, in disregard of the obligations of his official position and mine, and with the inevitable result of provoking a scandal not less to be deplored in the interests of the department than of the Under Secretary and myself." Do you think these expressions justified by what had taken place between you? No, they were not.

1285.

W. W. Stephen, Esq. 1285. Had any language to justify that ever been used by you to him? No; there was nothing beyond that which I stated in my memo. previously submitted to Mr. Stuart.

1286. He speaks of some documents to which he has adverted, and he says he believes they are still in the 11 Dec., 1878. Under Secretary's possession—documents framed in anticipation of a redistribution of office business. Were there any other documents to which he could allude than those which have been submitted to us? No.

1287. To what then does he refer? I think to that memorandum of suggestions.

1288. What now is your opinion with regard to those suggestions, and the mode in which Mr. Moriarty submitted them to you; what do you think was the object he had in view. Were the papers written by him with the intention of assisting you in your position, do you suppose, or were they written simply to enable Mr. Moriarty to take up a position without reference to you? Nominally, speaking from the tenor of his remarks, they were prepared to relieve me and to expedite the business of the department. I cannot say how far other considerations entered into his mind when he wrote the minute, except from subsequent results.

1289. What does he mean by accusing you in this minute to Mr. Stuart of using part of his memo. and suppressing the remainder, and of thus obtaining a decision by stealth, an authoritative decision adverse to his views? I think I have pretty clearly demolished that statement in my minute giving the explanation I was called upon to make by Mr. Stuart. I have shown that I did not suppress anything at all, that I submitted everything to the Minister, that what I left out was with the concurrence of the Minister; and further, that instead of obtaining a decision by stealth, or suppressing any portion of his recommendations, I used his very words, so that he could not cavil in any way at anything I had done; that is to say, on those points upon which the Minister approved of his recommendations I adopted his very words.

1290. You think, then, that all these accusations made by Mr. Moriarty have reference to his memorandum of suggestions, and to the fact of your not placing them in Mr. Garrett's hands? They have.

1291. To the suggestions written by him for your private assistance? Yes.

1292. Because you did not submit to Mr. Garrett what was not intended for him these accusations follow? That is how I take it. I do not see how any other inference could be derived from what he states, because these are the only documents to which he could refer. There were no other documents relating to the subject of the new arrangements.

1293. To what did you refer, when as Mr. Moriarty states you said to him, "You are now showing yourself in your true colours, as I always expected you would." Do you recollect saying that? Yes.

1294. What brought that about? I meant that while he had made a sort of show of friendly feeling towards me, and a show of assisting me in the department—when he came out suddenly with these words "I will show up your idleness," in addition to writing those offensive remarks about the lease work, I meant when I said, "You are now showing yourself in your true colours," that he was exhibiting to me the feelings which he had really entertained towards me in his innermost heart all along.

1295. He said that he used no words which might not have formed part of a private and confidential conversation between you at the time? I stated afterwards I think that I objected to private and confidential conversations of that sort.

1296. Were there any other expressions which justified him in saying that your language was blasphemous and ungentlemanly? I only used language which I believed nine gentlemen out of ten would have used under similar provocation. I made use of the word "damn," and I think that was a pardonable expression under the circumstances.

1297. Mr. Moriarty, in that minute which he submitted to Mr. Stuart, speaks of your former very different relative positions as an additional reason why you should not use terms towards him which a gentleman would hardly address to his groom and which a carpenter would probably resent by a thrashing. Had he ever spoken to you on that subject of your previous relative positions since he rejoined the Department? No.

1298. He had never reproached you? No; I do not think he ever mentioned the subject. I do not see how he could have any ground of complaint, because I did everything I could to ensure his not feeling in any way our former relative positions.

1299. After his threats do you recollect going to Mr. Moriarty's room and asking him to sign some minute or memorandum of the proceeding which you had drawn up? I have some recollection of it, because it was such an unusual course for me to take. I was very much annoyed at the time, and I went to his door and asked him if he would agree to a minute I had written upon it.

1300. Was that a statement of the occurrence? I think it was. I drew up something, and I wanted to submit the matter at once. He made some remark and I made some reply which he took exception to.

1301. Was what he took exception to this: "There is no having you; you would wriggle out of everything"? I made some curt reply which I do not recollect, I dare say it might be to that effect. It was a reply which I regretted making directly afterwards, but I do not know what it was exactly.

1302. Do you remember what the memorandum was? I do not know whether I left it with him or tore it up. I cannot remember.

1303. He speaks of having proposed some mode of settling the difficulty which you declined;—do you recollect what that was? No.

1304. A mode commonly resorted to among gentlemen? I remember his making some suggestion which I declined.

1305. A suggestion of a pacific nature I hope? It was something about choosing a friend or arbitrator; but that was not until after I had reported him.

1306. He also says that he has no feeling of animosity towards you, and that he can hardly understand your jealousy of an arrangement infinitely to your advantage as well as for the public benefit. Jealousy of what? That is best known to himself. He said once, "I do not want to go to the Minister, treading on your toes." His memoranda in all matters have been written as if he were still my superior officer, and as if he thought I were jealous of his abilities and so on.

1307. He does not refer to the fact that he acted independently of you? At that time he was only chief clerk.

1308. Another expression of his is: "And a great pity that his slumbering suspicions, the offspring of jealousy, fostered by the ill-will of others." What does that mean? I cannot understand that. If there were

W. W.
Stephen, Esq.

11 Dec., 1878.

were any room for a feeling of jealousy it ought to be the other way, because I have the premier position.
1309. What did he refer to when he spoke of the ill-will of others? I suppose he had some idea that my friends instilled into my mind suspicions against his honesty of purpose.

1310. But there had been no question of that kind ever mooted between you? None whatever.

1311. I suppose it was after he saw the minute of Mr. Stuart on your complaint that he wrote this second paper? Yes; he wrote the second time in reply to Mr. Stuart's memorandum asking him if he had any observations to offer.

1312. Mr. Stuart wrote this memo. on your complaint:—"It is with extreme regret that I find such differences existing between two high officers in the service. Before deciding on the matter in dispute I require this to be submitted to Mr. Moriarty, that I may have his statement thereon?" Yes.

1313. On his own reply, Mr. Moriarty wrote this minute:—"By direction of the Honorable the Treasurer, submitted to the Under Secretary?" He endeavoured to send it direct instead of through the proper channel.

1314. In this last minute he complains that documents three years old had been forwarded by you to show that disagreements and dissensions had been previously provoked by him, and he says that they are not perfect, or otherwise they would have shown on which side was the provocation and which the forbearance. Are these the documents about the suppression of which he had previously complained? I imagine that he must refer there to the documents in 1874, the first occasion of dissension between us.

1315. *Mr. Ranken.*] To the case in which he signed official documents in his own name instead of for the Under Secretary? I think they were the only documents he could refer to—the only documents at all approaching three years old.

1316. *President.*] He says they were not perfect? They were as perfect as I could make them.

1317. He says that he might almost state that there were hundreds of petulant memoranda usually marked non-official addressed to him by the Under Secretary? If I have not kept them I am very sorry for it.

1318. He says that by your desire they were returned to you with one or two exceptions, one of which he was drawn to exhibit to the Premier soon after his advent to office? I suppose, then, he has got it. I know there was some minute he made a great deal of; I think it was something in connection with Mr. McElhone.

1319. Did you never hear anything of his complaints about it? The Minister said that Mr. Moriarty had brought something over to the Cabinet.

1320. What Cabinet? Those are the words the Minister used to me.

1321. You do not know what the subject of that minute was? I do not recollect, except that it was something in connection with what Mr. McElhone had written, or I had written in reference to Mr. McElhone.

1322. You are not sure whether it was a minute of Mr. McElhone's or your own? I do not remember.

1323. Mr. Moriarty finishes this minute of his by saying, "I shall content myself by explicitly denying having on any one occasion provoked or commenced any such discussion or disagreement. As already stated it is contrary to my wish and endeavour, as well as to the Under Secretary's first expressed intention, that valuable time should be wasted over the official discussion of such a matter now." Is it a fact that Mr. Moriarty never commenced or provoked any such discussion? I say no. My opinion is quite the reverse, and I think it is borne out by that minute of his, written in 1874, in which he himself went out of his way to charge me with unnecessary and prejudicial delays, and that other minute of his to the Minister for Lands, in which, without any provocation whatever, he volunteered a charge against me.

1324. *Mr. Ranken.*] Was that when he was called to task for signing his own name? Yes; when no provocation took place.

1325. Mr. Parkes drew attention to it? Yes; that statement was volunteered by him, and under all the circumstances it struck me with surprise that he could have written it.

1326. *President.*] At the time the papers were referred to Mr. Stuart, did you at the time consider from Mr. Moriarty's papers that he accused you of want of straightforwardness and integrity? I think he used the words themselves.

1327. You considered that he used words having that meaning? Yes; he used the word "suppression," and "obtaining a decision by stealth," and other offensive terms which I cannot now recollect.

1328. How soon after the occurrence was it that you reported Mr. Moriarty to Mr. Stuart? It was just before the Christmas holidays that the difference occurred. There were two or three days holiday beginning from Boxing Day, and I reported Mr. Moriarty the first opportunity I had after the holidays were over. Mr. Moriarty, I remember, met me on the stairs, and he said, "If you are going to report me about this, I shall not go out of town." He said he was going out of town for two or three days for the holidays. I said, "I do not intend to take any notice of it," or words to that effect; but on further consideration I thought the matter more serious, not only as regarded myself, but the discipline of the department, and I therefore made up my mind that I ought to report him. I told Mr. Garrett the next day. I did not see Mr. Moriarty, but I let him know directly he came back, and I told him that I was going to report him before I did so.

1329. Was that what he meant when he supposed that the ill-will of your friends towards him led you to change your mind? What he meant by the ill-will of my friends towards him was, I think, a reference to Mr. Pretious. Mr. Pretious and he were great enemies, and I used to side with Mr. Pretious. I did not speak to Mr. Moriarty, but I did to Mr. Pretious, and I fancy therefore Mr. Pretious was supposed to be one of those who fostered my ill-will against him.

1330. In Mr. Stuart's minute for the Cabinet this passage occurs:—"I consider that it would be subversive of all order and discipline in an important department if documents affecting the essential working and arrangement of the department should be permitted to pass by the Under Secretary; and therefore I consider that Mr. Moriarty in the first place was to blame, knowing, as he does, the whole of official routine and order." Was there any complaint made by you of Mr. Moriarty to Mr. Stuart on that score? I think that my minute referred to his submitting documents to the Minister without reference to me.

1331. Was that part of your complaint? I think that I pointed out that that had been done.

1332. Is it not inevitable in your relative positions now even that that course so strongly condemned by Mr. Stuart must be followed, and that documents will be submitted to the Minister, passing you by? No.

1333.

- W. W. Stephen, Esq.
11 Dec., 1878.
1333. As things exist now it does happen and will happen? It happens only as regards the particular working of the Conditional Purchase Branch; but in matters affecting the administration of the department it ought not to happen.
1334. What Mr. Moriarty says is part of the work of the Conditional Purchase Branch you say is not, and he insists on his right to submit things to the Minister which you say he ought not to submit? The right is conferred upon him by Cabinet minute to submit conditional purchase cases.
1335. As to other matters, such as the appointment of officers? It was settled that that business should go through me.
1336. Since that was settled has the rule been broken through? He keeps breaking through it; I have had illustrations of it during the last few weeks.
1337. It is inevitable that that will happen? It ought not to happen; it is not inevitable if he carries out the instructions of the Minister.
1338. He will do it? He certainly will do it as long as he is in a position to do it, where there is anything like an excuse for doing it. I say it should not be inevitable under the rules laid down, but that he passes over those rules occasionally.
1339. Holding the position he does towards you at the present moment it is inevitable? He has the power to do it.
1340. In consequence of that minute of Mr. Stuart's he was directed to make an apology to you? Yes.
1341. This is the apology? That is it—what is called an apology. He kept that minute over for three or four days, until the day before the Robertson Ministry went out of office. I think you will find that Mr. Stuart's minute was dated on the 8th and Mr. Moriarty's apology on the 15th. I saw that Mr. Moriarty was waiting for the new Ministry to come in, and I therefore moved in the matter to have it settled one way or the other before the Ministry went out.
1342. When did you send the minute to Mr. Moriarty? On the 8th or 9th, within an hour or two after I got it.
1343. After you then referred the matter to Mr. Moriarty he kept the papers? Yes; the Ministry had either resigned or were about to do so. When I received no answer I either wrote to Mr. Baker or saw him. I pointed out to him that the matter had been delayed long enough, and that I ought to have the apology demanded or have the matter settled. That letter from Mr. Moriarty to Sir John Robertson was the result. I was never satisfied with it, but it was no use objecting as the Ministers were going out of office.
1344. This letter was addressed to Sir John Robertson? Yes.
1345. Mr. Moriarty wrote:—"If it had not been for my desire to avoid further discussion of a matter which has already proceeded to an undesirable length, I should have felt bound to ask attention to one or two matters in the documents placed before the Cabinet which are new to me, and I think the subject of a slight misapprehension; but I am very anxious to act up to the spirit of conciliation in which the Cabinet have dealt with the matter lately at issue between Mr. Stephen and myself, and I have been personally most unwilling to occupy an attitude of hostility to Mr. Stephen himself or any member of the family of his respected father. I therefore unconditionally accept the decision of the Cabinet; and desire to place in your hands my expression of regret to have in any way given Mr. Stephen or the Government occasion for inconvenience or annoyance."
1346. Was that the only apology? That was the result of that correspondence.
1347. You accepted that? I grumbled at it certainly; but I did accept it.
1348. In view of all these papers and that more serious disturbance which has been referred to, does it not occur to you that instead of asserting your authority with reference to Mr. Moriarty you have been constantly on the defensive against him? Yes.
1349. From first to last? Yes; generally speaking.
1350. Instead of taking on yourself the authority of the position you held, you have been actually defending yourself against Mr. Moriarty? Yes; I have never written or said a word against him except in defence of my official position.
1351. That is almost ever since he rejoined the department? Commencing immediately afterwards.
1352. Would you permit such a state of things to exist between you and any other officer of your department? No.
1353. Could it exist? No.
1354. Why then did you permit it in Mr. Moriarty's case all along, involving as it has done a great waste of time and serious injury to the department? What could I do more than report it to the Minister?
1355. There you have a case in point, and what was the result of it? —
1356. You do not think there was any other course open to you? No; I reported the matter fully and strongly; but, if I must say so, I confess I do not think my position has been upheld as it ought to have been by Ministers professing to uphold me.
1357. *Mr. Ranken.* Does not Mr. Stuart's memorandum back you up very strongly? It does to a certain extent; and I think that that matter would have had more serious results but for the delay of the holidays, the Minister going to Melbourne and not coming back, and Mr. Stuart's attention being taken up by other matters. A matter of that sort ought to be dealt with promptly—nipped in the bud. At any other time I believe I should have had an apology of a more satisfactory nature than that given as Ministers were going out of office.
1358. Mr. Moriarty saw the minute to the Cabinet? Yes; he saw all the papers.
1359. The question could hardly have been put very strongly to him than the way in which Mr. Stuart did put it? I am not objecting to Mr. Stuart's minute.
1360. *President.* Mr. Stuart says: "I regret that the Under Secretary had not acted with greater dignity and assert his right to order Mr. Moriarty to do or leave undone certain things"? I have reported Mr. Moriarty and remonstrated with him.
1361. If any other subordinate were to go into your room and attempt to read a minute of that kind to you what would you do? I should suspend him at once; and there is no other man in the service who would be permitted to address an Under Secretary of any department except myself as Mr. Moriarty has addressed me. Whether it is his previous service and his ability—which I admit to the fullest extent—or whatever the cause is, I cannot say; but certain it is that the state of things is exceptional, and would not be permitted in any other department of the Public Service.

FRIDAY, 13 DECEMBER, 1878.

Present:—

MR. ABBOTT,

MR. RANKEN.

R. P. ABBOTT, ESQ., PRESIDENT, IN THE CHAIR.

W. W. Stephen, Esquire, was called in and further examined:—

1362. *President.*] Will you look at that minute of 9th June, 1877 (*Ministerial* 2290)? These were the papers which Mr. Farnell had on his table for some time past, and said that he would deal with.

W. W.
Stephen, Esq.
13 Dec., 1878.

1363. What induced you to write that minute? The appointment of Mr. Tindale, on the recommendation of Mr. Moriarty, without any submission of the matter to me whatever. It was also occasioned by his action in regard to the two cases of Messrs. Keele and Lord, Inspectors of Conditional Purchases. They were reported for some dereliction of duty, and the papers, although registered in the Ministerial Branch, which is especially placed under my control, were dealt with in every way by Mr. Moriarty, without reference to me. He dealt with them as a conditional sales matter instead of as a Ministerial matter.

1364. It was, in fact, a question as to the appointment or dismissal of officers? Yes.

1365. Can you say what action the Minister took with reference to that? It is here. I requested the Minister to direct that the rules of the service should be strictly carried out in this matter.

1366. Who then was Minister? Mr. Driver. The result of it was that the Minister wrote this decision. That the request of the Under Secretary for Lands that the rules of the service, as alluded to by him, should in future in all cases be carried out, and must be complied with; and that the above decision applies to a previous minute of 20th December last, and must be taken as final.

1367. What minute was that? I believe it was the minute to which I have particularly referred, as embodying the new Departmental arrangements in 1874.

1368. Mr. Moriarty wrote a minute on the 12th of June, in which he says:—"In the enclosed minute the Under Secretary has placed before the Minister so much of the case as suited his immediate purpose."

Was that written in reply to your minute of the 9th? Yes.

1369. Is that after the date of Mr. Driver's decision? Yes.

1370. In that minute Mr. Moriarty was actually insisting on his right to deal with all officers connected with the Conditional Purchase Branch without your knowing anything about it? He insisted on it, but the Minister still overruled him.

1371. He insisted on it after the Minister's decision? Exactly.

1372. In that minute, speaking of you, he says:—"He ought to have known that I am not a person fitted for a part in such a farce as would be enacted"? Yes, I see that.

1373. What do you take that to mean? It is hard to say what he means.

1374. What do you take his meaning to be? I really cannot say, unless he meant it to be implied that it was a farce to carry out the ordinary rules of the service—the same rules as are carried out in every other department.

1375. In another part of that minute he speaks of the indelicacy with which you have aggravated the matter? Yes.

1376. Was all the indelicacy of that matter contained in that minute—that is, the indelicacy of sending the minute to be registered and perused by the clerks? I know nothing about its being perused by the clerks. It was a registered paper, affecting the general transaction of business in the department. I sent it to be registered as a Ministerial decision.

1377. Was it sent to be registered by you in the usual way? Yes; as containing the Minister's decision. If it had been lost, I could not have traced it unless it were registered; but having a record number attached to it, the record clerk could then be held responsible for it, or for showing where it had gone. I wrote a further memo. in reply to that.

1378. That minute and decision were sent in to be registered in the usual way without being sent to Mr. Moriarty? Yes.

1379. Was there any reason why it should be sent to Mr. Moriarty? Not the slightest reason. In matters affecting Mr. Moriarty personally I did not have the papers registered.

1380. Are these the papers referred to in that minute of the 31st January of this year? This is a minute which I submitted to Mr. Farnell, in which I drew attention to a repetition of what I complained of there.

1381. The first minute was yours? Yes.

1382. In that you refer to this case? Yes; as giving the decision of a previous Minister; and I think that the enclosed decision of Mr. Driver, the only one ever written on the subject, is sufficiently clear proof of what I said. I submitted it, not only as being contrary to the usual discipline of the department but as showing the great inconvenience caused by submitting applications for employment, respecting salaries, and so on, without reference to me,—I who am responsible for these matters knowing nothing about them in such a case as that.

1383. Was the course which you insisted on the course which was pursued with respect to the appointments in the department of the Surveyor General? Yes; although that department is of a distinctly professional character, all the Surveyor General's recommendations of appointments and promotions come through me to the Minister.

1384. That was the course which you wished Mr. Moriarty to adopt? I desired it; and it was the course which it was decided that Mr. Moriarty should adopt. If that course were necessary in the case of the Surveyor General it was ten times more necessary in relation to appointments in my own office.

1385. Did Mr. Moriarty submit this minute of his, or send it to you? He submitted it to Mr. Driver direct without reference to me at all. After keeping it for some time Mr. Driver handed it back to him.

1386. The end of that was that you appealed to the Minister to uphold his decision, and not let it be interfered with again? Yes.

1387. You wrote this minute of the 31st of January, 1878, with reference to a case similar to the appointment of Mr. Tindale? Yes.

1388. Mr. Farnell was the Minister then? Yes; he wrote that decision on my minute on the 31st of January, 1878, the same day.

1389. What is that decision? "It is quite evident to me that matters of this kind should be dealt with by the Under Secretary. I must carry out my promise to Mr. Phillips, and therefore revoke my approval of Mr. Olliver." I sent that to Mr. Moriarty to be acted upon, and he must have again taken it to the

Minister

W. W. Stephen, Esq.
13 Dec., 1878.

Minister and got this subsequent decision. "What I mean is that the Commissioner shall recommend within his own decision, and that the recommendation should come through the Under Secretary to the Minister on the same footing as the Surveyor General." In reference to that particular decision, I feel it due to myself to submit this copy of a memo. on this very subject in regard to a case which only took place yesterday—a case in which Mr. Moriarty submitted an application to the Minister direct without reference to me. It refers to the case of the appointment of Mr. Biggs, in which Mr. Moriarty again ignores that instruction of the Minister, that all such cases should be submitted through me. My minutes, and that of Mr. Moriarty in reply, are as follows:—

Urgent.

Will the Chief Commissioner be good enough to say whether there was any valid reason for submitting Mr. St. John A. Biggs' application for employment in this department direct to the Minister instead of through me, in accordance with the express instructions of the Minister and recognized rule. Mr. Farnell states that he has no recollection of asking for the application. On the last occasion of this kind the Chief Commissioner explained that the direct submission was unavoidable. Does any such reason exist in the present case?

I have some fifty or sixty applications of long prior date to Mr. Biggs', with more than one of which the Minister I know would have liked to comply.—W.W.S., 12 December, 1878.

The paper appears to have been taken or given to Mr. Blackman, but I am not aware who submitted it.—W.W.S., 12 December.

I showed the paper, which I asked for and obtained from records, to the Minister, who saw fit (certainly at my personal request) to appoint Mr. Biggs, and sent the paper to the Under Secretary, as falling within his province to carry out. I render this explanation as a matter of courtesy, not admitting the Under Secretary's right to question my conversations with the Minister, or my recommendations on matters within my own province. In this instance I required capable and experienced assistance. The Under Secretary already holds instructions to submit my recommendations on the same footing as the Surveyor General's, so that if I had submitted a formal recommendation (which I did not) the case could not admit of question between it and the fifty or sixty others referred to.

I think these small questions are better avoided in the present aspect of affairs, and I certainly have no time for them.—A.O.M., 12/12/78.*

1390. Will you look at this decision by Mr. Farnell, and tell me how it was communicated to Mr. Moriarty? I submitted my minute to the Minister, who gave that decision which I sent to Mr. Moriarty.

1391. Mr. Moriarty complains that you did not send it to him. He says, "the proceedings are aggravated by the indecency of the Under Secretary publishing it through the department before sending it to me"? I did not see any necessity to send it to him except in the usual course.

1392. That is you followed the practice which you always insisted ought to be carried out? Yes.

1393. Mr. Moriarty says here that you wished him to occupy a position different to that of every head of a department in the Colony? He is not head of a department.

1394. A position which he says, "I certainly cannot accept." Was not that written by Mr. Moriarty after the decisions of Mr. Driver and Mr. Farnell on the same point, although upon different cases? Yes, exactly the same point—the appointment of officers.

1395. One decision was given in June, 1877, and the other in January, 1878? Yes.

1396. This case you say arose out of Mr. Moriarty obtaining the appointment of Mr. Olliver to his branch? Yes.

1397. Did you obtain Mr. Farnell's confirmation to the appointment of Mr. Phillips in ignorance of the fact that Mr. Olliver had been appointed? No; it was on a written promise that Mr. Phillips should receive the first vacancy, and I contended that through Mr. Moriarty submitting that without informing me it placed the Minister in the position of appearing to break his promise.

1398. You knew nothing about Mr. Olliver having been appointed until after it was done? No.

1399. Nothing about the application until it was complied with? No; it was submitted to the Minister direct and approved. Mr. Farnell's approval was dated 28th January, 1878, and it was sent to me on the following day.

1400. What was the object of sending it to you? To carry out Mr. Moriarty's instructions, and prepare the letter informing the Treasury.

1401. In point of fact Mr. Olliver was appointed without your knowledge? Yes.

1402. And until you received Mr. Moriarty's minute forwarding the appointment you knew nothing about it? No. The course pursued was in reality making me the subordinate officer—carrying out his recommendations instead of carrying out my own.

1403. The last paragraph of Mr. Moriarty's minute is this:—"Mr. Olliver is at work, and has given up his position in the Audit Office. There is no doubt ample room for Mr. Phillips on the Under Secretary's staff"? Yes.

1404. What does he mean by that, that there is no doubt ample room for Mr. Phillips in your department? He means that there was plenty of work in those branches immediately under my supervision for extra clerks, and that Mr. Phillips could get a place under me; but that was not a matter for him to deal with at all.

1405. It is merely suggesting an easy way out of the difficulty? Yes.

1406. Because Mr. Farnell could not carry out his promise? The promise was carried out a short time afterwards.

1407. The next time, as it appears from these papers, we have this thing forced on again is in a minute written on the 5th of April, 1877, when Mr. Moriarty submits to the Minister the necessity of reconsidering so much of the arrangement for the division of the department as removed from his supervision the branches relating to auctions and pre-emptive leases. How had Mr. Moriarty the supervision of that before? He had no supervision of that beyond what is implied in the fact that he was chief clerk.

1408. He had no more supervision over it than he had over any other part of the business of the office? No; just the same.

1409. You still have charge of this lease business? Yes.

1410. It is one of those branches in which, according to the return sent to us from your office, there were no arrears on the 30th September? I think so.

1411. In the minute written by Mr. Moriarty on the 5th of April, 1877, there is a repetition of statements urged by him in his minute of the 22nd December, 1876? Yes; a repetition, word for word.

1412. These statements were contained in the minute which led up to the censure of Mr. Moriarty by the Cabinet acting on Mr. Stuart's minute, and to his apology to you? Yes.

1413. And was really the origin of that disturbance of which you were compelled to complain when Mr. Stuart was Acting Minister for Lands? Yes.

1414.

NOTE (on revision):—I wish to add that I sent a brief rejoinder to Mr. Moriarty's minute, which, however, he did not return to me.—W.W.S.

1414. The statement is a repetition of that which appeared in the minute which he said was in no way offensive? Yes; I never noticed that the statements were identical before. They are word for word the same.

W. W.
Stephen, Esq.
13 Dec., 1878.

1415. In your minute upon that you again appealed to the Minister for judgment as to your capacity, as you had done previously? Yes. I should like to state that the Chief Commissioner advances as a ground for removing the Lease Branch from my supervision that the lease business is quite unconnected with any other branch of the department, excepting the Conditional Sales Branch. But it is connected with that branch only in one particular. The Lease Branch deals with leases sold by auction, and with leases in virtue of land held under fee simple, which have no connection with the Conditional Sales Branch.

1416. In that minute Mr. Moriarty stated that he appealed to Mr. Brown. Is Mr. Brown the head of the Lease Branch? Yes.

1417. And Mr. Moriarty asks his opinion in support of the position he takes up himself? Yes.

1418. Is that in accordance with official rule that a subordinate should ask the opinion of a junior as to the propriety of an arrangement to which the head of the department objects? I think Mr. Moriarty says that he did it before the proposed separation was determined on.

1419. Under these circumstances were not Mr. Moriarty's suggestions asked for by you; and if you wished to have suggestions from any other subordinate in the department could you not have asked for them yourself? Yes.

1420. Was not this proceeding on the part of Mr. Moriarty seeking a report from a subordinate to assist him to carry out his views against the head of the department? I do not think anything of that report really. Mr. Brown is a very good officer, and I intended to have referred the matter to him lately. I think that after eighteen months experience his views may have been modified.

1421. Mr. Brown was obliged to give his views to his superior, Mr. Moriarty? I do not object to Mr. Brown giving them to him. Mr. Brown had been under him as chief clerk.

1422. There is no blame attaching to Mr. Brown? I do not think so.

1423. When Mr. Moriarty again brought that paper, which he had submitted to Mr. Driver, before Mr. Farnell in August last, he states that at the time he submitted that last minute to Mr. Driver you requested a week's time to reply to his memorandum, promising that the papers should be re-submitted to the Minister within such a time. What is your recollection of the circumstances? I recollect that there was some conversation to that effect, but I cannot say the time.

1424. Did you make any promise to him with reference to it? I made no promise to re-submit at any time. I believe I stated I would, but upon looking at the memorandum I determined to take no notice of it. It was very offensive. I could prove the grounds upon which the proposed removal was sought fallacious. I left it over, and told Mr. Driver that I had done so before he left office, and I think Mr. Driver gave me back the papers.

1425. This memorandum re-submitting these papers went direct from Mr. Moriarty to Mr. Farnell? Yes, in the same way as the others.

1426. In that he says:—"I presume this note is intended to make light of the matter, but I submit that neither the personal nor the official position of the Under Secretary warrants his affecting to treat with contempt the representations of an officer whose experience is certainly not inferior to his own, and whose views in the particular matter under question have been adopted by the Government and the Legislature." He finishes by saying that he denies the right of the Under Secretary to suppress it. Had he previously accused you of suppressing this? No; that minute to Mr. Farnell was the first renewal of it.

1427. This minute submitted by Mr. Moriarty to Mr. Farnell direct? Yes.

1428. You were directed to submit the minute referred to by Mr. Moriarty to the Minister? Yes.

1429. I do not see any decision on this? I first wrote a rather lengthy minute, in which I referred to Mr. Moriarty's unprovoked observations about my personal and official position. I stated that under the circumstances he might leave that alone. However, upon reflection I tore that up, and wrote this short minute instead:—"The minute referred to, which was left with me by Mr. Secretary Driver, has been shown to the Minister, who has not thought fit to make the alteration proposed. Possibly the matter may be brought before the Commissioners, when I shall be quite prepared to meet any of Mr. Moriarty's offensive and uncalled for remarks."

1430. There has been no decision since that of Mr. Farnell on that question between you and Mr. Moriarty? No.

1431. Either as to appointments or as to the Lease Branch there has been no decision adverse to the position upon which you insisted in reference to these matters? No; I think, however, there have been one or two decisions reaffirming that position, but none adverse to it.

1432. What position does Mr. Edwards occupy in the department? He is clerk in charge of the Auction Sales Branch, and the branch in which the land statistics are kept.

1433. Do you recollect anything which occurred between him and Mr. Moriarty not long since? There was a conflict between Mr. Moriarty and his brother, Mr. John Edwards, of the Miscellaneous Branch, who was at that time clerk in charge of one of the rooms of the Miscellaneous Branch.

1434. When did that occur? At the beginning of this year; in February, 1878.

1435. Can you tell us what it was. Mr. Edwards' complaint is here in full.

1436. It was reported to you? Yes; officially by Mr. Edwards, who stated that there was some question about extra accommodation being wanted for the clerks of the Conditional Purchase Branch; that Mr. Moriarty, with one of his clerks, went to Mr. Edwards' room and asked certain questions as to how many gentlemen were employed there? Mr. Edwards gave the information required, and Mr. Moriarty then replied that he saw a way of making room; that he would dismiss some of the numerous idlers employed there, alluding to the gentlemen working under Mr. Edwards.

1437. Had he any control over Mr. Edwards? No.

1438. Had he anything whatever to do with him? No, he had not. Mr. Edwards said that he scarcely understood what Mr. Moriarty meant; and Mr. Moriarty said, "Well I would commence with your room and dismiss four or five of the idlers employed in it." In this room, I may mention, there happened to be some clerks as good as any there are in the department. Mr. Edwards thought that Mr. Moriarty's tone and language were uncalled for and offensive to him, when Mr. Moriarty rushed up to him and asked him if he accused him of using offensive language, and Mr. Edwards said that if he used these terms he certainly must say so. Then Mr. Moriarty, without any warning, drew back, closed his fist, and struck Mr. Edwards a violent blow in the face. After that a short struggle ensued, and Mr. Moriarty went away.

- W. W. Stephen, Esq.
13 Dec., 1878.
1439. That took place in Mr. Edwards' room where Mr. Moriarty had no authority? Yes.
1440. His business did not take him there? He had no official right there.
1441. How was that matter disposed of? Mr. Moriarty was suspended, and called upon for an explanation. The papers came to me from the Cabinet two or three days after the affair happened. Then Mr. Moriarty made his explanation, and the result was that Mr. Farnell stated that if Mr. Edwards had refrained from taking the case into Court, and had looked solely to the head of his department for protection, it would have been his duty to have taken very serious notice of the matter; but that as Mr. Moriarty had been brought to the Police Office and fined, he was willing to dismiss the matter, with an expression of his deep regret that Mr. Moriarty should have so far forgotten himself as to commit what he must regard as an unprovoked assault upon a junior officer. And Mr. Farnell added, "The suspension may now be removed."
1442. Did you come into collision with Mr. Moriarty at all in this matter? I did eventually.
1443. In what way? The same day that I received the Minister's decision—I did not have the papers officially registered—I sent it to Mr. Moriarty for his information, with a request that he would be good enough to return it after perusal.
1444. The regular course would have been that you should have had it registered? Yes.
1445. You did not pursue that course which he had himself adopted but which he objected to your pursuing? I did not register it out of consideration to him. After a day or two Mr. Edwards, who had been assaulted, desires to see the decision, and as the person who had made the complaint he was entitled to see it. When Mr. Moriarty did not send it back to me I sent for it again two or three times, and not obtaining it I made a report to the Minister. That report the Minister referred to Mr. Moriarty. In that report I say: Notwithstanding the consideration I have shown him in not having it officially registered he wrote one of the strongest and most offensive minutes I have received from him. These papers were submitted by me to Mr. Farnell who said that he would look into the matter and deal with it, but after several weeks the papers were returned to me, no decision having been arrived at.
1446. You did not press your views with regard to Mr. Moriarty's minute? I pressed them strongly. They were referred to Mr. Moriarty who in reply wrote this minute.
1447. *Mr. Ranken.*] What was the date? February, 1878. His first made an explanation of the delay which was not quite borne out by the facts I think, but he excused himself on the ground that he was entitled to keep the paper long enough to copy it at least, and he said that he had not yet done or had time to do, not caring to take such documents out of the office.
1448. *President.*] What part of the minute do you object to specially? The part I chiefly complain of is this: "I have had some experience of official life, but I will undertake to say that in no other country or colony would the arbitrary and insulting line of conduct which the Under Secretary adopts towards me be tolerated." That is the part I chiefly object to. In reference to this statement I remarked, before submitting it to the Minister: "If this statement were not so untrue I cannot apply to it any other term, it would be simply absurd. I am willing to leave it to any Minister who has known me, or to the department generally, to say whether I am capable of arbitrary or insulting conduct to anyone." That was the end of that.
1449. You desired to offer some observations in regard to the case of Ellen Morris. There are the papers. What is the case, and how has it been dealt with? It was an application that a conditional purchase made by Ellen Morris might be declared void, as she was desirous of withdrawing it, and requesting that land might go to auction.
1450. Land which had been previously advertised for sale by auction? Yes, there were two lots but one conditional purchase. The application was from Mr. R. P. Raymond. Mr. William Edwards, the clerk in charge of the Auction Branch, who submits these things, recommended that these portions might perhaps go on for sale pending inquiry.
1451. What is the date of the letter? The 5th February, 1877. On the next day Mr. Edwards recommended: "These portions may perhaps go on for sale pending inquiry. The conditional purchase can be easily sustained if the facts are not as stated." The application stated that the party who selected these lots was desirous of withdrawing from the purchase. The Minister being absent I wrote on it: "Under statement in enclosed telegram now received the sale may go on and this conditional purchase be declared void." The telegram referred to was a telegram in support of the statement of Ellen Morris.
1452. When was that telegram sent? On the same day. The auction sale was on the 7th. The letter was received on the 5th, the telegram on the 6th, and my minute was written on the morning of the sale.
1453. The effect of that telegram was to ask that the sale might go on? Yes.
1454. Where was the sale to take place? At Urana, the head office of the district. Then the papers went in the usual course to the Chief Commissioner of Conditional Sales for the conditional purchase to be declared void in accordance with my minute.
1455. Was the land sold at auction? It was. Then the papers went on for the cancellation of the conditional purchase.
1456. After the sale? Yes. Mr. Moriarty submitted this minute to Mr. Driver, who had only been in office a short time. He submitted it without my seeing it, and he did not mention to me that he was going to point out what ought to have been done, or that I had made a mistake.
1457. Had he any means of knowing about the case before that? It was sent on to him at once.
1458. On what date? It would go the day after our action was taken.
1459. That would be the 8th? Yes.
1460. What is the date of his minute? He marks it as having been received by him on the 20th; but it was marked to him by us on the 8th. That was the day we sent it away. Why he did not get it until the 20th I cannot say.
1461. Would it not go direct? It must go through the Record Branch.
1462. It took twelve days to reach him? It may have been with Mr. Blackman or one of the clerks down stairs before it was submitted to Mr. Moriarty specially. Mr. Moriarty took this to Mr. Driver, and stated: "I am sorry to be under the necessity of pointing out that this proposed cancellation of a conditional purchase on the very eve of an auction, and for the purpose of allowing such auction to proceed is not only objectionable but plainly illegal. It is not open to a conditional purchaser to withdraw his selection, except on the ground of non-survey, which is not the case here." Then he goes on to say that it was not only irregular, but illegal, not having the sanction or presumed sanction of the Minister, and had not been referred to his branch, and therefore the auction sale could not be sustained.

1463. As far as you know, the reference from your department to Mr. Moriarty's branch being on the 8th, he ought to have got it on the 8th? Yes.

W. W.
Stephen, Esq.
13 Dec., 1878.

1464. Did Mr. Moriarty know at the time you wrote that minute that the Minister was then or had been absent on the day of your action? I think he must have known it. Upon that minute—without my being called upon to explain my action in any way, and as I must presume, under Mr. Moriarty's representations, because I could not tell what he added verbally to the Minister—Mr. Driver wrote: "The sale of these lots should not have been permitted. The whole proceedings have been irregular and illegal, and I cannot understand how in the absence of the Ministerial head of the department, the lands after being conditionally purchased were sold." I knew nothing about this for some days, and if I recollect rightly, it came to me by accident. Then I wrote upon it this minute: "I had to act in this matter upon my own responsibility for the Minister, there being at the time no Minister to appeal to, and the case being submitted about half an hour before the sale. I adopted a course which had on two or three occasions been sanctioned by previous Ministers, expressly guarding myself by stipulating that the sale would only hold good subject to the consent of the conditional purchaser, who had, in fact, already stated her willingness to give up the land." Then I proceeded to say: "Had I been afforded the opportunity of explaining my course of action, I feel confident that the Minister would not have written a minute amounting to a reprimand, and I trust, as this is an official record, that he will consent to withdraw or cancel the minute so far as it reflects upon my action as head of the department." To that Mr. Driver wrote: "Approved—see above," and he scratched out nearly the whole of his minute as you see here. I have not informed Mr. Moriarty of that. The telegram referred to in my minute by some means got detached from the papers, and, in submitting the case to Mr. Driver, it seems to me that he was trying to make out that to oblige Mr. Wilson and Mr. Raymond I had been stating something which was not the case, by referring to a telegram that did not exist. I arrive at that conclusion from this memo. which was addressed to Mr. Moriarty from the Telegraph Office, Sydney. "The station-master at Urana says there was no message from Ellen Morris, Urana, to the Under Secretary for Lands, on or about the 7th of February." As a matter of fact the telegram came from Jerilderie, which is a station in the land office district of Urana. That memo. was pinned on to the papers as submitted, and although there were no remarks in writing it appears to me to have been submitted to Mr. Diver, to show that I had never received the telegram of which I wrote in my minute. On seeing that memo. pinned on to the papers I referred to the Superintendent.

1465. To Mr. Cracknell? Yes; and I asked him how that came to be sent to Mr. Moriarty. The reply I got was: "The telegram from Jerilderie is correct, but there was no telegram from Urana on the same subject." I sent up to Jerilderie for a copy of the telegram and I received this certified copy. Mr. Moriarty's action shows me that he had wished it to be inferred I had stated what was untrue to oblige my friends.

1466. Your inference is that Mr. Moriarty, not seeing the telegram, doubted your statement and sent to the Telegraph Office and asked if there was any telegram for the Under Secretary from Urana? Yes; and when they said there was not, he pinned it on to the papers and submitted them.

1467. To represent that what you said was not true? I cannot draw any other inference than that.

1468. Was any other inference possible? I do not see that there was. I have not shown Mr. Moriarty these papers since Mr. Driver cancelled his decision.

1469. Have you kept them in your possession always? Yes.

1470. Are they registered? Yes, but I have kept them specially.

1471. You say that the course you pursued in that case was similar to the course which had been pursued in other similar cases? Yes; I can produce precedents where conditional purchases have been cancelled on similar grounds of application specially approved by the Minister. They were special cases.

1472. On what ground was that done—that after selection there could be no auction sale until the selection was cancelled or forfeited? Yes.

1473. Under what regulation are cancellations or forfeitures made? There is no special regulation declaring conditional purchases void.

1474. *Mr. Ranken.*] The applicant may withdraw? There is a special rule about the applicant withdrawing on the ground of non-survey within twelve months.

1475. *President.*] Mr. Moriarty says that is the only case in which that could be done? He is wrong. Strictly speaking it may be illegal; but in regard to conditional purchases the Minister has almost unlimited power, and frequent opportunities of action not expressly provided for by Act or regulation.

1476. *Mr. Ranken.*] As a matter of fact the application is often withdrawn, and the money returned? Yes; for non-survey within twelve months.

1477. *President.*] There are no regulations which state when forfeiture shall be complete, or cancellation effective? Forfeiture is made by the Governor and Executive Council, after inquiry, and upon proof of breach of conditions. A selection is cancelled or declared void from being illegal *ab initio*.

1478. No matter how many cases have been decided in this way do you not think the practice is a bad one? Yes.

1479. Do you not think that it opens the door to what is known as dummying? I think it is a bad thing, as a rule.

1480. Is it not one of the most certain ways of preserving land for auction to get it taken up by dummy selectors, who withdraw at the last moment? It is one of the plans pursued.

1481. And you allow that this practice would open the door to it? Yes, if carried out generally; but it is not so effectual a means of dummying as getting selections cancelled for non-survey within twelve months.

1482. But that is part of the law? Yes. Thousands of pounds have been refunded on account of non-survey within twelve months. Mr. Farnell decided some time ago that before an applicant could have his money returned he should prove that he had resided on the land. For a long time this decision was not acted upon, and there have been thousands of pounds refunded for non-survey during twelve months. That has been the most effectual method of dummying which has existed, for in nine cases out of ten the land is not surveyed within twelve months. Any dummy could pay his deposit, watch the time when the surveyor was coming, and send in an application for the refund of the deposit without his having resided at all. By that means the land would be shut out from free selection.

1483. That springs from a defect in the law? It is owing to Mr. Farnell's decision not having been carried out. For years these refunds were made without inquiry.

1484. Is there any regulation giving the Minister power to insist on residence? The point was raised two

W. W. Stephen, Esq. two or three times when Mr. Fitzpatrick was Under Secretary. I wrote a minute upon it, and Mr. Farnell wrote another. Eventually it was decided, upon the opinion of the Crown Law Officers, that residence could be insisted upon. One part of the Act provides that a selector is entitled to claim a refund of his money for non-survey of the land within twelve months, and another that the conditional purchaser must reside within one month.

13 Dec., 1878.

1485. Having placed himself in a wrong position by not residing, the man could not claim rights as if he were in a right position? Yes; and yet according to the mode of action which has been pursued, thousands of pounds have been refunded without any attempt to compel proof of residence.

1486. Was the decision of Mr. Farnell to which you refer given during his tenure of office as a member of the Parkes Administration? I think it was.

1487. He decided that point then? Yes.

1488. Has there been any action in the department contrary to that decision since? The Conditional Sales Branch went over to Mr. Moriarty, and for two years it was found that the refunds were made without any attempt to carry out the decision. A short time back Mr. Farnell held that his original decision must be carried out.

1489. When did that come under your knowledge? Only a short time back. I did not know what they were doing, and I am not blaming Mr. Moriarty.

1490. That is another of the evils of separation? Yes. I do not blame Mr. Moriarty.

1491. Having had the interpretation of the law is he not open to blame for dealing with applications for refund in that way? The point of law I suppose never came under his notice. The Minister's decision was only given about a month before he went out of office.

1492. Mr. Moriarty was chief clerk then? Yes.

1493. Would he not be likely to know of such a decision as that? I think so. I am not quite certain whether he was chief clerk at the time, but I think he was.

1494. Is there any means by which a stranger coming into an office can ascertain what decisions, such as that, have been given, or must he trust to chance? Supposing for example that on taking up this business Mr. Moriarty knew nothing about the decisions which have been given on certain points, is there any means by which he can ascertain them? Yes.

1495. Is there a record kept of decisions on doubtful points? There is supposed to be a book of precedents kept.

1496. Who keeps it? I cannot say. I have not seen it for some time.

1497. Where ought it to be? In the Conditional Sales Branch.

1498. Such a book would almost be necessary in every branch having to deal with the disposal of land? We have a book in which we keep special decisions of that kind.

1499. Is it kept up? I think so; it is kept by the heads of the branches in which the particular business is transacted.

1500. In dealing with this case of Ellen Morris did you rely more upon precedent than upon your own interpretation of the law? I relied partly on precedent. I was very much hurried at the time. Mr. Garrett was away, and I knew that Sir John Robertson was busy, and it was therefore that I acted in this matter on my own responsibility, taking care to state that if there were any objections on the part of the conditional purchaser the auction sale should be cancelled.

1501. If a stranger bought the land how could you cancel the sale? Auction sales frequently are cancelled on the ground that the land has been conditionally purchased.

1502. And that without any fault on the part of the purchaser? Yes; through mistakes on the part of the surveyor.

1503. Do the purchasers quietly submit to that? Yes.

1504. Do you not consider that the auction purchaser who fulfils all the conditions of sale is entitled to the land he buys? Yes; to the land the Government has contracted to sell.

1505. And that the Government have no right to cancel the sale? Yes; and if I mistake not we have a decision from the Crown Law officers that they are entitled to compensation.

1506. Do not these transactions show that there is a straining of the law on the part of the Government to meet particular cases? I think there is sometimes. Sometimes cases of great hardship occur, whether as regards selector, improver, or squatter; and if the law can be stretched without breaking it, it is at times made very elastic by the Minister.

1507. Where there is a chance of injury to people who have rights which ought to be recognized, do you not think it very wrong to ask them to give up their legitimate claims, and to use the power of Government to influence them? The question often is, which would be the most injured party, the man who has been allowed to conditionally purchase, and who, perhaps, has entered upon residence, or the man who has purchased at auction.

1508. Has not the first purchaser the prior right? Yes.

1509. If a conditional purchase is made you cannot affect the title? Yes.

1510. If you sell that land afterwards by auction, would it be honest to bully or frighten that man to give up the right which he has acquired in virtue of his conditional purchase without compensation? I cannot say.

1511. As between individuals, would it be legitimate or honest? I should think not, without compensation.

1512. *Mr. Ranken.*] Upon a general view of this case of Ellen Morris, does it not appear that Mr. Moriarty's view is sound legally, that is apart from his action with regard to you? Strictly speaking, under the law the conditional purchase stood.

1513. *President.*] And you had no right to sell that land? Yes; but I had seen the same sort of thing done before, and, being very much pressed for time, I acted in a hurry.

1514. You admit that Mr. Moriarty was right as far as the legal view of the case went? I admit that it was a question of doubtful legality.

1515. *Mr. Ranken.*] You do not object to his position? No; but I say he ought to have pointed out my mistake to me, and not have gone to Mr. Driver behind my back to obtain a reprimand without allowing me to see the case; and then I most decidedly object to his extraordinary course in sending up to the Telegraph Office to ascertain whether a telegram had been sent or not. I do not think that my action was perfectly legal, but no harm has been done under it, and besides it was a course sanctioned by precedent or I certainly should not have authorized it.

1516. *President.*] That would hardly be a safe way to administer the law? No; but I look upon the case as one in which no injustice could be done to individuals as both parties consented.

1517. *Mr. Ranken.*] But to act in that way would be opening the door to doubtful practices? Yes.

1518. *President.*] Would it not be very easy for any person interested in this auction sale to send a telegram in the name of Ellen Morris—you had nothing to prove that that telegram was from Ellen Morris? It may be so; I never look out for deceit of that kind.

1519. Although the application comes from the enemies' camp, as it were, from the person actually wanting the land? It came from the conditional purchaser.

1520. The letter had been delivered to you by Mr. Raymond? The telegram came direct to me, and followed the letter sent asking to withdraw the application.

1521. Does not the prompt action taken in that particular case show the great use of land agents? I do not know about that. Any case specially urgent is submitted immediately. If I had referred that to the Conditional Sales Branch the sale would very likely have been over before the case had been dealt with.

1522. If that telegram had come to the department direct it would have been handed over to Mr. Moriarty at once? No; I think it would have come to me. It was addressed to the Under Secretary. I should have dealt with it myself or sent it to Mr. Moriarty. It referred to an auction sale about to take place, and the action to be taken first was that which related to the Auction Branch.

1523. *Mr. Ranken.*] Mr. Raymond's letter was dated the 5th, you dealt with the case on the 7th, while it did not reach the Conditional Sales Branch until the 20th. It was acted upon by me on the morning of the sale, my telegram being sent to let the sale go on. The papers were sent to the Conditional Sales Branch on the 8th. That minute by Mr. Driver was the only minute which had been written against me during my service of twenty-five years; and when I pointed out all the facts to Mr. Driver he cancelled it. That reprimand was going about the department for a long time without my knowing anything about it.

1524. *President.*] Are there any other papers or matters you would like us to refer to? I think you have dealt with nearly all now.

1525. If you think it necessary to make any other statement, or to hand in further papers which will give us additional information, we shall be happy to receive them? There must have been other memoranda of which I have taken no particular note.

WEDNESDAY, 18 DECEMBER, 1878.

Present:—

MR. ABBOTT,

MR. RANKEN.

R. P. ABBOTT, ESQ., PRESIDENT, IN THE CHAIR.

A. O. Moriarty, Esquire, was called in and examined:—

1526. *Mr. Ranken.*] You are aware that the Secretary for Lands has caused to be laid before the Commission some papers which were brought before him in October last, and which relate to matters in dispute between the Under Secretary and yourself, so that they might inquire into and report upon them. The Commissioners desire to obtain all the information they can in regard to them. You will observe that the papers extend over a period of four or five years, but you are probably familiar with their contents? Yes; these papers which you hand to me (78-5,280, *Ministerial*) are not original papers at all.

1527. Those are the papers relating to matters which took place in October last? I understood from the Minister, in fact I suggested to the Minister, that the particular question referred to in these papers should be remitted to this Commission. I am also aware, in fact I myself have urged, that certain other matters should also be remitted to this Commission—these matters being, so far as I have been concerned in them, purely official matters. I have not raised, and it is not my intention to raise, any issue with Mr. Stephen as Under Secretary as regards our personal relations. If any such questions have been raised here they have not been raised by me.

1528. These are all official matters regarding the transaction of official business? These papers (78-5,280, *Ministerial*) relate to a question of office routine which I have for some time been pressing on the Government. The matter is to some extent already overlaid by personal questions; but I beg to state that it is not any wish of mine to enter into any personal matters whatever; but at the same time I am here to be examined.

1529. One set of papers appears to be connected with another, and I do not see how we can limit the inquiry to a mere question of routine? I have very strong reasons for not wishing to take any initiative in any course which may seem to impugn the Under Secretary's discretion, wisdom, or conduct in any way—reasons which are personal to myself, and purely apart from my official position. I therefore feel that if any such questions are forced upon me by the Commission or otherwise, I must meet them; but I do not seek them.

1530. It appears to me that we cannot limit the inquiry, except within the scope of these papers? This correspondence commenced last year in a memorandum addressed by me to Mr. Secretary Driver, in June, 1877. I think no question of personal disagreement is to be found here. The Under Secretary, acting on his own views—no doubt in his opinion correct views—had directed that all cases in which the action of the branches under his immediate control and the division under my control are concerned, should go direct from the Survey Department to him, and be submitted by him to the Minister, and a decision arrived at without any reference whatever to me, or to the registers, or the clerks, or to the information under my control. I objected to that arrangement at first, as detailed in this memorandum, and I found that some striking cases occurred which illustrated my views that such a routine would lead to public inconvenience. Under these circumstances I wrote this minute. I wish to make a marked distinction between matters of public business and private matters.

1531. It appears to the Commission that the relations of officials to each other in the Public Service must affect the conduct of public business? Of course; I am in the hands of the Commission, and any questions you may ask shall be answered to the best of my ability.

1532. *President.*] Hitherto we have taken in evidence any statements the witness thought fit to make? Sometime about the close of 1876, I think it was, after several matters had arisen which led to the re-organization of the department being made the subject of frequent conversation between the Minister, the Under Secretary, and myself —

1533. *Mr. Ranken.*] I may tell you that Mr. Stephen has been examined fully upon all the relations between you for the last four or five years, and we have thought it only right that you should have an opportunity of giving evidence on the same points? There, the Commission will see, how my hands are tied.

W. W.
Stephen, Esq.
13 Dec., 1878.

A. O.
Moriarty, Esq.
18 Dec., 1878.

A. O. Moriarty, Esq. tied. As I have stated already, I particularly wished to avoid making any charges against Mr. Stephen. I will not willingly attack him; but at the same time if Mr. Stephen has been examined upon our personal relations, I think I ought to know how far I am expected to go.

18 Dec., 1878.

1534. *President.*] Mr. Stephen has told us fully the position which you occupied one towards the other, of every way in which you can come into contact with one another. We cannot do more to inform you than that? Then it comes to this, that I have a series of charges made against me, charges of which I am ignorant.

1535. *President.*] Our examination has been based upon these papers? I do not know what is before you.

1536. Would it not be well that you should take these papers with which to refresh your memory. There is no desire on our part to press your examination to-day, if you desire time to examine the papers. The only information we can give you is the information contained in these papers—the papers upon which we have hitherto proceeded? That is not evidence, I suppose, as against me.

1537. *Mr. Ranken.*] These papers will convey the whole thing to you? Perhaps the Commission will allow me to say that up to some time in the beginning of last year there had been frequent disagreements, misunderstandings, and explanations between Mr. Stephen and myself. These matters terminated, as I understood, in a quarrel which I very much regret, which came under the consideration of the Cabinet, and was decided by the Cabinet in February, 1877. I do not know of any pending matter between Mr. Stephen and myself of earlier date than January, 1877. I have not heard of any matter.

1538. *President.*] We have examined Mr. Stephen fully on all the facts as they appear there, and as to what we thought was their effect.

1539. *Mr. Ranken.*] And these matters all appear to run one into the other? It comes to this, that matters of public business on which I have a right to speak are confused, and overlaid, and mixed up with miserable petty squabbles in such a manner that it is impossible to get away from them; I could not get out of them if every difference between Mr. Stephen and myself is to become, without end, order, or understanding as to what the issues are, the subject of maundering talk there will be no end to it.

1540. The inquiry is no doubt very wide, but it seems to us that these matters in dispute between you have never been ended, and I do not see how we can come to any conclusion upon them unless we go through the whole of them? I have no personal issue with the Under Secretary open at an earlier date than January, 1877, about when all matters between us were arranged by the personal intervention of the then Premier on the basis of a mutual expression of regret, apology, and withdrawal of all personal offence. I suppose some of these papers contain the matter to which I allude. This matter relating to pre-emptive auction leases, for example, is, I consider, a pending matter of public business as to which our views differ, and which I was quite prepared to ask the Commission to take up. This minute of the Secretary for Lands, calling attention to the irregularity of the chief clerk in signing letters on his own responsibility in the year 1874, is, as I understand it, a question which was settled at that time. I bowed to the decision then arrived at, although I thought it was wrong. That matter is nearly five years old, and if I am asked to go into this question of signing letters I think it is rather late in the day.

1541. This is one of the papers sent to the Commission to form the basis of enquiry to enable us to judge of the facts? If the Commission will be pleased to take these cases separately, in their proper order, and deal with each on its merits, it may perhaps obviate confusion. Anything I have done has been done on public grounds.

1542. We can take the papers separately? This case contains a Cabinet decision of the 8th February, 1877, and I submit has been decided. If Cabinet decisions do not decide matters I do not know where decisions are to be obtained. If the Commissioners desire to take these matters up, and give me an opportunity to read the papers, I cannot object; but I cannot help feeling regret that matters of pressing public concern should be overlaid, encumbered, and made little of as compared with these old personal matters. This matter was settled on the 8th of February, 1877.

1543. The gist of this particular inquiry now is not so much the working of the law as the relations which exist between Mr. Stephen and yourself? These papers, as I take it, relate to a personal matter which was dealt with and decided in this way: The Under Secretary made charges against me; I had made charges against him. His charges were referred to me, and mine to him. We each wrote our views on the subject, and I suppose there the matter ended as far as we were concerned. The matter remained in the hands of the Cabinet for a long time, until the Cabinet were going out of office. It was then that Sir John Robertson sent for me, and told me that they wished the matter settled before they went out of office. Speaking to me as a personal friend, and not as a Minister, he asked me to write anything I chose in the shape of an expression of personal regret to Mr. Stephen, and to leave it with him, saying that he would undertake to get a similar expression from Mr. Stephen. It will be apparent to any one who reads the papers that I lost my temper. I lost my temper, having been spoken to by the Under Secretary about what he was pleased to call my "damned impudence." I said if such language were used to me again I should kick the man who used it down stairs. I wrote Sir John Robertson a brief expression of regret, and he assured me that before it went further he would require Mr. Stephen to do the same with regard to me. Mr. Stephen's minute was altered, and I made the alteration of it a subject of complaint. As regards this matter I have now no further concern in it; but I shall be glad to answer any questions the Commissioners desire to ask. As regards this other matter—the routine of business as between conflicting conditional purchase applications, and applications to purchase in any other form—I make no personal complaint against the Under Secretary, but I do impugn the accuracy of his views upon the subject. These papers, I may mention, are not complete. I have some further papers by me on the subject. I have come prepared to be examined on questions of great public importance, and I am surprised to find that I am expected to answer matters of personal concernment between the Under Secretary and myself.

1544. *President.*] That is in consequence of these papers on this subject having been specially referred to us? With regard to these papers, October, 1878, they are not complete. They do not contain a series of rebukes to me by the Under Secretary, and a demand by me for my minute of June, 1877, to be produced. The Minister ordered that it should be sent to me for my perusal, and there was a minute by the Under Secretary contending that my minute of June, 1877, was not a public but a private document. Then I do not understand why some of these papers should be originals while others are merely copies. I do not understand why a matter so important as this should be sent to the Commission, some of the papers being the original documents while others are only copies.

1545. If you make that an objection [I suppose the originals can be produced? I do not make it an objection; but I think that in a case so important as this is the originals should have been sent.

A. O.
Moriarty, Esq.

1546. Do you think that the papers of which copies have been sent, are papers required in the department for purpose of official guidance? No. The first paper is a memo. of mine, dated 10th October, 1878. That is not here. There is a minute by the Minister dated 11th October; that is not here.

18 Dec., 1878.

1547. *Mr. Ranken.*] You think it would be more satisfactory if we had the originals? Yes, all the first part are sent in in copies.

1548. Could the originals be readily procured if we send a message for them? Yes.

1549. We will send for them, and meanwhile go on with the other papers? These papers are docketed: "Minutes respecting complaint of Under Secretary for Lands of improper conduct on the part of Mr. Moriarty, Chief Commissioner of Conditional Sales. See Under Secretary's memo. of the 5th February, 1878, and previous papers." There are two matters mixed up in these papers. One has reference to the appointment of a clerk, and the other has reference to a minute of Mr. Secretary Driver, in which an instruction was given to me as to routine, which was returned by me on the same day to the Minister with what was practically a complaint against the Under Secretary, and which I have not seen since the date of it on the 12th June, 1877. I merely wish to observe that there are two totally distinct matters involved in these papers docketed D. Paper E has reference to my refusal to return to the Under Secretary when demanded some papers with regard to my own suspension from office, and which is dated the 4th April, 1878, since which date the Minister has not given any instruction with regard to it. The Minister expressed to me an opinion of the Under Secretary's action in this matter as "paltry." Having seen these papers, I may say that the matters which they involved are not what I anticipated, but with one exception, B, I am prepared if the Commission desire to deal with them.

1550. In what position were you in in 1874? I was then chief clerk of the office.

1551. Do you remember the circumstances which gave rise to this memorandum by Mr. Farnell? I remember the Under Secretary being absent, and that the letters came to me to be signed. I signed them with my own name, as the Under Secretary had been accustomed to sign his correspondence ordinarily, not adding to my signature either my own official designation or anything to show that I was signing under the official responsibility of another officer.

1552. That was a deviation from the etiquette of the office? I think not. According to my views that was the correct course to take; and I believe that is the course taken in the large departments at Home; but whether it was regular or irregular I was prepared to accept and act upon instructions in the matter, but I took exception to the Under Secretary taking certain letters which were in the office not despatched, and ordering one of the clerks without my knowledge to make a certain addendum to my signature. I contended that he had no right to alter my signature—that he had a right to cancel or proscribe my action, but that he had no right to meddle with my signature.

1553. What had been the previous practice with regard to the chief clerk? The practice in many cases is for the officer signing a document to append his official designation after his signature; and where that is the case any other officer signing for him would write "for" before the official designation of the officer for whom he signed.

1554. The chief clerk would write "for the Under Secretary"? Yes; where it was the practice of the Under Secretary to append his official designation to his signature. In 1874 the routine was that nothing but the name of the officer should be appended to the letter. I appended my signature to the letters in the same way as the Under Secretary had been in the habit of doing, not assuming to write in his name or vary his authority, but to convey the instructions of the responsible Minister.

1555. I believe Mr. Parkes drew attention to the matter? I think not. I think the Minister's attention was drawn to it by Mr. Goodman in the Colonial Secretary's Office.

1556. Mr. Farnell, in this minute, says:—"The Colonial Secretary has personally called my attention to the fact that certain documents bear the initials and signature of the chief clerk that should have borne the initials and signature of the Under Secretary"? Yes, I see that is so, but I believe it was Mr. Goodman who called the Colonial Secretary's attention to it. I consider that that matter was terminated by an instruction to me which I accepted and acted upon.

1557. In your memo. you say you would attend to the Minister's wish in the matter, but you went on to say:—"Personally, I should very much prefer not signing at all, and have only done so with the object of avoiding injurious delays—the more undesirable in the Under Secretary's absence that even when he is present the delays in the signature of correspondence are so unparalleled and prejudicial to the Public Service." Why did you use this opportunity to bring a direct charge against the permanent head of your department? Am I to justify or explain my having put these observations there now? When I put them there I thought the case so grave that it was my duty to call attention to it while the matter was under discussion.

1558. As chief clerk in the Lands Office, did you consider it proper to pass a censure upon the head of the department? Not quite, but I felt that I was justified by circumstances in calling the Minister's attention to a matter pending official decision.

1559. That was a general charge? It was a particular charge at the date it was made.

1560. Is there a particular charge mentioned there. Your minute is dated the 27th of June, 1874, and it contains these words:—"Injurious delays—the more undesirable in the Under Secretary's absence that even when he is present the delays in the signature of correspondence are so unparalleled and prejudicial to the Public Service"? That referred to a matter then pending, and then admitting of instant inquiry.

1561. Was Mr. Stephen absent at that time? Not at that time.

1562. You say "even if present"? I say "when he is present." I say that if I had been capable of writing such a minute as that in Mr. Stephen's absence I should be worthy of something more than a reprimand. This minute was written to Mr. Stephen.

1563. Was the tone of that memo. such as you would consider proper if addressed to you by a subordinate in your own branch? Under like circumstances I think it would have been so.

1564. Would you detail the circumstances? I am expected to take up a matter nearly five years old. This is one of these matters which I considered to have been definitely dealt with at the time.

1565. As it appears there it is very like a subordinate cautioning his superior as to his duty; but your explanation may set the thing in a different light altogether? I would simply observe that it was the action of a subordinate truly; but of a subordinate who was chief clerk in a large department, appointed at a comparatively high salary, and holding a position next in seniority to the Under Secretary himself, and

A. O.
Moriarty, Esq.

18 Dec., 1878.

and it had reference to a matter in regard to which I had been transacting the Under Secretary's business. It was not the action of a subordinate merely, but of a subordinate who was next in authority to the Under Secretary.

1566. But was so grave a remark as that justified by any specific statements? It was made at a time when the circumstances could be thoroughly tested. As bearing upon this I think I have other papers by me which I think will illustrate it.

1567. Mr. Stephen mentions another paper which is not amongst these papers but which he believes is in your possession—a paper of the 7th, which was last in your hands. Would that throw more light on this matter? There is no reference in Mr. Farnell's minute to any other letter of mine.

1568. Mr. Stephen in his memo. of the 10th says:—"I would remark that one of the two minutes which the chief clerk specially requests, in his memo. of the 7th instant, to be submitted and to the terms and language of which I took chief exception, had already with my reply to it been destroyed by Mr. Moriarty. It is rather surprising therefore that he should make a request which he had himself rendered it impossible for me to fulfil?" I do not remember anything about that. I may have torn up some paper which I thought withdrawn. I remember writing a private note to the Under Secretary with regard to our relations.

1569. That probably was the memo. of the 7th, alluded to by Mr. Stephen, and which Mr. Farnell also mentions as the other memorandum separately submitted? No; I do not think that can be it. The Under Secretary says I destroyed it. I have no recollection of doing so. If I did destroy any document I have no doubt it was consequent upon something else.

1570. Were not all these memoranda public documents? Certainly.

1571. Recorded? They were not recorded. At this interval of time I have no recollection of any particular documents referred to. If I have destroyed anything it must have been some mere scrap of paper, some remark which I did not consider as official, or which was part of something which was withdrawn.

1572. Is there anything further you would wish to say about that? Only this, that upon receiving the Minister's last minutes, in which he was rather severe upon me, I waited upon him and pointed his attention to circumstances which were apparently misconceived by him, and he then told me he had not read the minutes.

1573. Who—the Under Secretary? The Minister told me that he had not read the minutes.

1574. Who was the Minister? Mr. Farnell. The Under Secretary and I had been personal friends as boys, lads, and men, and the Under Secretary's father was a very dear and old friend of mine. That was the first difference between us, and I felt considerable soreness about it, and regretted to be at issue with him at all. I wrote him a private note, which I have no doubt he has still, but which he never answered.

1575. That can hardly be the document mentioned here? No; I wrote to the Under Secretary a private note, begging that these differences between us might not be proceeded with, making some observation such as this, that he could easily do me a great deal of harm if they were proceeded with, and that I might be forced into doing him harm. I asked that all differences might be terminated. I wrote what was intended to be a free hearty request for a termination of the matter. That I regarded as the end of this business, and I have heard nothing more about it since. I did that after having seen the Minister, and after the Minister told me that he had not read these papers. I do not wish to say anything more about these papers of the beginning of 1874, which I am now asked to explain, without having seen a single paper connected with the matter since.

1576. The papers came to us as representing the relations between you? Quite so. I think it is very unfortunate that matters of public importance now pending should be mixed up with these old dead and buried squabbles.

1577. Do they not involve a question of routine? Not at present, because two years ago I was put in a position independent of the Under Secretary. For the last two years by the action of the Government I have been made the official organ of the Minister for Lands and of the Government with regard to the business placed under me, so that our relations are not such as would be affected by these papers.

1578. Does not the Under Secretary remain permanent head of the whole department? Quite so, in the same sense that the Principal Under Secretary is the head of the Department of the Police, or the Under Secretary to the Treasury is the head of the Department of Customs.

1579. The routine work of the conditional sales is in your hands? Entirely.

1580. But any matter beyond mere routine passes on to the Under Secretary? No, excuse me, it does not.

1581. Would you state what is your position with regard to the business? At the latter end of 1876 it was agreed between the Minister for Lands, the Under Secretary, and myself, that it was necessary to make some new arrangement with regard to the executive management of the department. At Mr. Garrett's request I put on paper a series of suggestions, which I gave to the Under Secretary. I submitted them to him, I being then in the subordinate position of chief clerk. The Under Secretary had some conversation with Mr. Garrett about them, but nothing whatever was being done. At last the Minister requested me to obtain them for him. I went from the Minister's room to the Under Secretary and obtained them; and I saw nothing more about it for sometime, but on the 20th December, 1876, a minute was written by the Under Secretary in which he took up as if by his own initiative the same subject, embodying to a large extent my suggestions, but leaving out some matters which I thought of great importance. However, this minute provides that:—

1. That the Under Secretary retains the supervision and immediate control of the Roads and Ministerial, Miscellaneous, Record, Auction, Lease, and Deeds Branches, the duties appertaining to which are shown by the enclosed printed statement.

2. That the conduct of the conditional purchase business—Correspondence, &c. (which has attained the dimensions of a department in itself almost)—be delegated in like manner to the chief clerk, who should submit all papers to the Minister, carry out his decisions without reference to the Under Secretary, and be the recognized medium of communication with the public and officers concerned in all matters connected with the business so entrusted to him.

3. That as part of, and to give effect to, the above propositions, the designation of the chief clerk (who is already a Commissioner) should be changed to that of "Chief Commissioner of Conditional Sales," or such other as the Minister may see fit to recommend, and that the salary of chief clerk should merge in that to be granted to him as such Commissioner.

4. That the Under Secretary, whilst abstaining from active interference with the conditional purchase business or staff, should be recognized, as at present, as the official head of the whole department,* and that the separation of duties as above indicated shall not be held in any way to alter the constitution of the department as a whole, nor disturb the present relative position and seniority of any of the officers of the respective branches, which should remain exactly as at present,—and that on this understanding all matters of a ministerial or financial nature, appointments, promotions, &c., to whichever branch appertaining, should be submitted to the Minister, through the Under Secretary, in accordance with the usual official practice.

* These words "shall be recognized as the official head of the whole department" were in my original minute.

A. O.
Moriarty, Esq.
18 Dec., 1878.

1582. What is meant by the term ministerial there—matters in dispute which require special reference to the Minister? No; the word ministerial is one which in the Lands Department has a special meaning, because in no other department probably is there a special branch called the Ministerial Branch. Ordinarily, the word would be understood in the sense you assume. This minute, you will observe, provides that, in the same manner as the Under Secretary, I should submit all papers to the Minister, and carry out his decisions without referring to the Under Secretary.

1583. I had in my mind cases in which improvement purchases and conditional purchases clash;—are not cases of that kind cases in which the head of the administrative department must be referred to? No doubt; but I imagine you do not suppose they are not to come at all to the department in which one interest is entirely dealt with. That is a question as to which I have sought reference to the Commission.

1584. I should assume that the obvious way to deal with questions of that sort would be by conference and mutual understanding? Quite so. I am confining myself to the bearing of present relations between the Under Secretary and myself. I have not been for some years chief clerk in the office, or the personal subordinate of the Under Secretary, for with regard to my own business I am in direct communication with the Minister, and communicate directly his instructions to the public.

1585. You said, I think, that Mr. Stephen's memorandum, embodying your suggestions, submitted them in a mutilated state? What I said was that he submitted a memorandum, taking the initiative to himself, in which he embodied certain of my suggestions and left others out which I thought very material.

1586. I hold in my hand a minute written by you, in which you say "the only question remaining to be decided as between the Under Secretary's views and those submitted by me has reference to the lease business, which does not involve the general arrangement, and can be subsequently discussed more at length and settled on its merits. The papers are submitted with reference to the general measure which is urgent"? There was one important matter in it besides that, and that was my relation with regard to the other officers of the department. The Under Secretary ranks next to the Minister; and I suggested that in the event of his absence or death his duties should as of course, and pending the appointment of a successor, devolve upon the officer indicated as next in seniority. That was my position while I was chief clerk; and I wrote that so that I might not be placed at a disadvantage in consequence of the change, because I was giving up an office of some importance in the department to take one which was unsettled as regarded the future, and I therefore thought it important that I should be protected. I thought that was of consequence, and that was omitted by the Under Secretary.

1587. Your memorandum of suggestions appears to have been submitted by you without reference to the Under Secretary? I got those papers from the Under Secretary at the Minister's request. Those words which you have referred to were written by me, I think on my way to the Minister's room, and at the Minister's request, and really with a view to a compromise. One of the subjects which I complained of in this matter was that this minute of mine had been suppressed by the Under Secretary—that it never saw the light—that the Cabinet were left to come to a decision on the subject without having seen my views. I thought that I had been hardly treated in the matter.

1588. This minute of yours was withdrawn by Mr. Stephen? The course taken, as I was informed by Mr. Garrett, was this:—It was submitted to the Minister by Mr. Stephen, and handed by the Minister to Mr. Stephen with instructions to carry it out. What was done next was that a new minute was written by the Under Secretary without reference to mine, my suggestions not having been referred to in any way. What I complained of was that the Cabinet were invited to come to a decision on a partial knowledge of the views of the officers concerned in the department, and I was told of it last. That matter is one, and the matter of 1874 is another; but I refer to these departmental arrangements in this place merely as showing that my relations to Mr. Stephen, as chief clerk to the Under Secretary, do not necessarily illustrate our relations now, he being the Under Secretary and I being in charge of an important division of the department, taking my instructions direct from the Minister, and communicating them to the public without reference to the Under Secretary.

1589. Referring to the same matter, I find there is a minute of yours, dated the 22nd December, 1876, in which in re-opening that question of the lease business you seem to reflect upon Mr. Stephen. You say: "Without even implying anything to the disadvantage of the Under Secretary, it is palpable that this business has not engaged in any degree his interest or attention. No instructions or suggestions of any significance, if any at all, has ever emanated from him with respect to it; it is not too much to say that he does not realize its present state or bearings, and is not familiar with the present if he is with the former law regarding it." Can you give us any reason for making that comment? I shall be very happy to go into that matter if the Commission will allow me when it comes in order.

1590. This is the next case in order? Before coming to that I wish to supplement this case by some official minutes, dated March, 1875, which have not been referred to the Commission, and which bear upon the relations of the Under Secretary and myself, in such a way as to show that they should be sent; and, with the permission of the Commission, I should like to read them.

1591. We shall be glad to hear them? An instruction was given by the Under Secretary to take a particular course which I thought was in itself illegal. The course which the department was ordered to take had not the sanction of the Minister, and I did not believe that if the Minister were cognizant of the circumstances he would give the instructions. I therefore wrote a minute, calling attention to certain considerations which I supposed had not presented themselves to the Under Secretary, and I urged him not to take the course in question until he should have consulted the Minister. The Under Secretary did not submit my minute to the Minister, but he did submit the papers to the Minister for his approval, and he then wrote me a minute of reprimand which I have here. It is to this effect: "I have signed the enclosed letter, written at the chief clerk's instance. I did not submit officially the memo. which he refers to. I was quite aware of the points raised in it. It was no use asking the Minister, who is busy enough, to peruse a lengthy statement, when I could explain to him in a dozen words, as I did, and as Dr. Wilson did, the bearing of it upon the case under reference. As Mr. Moriarty states in a memo. of his written sometime back, I have a right to do as I please with any minute written by him for consideration as an almost invariable rule—I submit or peruse them with a deference due to Mr. M's. ability and judgment. But it sometimes happens that his minutes aim simply at proving that action directed by me is wrong and having it altered. Irrespectively of the circumstance that I do not care or choose to have my decisions officially cavilled at in the way they are, I venture to express my belief that in conditional purchase and all other matters coming under the Alienation Act, I have had

A. O. Moriarty, Esq.
18 Dec., 1878.

from the various positions I have occupied in this department more experience than the chief clerk has, and I do not feel inclined to admit that my treatment or judgment in such cases is at fault. Possibly also there may be 'another person' of the same opinion. Be that as it may, I am responsible to the Minister, and am prepared to justify any action I take or desire to be taken. I trust therefore that Mr. M. will now abstain from officially commenting, as in this case, upon any course I may adopt with regard to papers sent up by him or others in the office.—W.W.S., 3 March. To be returned." This is my reply; and I produce the case as illustrative of our relations. I wrote: "I do not think the Under Secretary will find any authority to endorse the view that he is warranted in withholding or destroying public official documents, written under the full sense of the responsibility thereby incurred by his subordinate officers on matters for the Ministers decision, merely because they dissent from or go to question his own views. This case aptly illustrates the position. I urged upon the Under Secretary that he was taking an illegal course for the benefit of a dummy selector, and I did so with the sole object of preventing the error from going further and before the Minister had ratified it. On full reflection I do not believe the Minister had he had the opportunity of reading my minute would have ratified that course: and, entertaining the views that I do, I conceive that I should have signally failed in my own duty, if I had allowed my apprehension of displeasing the Under Secretary to prevent me from giving expression to those views, leaving it to the Responsible Minister to deal with them as he might think fitting; and with me if I either transgressed my own proper province or took up an untenable position in the matter. I am afraid all this difficulty arises from the Under Secretary failing to discriminate between the cause of my taking certain action and the aim that he imputes to me. I give him every credit for the mature experience and the sound judgment that he claims. I do not pretend to compete with him in either, nor do I see why any such comparison need arise; but if, as sometimes happens, I see what he does not appear to me to see, and think him from haste or whatever other cause to be leading the Minister or the department into error for want of something being pointed out, it becomes my duty to point this out; and if I failed to do so, I should fail in my duty to him, to the Minister, and the public. This is a very different thing from aiming at proving him in the wrong. Such aims, if I entertained them, would be best served by letting him remain in the wrong. I feel, however, and I must beg the Under Secretary to understand, that with every desire to recognise and fulfil the duty due to him as my official superior, the duty which we both owe to the Government and the public must always with me have the paramount claim.—A.O.M., 8/3/75."

1592. Do you know what was the result of that case? My opinion was verified by the result, and I will mention what the case was. A selection had been taken up on a run by the son of the lessee acting as agent for the selector. It was reported by the surveyor, or in some other way, that the selector was not resident. The Minister for Lands directed that the selection should be forfeited and it was forfeited by the authority of the Governor and Executive Council. The instruction given by the Under Secretary was that the land agent was not to take other applications for the same land. I submitted to him, with all respect, that the Minister for Lands could give no such instructions by law, that it was open to the Executive Council to reverse their forfeiture if they thought fit; but that under the law, the selection having been forfeited, it was open to any person else to make an application for the land. I considered that the department in ordering the land agent not to receive any application for this particular land were in effect ordering him to commit a misdemeanour.

1593. Ordering him to violate the law? Yes. My minute on the subject never reached the Minister; and I thought the Under Secretary was wrong in keeping it from the Minister.

1594. *President.*] Have you the names of the parties to that case? I forget just now that of the selector.

1595. *Mr. Ranken.*] The case can be identified? Yes.

1596. *President.*] You do not recollect the names? Not that of the selector; but I can trace it. I know the others. I stated my reasons for believing that it was a dummy selection; that it was taken up by the son of the lessee of the run as the agent for the selector; that the selector was reported non-resident—that the son of the lessee pointed out the boundaries to the surveyor—that the correspondence about the case was signed by the son of the lessee as the selector's agent; and finally, that the request that the land agent should be instructed not to receive any other applications for the land came from the agent of the lessee.

1597. *Mr. Ranken.*] Were you led to form your opinion from the complexion of the whole affair? The character of the case was apparent to me on looking at the facts. My attention was first attracted by the circumstance that I had on other occasions urged that this course of instructing the land agent not to receive applications was illegal; and ultimately, at my instance, an instruction was made by the Secretary for Lands definitely forbidding the course that applications were not to be taken for forfeited selections. I did not seek to prove that the Under Secretary was wrong, but I did seek to keep the department right.

1598. Referring again to the papers of 10th October, 1878, are the papers which I now hand to you the originals? Yes; I presume these papers are the same. Mr. Farnell's minute is dated 15th October on my own minute.

1599. You have finished with regard to the other matter? Yes; but I confine myself entirely to that which seems to arise out of what is brought before me here. I do not wish to make complaints against the Under Secretary.

1600. The first paper in this case purports to be a minute written by you on the 10th of October, 1878? Yes.

1601. You were then in your present position as Chief Commissioner of Conditional Sales? Yes.

1602. I suppose that when you mentioned that certain matters were settled you referred to the documents you have and to some agreement with Mr. Stephen. Was there any record of that agreement? There is no record of an agreement.

1603. This is the general arrangement come to on the 20th December, 1876? Precisely.

1604. And the purport of this minute is that that arrangement had been set aside by Mr. Stephen? Quite so.

1605. You referred to what took place in June, 1877? Prior to that, I think. As to this I wrote: "This arrangement which had been arrived at by agreement was, however, set aside by an instruction from the Under Secretary to the effect that all such cases were to be referred direct to him, and not at all to me." As to this the Under Secretary charges me with misrepresentation, with having misled the Minister.

What

A. O.
Moriarty, Esq.
18 Dec., 1878.

What I called an agreement was subsequent to the dispute which had been settled by the Cabinet, and to which you have already referred, and at a time when the Under Secretary and I were not on speaking terms; in fact we have not been since. I may explain that the papers come direct to me or to the Under Secretary, according to arrangement, for submission to the Minister; but it occurred to somebody, not to me (the Deputy Surveyor General, I think, or to one of the leading draftsmen), to raise the question as to how these cases were to be dealt with in which the business of both branches of the department was involved, and a suggestion was made—not by me, but by the Deputy Surveyor General or one of the leading draftsmen—that the papers should go from the Survey Office, to one division of the Lands Office or the other, according as the action to be taken had to be first taken in one or the other. The suggestion was personally made as I was told, for I was not present, agreed to by the Under Secretary, and acted upon for some time. Then the Under Secretary took this matter up, and brought it before Mr. Driver. Mr. Driver's concurrence in his minute was written on the 4th June; but although the Under Secretary circulated that decision through the department, he omitted to inform me of it. I never saw the minute until after Mr. Driver's concurrence had been given. Not in fact, I believe, until a week or two ago.

1606. You appear to say there that the whole arrangement was set aside by the Under Secretary, and in that connection I wish to draw your attention to Mr. Driver's signature? Yes; I am explaining that I did not see it. I thought that a minute of mine, dated June, 1877, would prove that I had not seen it. When I saw the Under Secretary's complaint that I had misled the Minister I was quite surprised. I had a distinct impression that the Under Secretary alone had given the instruction. I was certain that I had not seen any instruction. I was anxious to see the paper, and I wrote this minute of June, 1877, on the subject, in which I complained of the matter.

1607. That minute of yours appears to have been written a week or two after the approval of Mr. Driver? Yes; and I complained that I was not informed of it. I said, "I now learn indirectly, for, as in other cases, the proper course of first informing me of matters first concerning me has, it would appear advisedly, been departed from, that a minute has been placed before the Minister by Mr. Stephen and endorsed with his approval, in which the foregoing arrangement has been upset and a new one directed to be followed, under which all such cases are to be submitted to the Under Secretary, to whichever branch the recommendation or question may primarily relate. It would have been my duty to have submitted some of the many reasons against this alteration had I been allowed the opportunity."

1608. Was not the minute promulgated through the department? Yes; but it was never sent to me, nor was any officer under my instructions informed of it.

1609. It was at cross purposes? It was more than cross purposes. I do not make it a matter of complaint now; but it goes to show how much force there was in the allegation that I had misled the Minister as to papers I had never seen.

1610. Must not the Public Service work at a great disadvantage where the superior officers are not in full accord? I think so, but I think also that it is necessary that there should be two willing to agree; and as the remark has been made I may say this, that I have been strictly on my guard not in any instance to allow my personal relations with the Under Secretary to interfere with or delay business.

1611. This minute of Mr. Driver was promulgated through the department without being brought to your knowledge or to the knowledge of any of the officers under you? Without my knowing anything about it.

1612. When you stated that the old arrangement had been disturbed by Mr. Stephens' authority you were not aware that the Minister had authorized the change? I see that in June, 1877, I was made aware of it indirectly.

1613. It came to your knowledge then? I was not aware of it when I recently called Mr. Farnell's attention to the same subject.

1614. In your letter of more recent date you seem to have forgotten that? When I wrote recently I must have forgotten it. In June, 1877, I spoke of having learnt indirectly. I should not have used that expression if I had seen the paper. I see that the paper is noted—"Approved.—R.D., 4 June, 1877"; that it then went to the Record Branch for notation of the decision; that it went to the officer who deals with the Conditional Sales Register, but who was in no way under my control. He was under the record clerk. The transfer of his business to me was a much later matter. He saw it, but I did not see it. It was then noted to the Surveyor General. The Deputy Surveyor General returned it when noted, and it has remained with the Under Secretary ever since. I never saw this paper at all. It first concerned me, and I ought to have seen it.

1615. What particular change did it make in the routine? This: that cases in which conditional purchases came into conflict with other claims were brought under the Minister's notice without reference to any of the officers of the Conditional Purchase Branch, without reference to any of the information which the conditional sales registered showed, and they were therefore brought before the Minister in an incomplete state.

1616. Does not Mr. Stephen pass these papers on to you? No; ordinarily the course would be that after the decision was given it would be sent to me to be carried out.

1617. Would you, as the head of the Conditional Sales Branch, not be heard? No.

1618. Neither before nor after the Under Secretary? Neither, ordinarily.

1619. But before the final decision? I was not heard; and, therefore, it was that I complained; and cases occurred which would not have occurred if the papers had been referred to me. There was one remarkable case in which a nefarious job was almost perpetrated. It went to this length, that the Under Secretary recommended the Minister to approve of the payment of over £1,600 of deposits to dummy selectors, in a case which had been carefully manipulated by the agents of the parties concerned. That case I referred to in my minute of June 20, 1877. This routine has the effect of making the Minister give a decision on imperfect information, and without the advice of the officers who are dealing with an important part of the case, and it leaves the door open to jobbery. The Under Secretary in one of these minutes complains of me for having thrown out this imputation of jobbery; and I therefore take the first opportunity of saying that I have not charged the Under Secretary with jobbery. I should be very sorry to do it; but I do say that the routine is a routine which leaves the door open for jobbery to be perpetrated.

1620. In dummifying, such as the case you referred to? It leaves the door open for the breach of the law.

1621. You do not impute jobbery to any officer of the department? No.

1622.

A. O.
Moriarty, Esq.
18 Dec., 1878.

1622. It encourages people outside the department to tamper with the Act? People out of the department are very well informed of the loop-holes of the Act.

1623. The proposed refund of £1,500 to dummy selectors was a case in point? Yes; in that case I think a large area of land was measured for auction near Moama. In that case Mr. Fisher was concerned. Mr. Fisher, I believe, would be quite incapable of doing anything which he thought was not right; but in that case some agent or other person in his interest made twenty-three applications to select the same land, the land selected being so cunningly described that it was difficult to identify it as the same land which was to be put up for sale by auction. The auction sale took place, and the land was sold to Mr. Fisher. While the application for the deeds was being pressed on the one hand, the agent for the selectors was pressing for the refund of their money. They said, "You have sold our land, pay us back our money."

The case came on to me with instructions from Mr. Driver to issue the refund vouchers.

1624. Are these copies of the papers? They appear to be. Mr. Stephen, in his minute on the case of 23rd May, 1877, stated: "The deeds of grant having been issued for the auction purchases, and the lands having, it is stated, been since transferred to other parties, the application now made had better be complied with. There can be no blame attached to any branch of this department in the sale of the land, seeing that in the Charting Branch of the Survey Office the lands were passed on for auction seven or eight months after the conditional purchases were made, shewing thereby how vague the descriptions were. It is fortunate that the conditional purchasers have not insisted upon their claims, but have consented to take back their money, otherwise great inconvenience and necessity for compensation might have arisen. Auction sales to stand." On the 25th May, 1877, Mr. Stephen wrote these minutes: "At the time these sales took place there was no draftsman attached to the Moama office, or the errors might not (very likely) have happened. I think that this illustrates the necessity of giving effect to the recommendation contained in my report last year, after inspection of the land offices at Albury, Hay, &c., that all the land offices of importance should have periodically, at short intervals, the services of a draftsman." And, "When necessary action has been taken in Conditional Sales Branch, please return to me." On the 28th May I wrote this minute, "Let me see the C. P. papers and those herein referred to as to the withdrawal of the application." On the 30th May Mr. Driver wrote this minute: "To be inquired into by Commissioner before anything further is done."

1625. The papers do not show the final result? It is not shown in this case. It was a clear case of attempted jobbery, and very nearly consummated jobbery. The selections were ultimately, after inquiry, forfeited, and the money is now in the Treasury. This is not the only case of the kind; abundant cases of this kind might be obtained.

1626. We should be glad to obtain the particulars of other cases of the same kind? —

1627. *President.* If we could get any other cases of the same kind it is important that they should come before the Commission? The case I refer to is illustrative of this fact, but there is more than that in the case; for I submit that an officer in my position would hesitate to ask the Minister to reconsider his decision, because to do that is to assume that he has not fully considered the matter. Nothing but an extreme case would justify an officer in taking it back to the Minister; and unless cases can be shown to be palpably and unwarrantably wrong, I do not feel that I ought to take them back to the Minister; but I submit that I ought to be allowed to deal with the cases before the Minister gives his decision upon them. When inquiry came to be made by me into these cases the papers showed me, from the mere names of the parties, that all the strings were being pulled by one man, and the real character of the case could easily have been disclosed if the papers had come to me before the decision of the Minister was given; but the action of the department was such that the Under Secretary writes to the parties to tell them that they will get their money back, while I have to write and tell them that the selections have been forfeited. I found that the party who had taken up all the selections telegraphed to the Sydney agents to get the deposits returned at one time; and at another to wait awhile until pressure was used to get the deeds.

1628. That case seems to show the necessity for submitting the matter to the head of the Conditional Sales Branch? Quite so; that is my contention.

1629. In a case the converse of that if the papers came to you were you in the habit of submitting them to Mr. Stephen? No; to the Minister.

1630. Was not that the same sort of irregularity? No; because the routine was this: that the papers were sent to that division of the department in which the leading action had to be taken upon them. If the case was one which simply affected the validity of a conditional purchase, it would come to me. My recent suggestion which led to this question being referred to the Commission proposed what I thought a golden way out of the difficulty. With a view to conciliate the Under Secretary I suggested that all cases in which conditional purchase matters were concerned should be referred to me, and that I should submit them to the Under Secretary, who would submit them to the Minister.

1631. The gist of your suggestion is that all these cases of dispute should go to the head of the department? That they should come to me first, and go from me to the Under Secretary for submission to the Minister.

1632. While the Under Secretary's view is that they should go to him first? That in practice they should go to him first, be decided, and then come on to me. This suggestion, made to Mr. Driver, and which Mr. Driver approved, was that all cases of the nature alluded to should be sent to the Under Secretary in the first instance, who, after examination of the papers, was to refer them to me, and then to act in conjunction with me, or to take action himself, as the requirements of the case might indicate. Although that was approved by Mr. Driver, in practice it has come to this, that the cases are not referred to me at all.

1633. Action is taken without consultation with the Conditional Sales Branch? In all cases the routine is that they shall go to the Under Secretary. They are submitted by him to the Minister, and when it is necessary that action should be taken, they are sent on to me. I think I ought, perhaps, to refer to a recent occurrence which illustrates the same thing. The case is one in which some land had been selected after auction, or sold at auction when it had been previously conditionally purchased. First, it was conditionally purchased and then sold at auction, or it was selected afterwards by the lessee of the run. The case had been decided by Mr. Secretary Garrett, who ordered the sale at auction to be cancelled, on the ground that the land was not then Government land but private land. The agent of the lessee, misled

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as to the circumstances, no doubt, pressed for the issue of the deed of the auction grant. The case was submitted by Mr. Farnell to the Under Secretary, and Mr. Farnell gave instructions to issue the deed to the purchaser at auction.

A. O.
Moriarty, Esq.
18 Dec., 1878.

1634. Was not that an unusual course? The application of the lessee was submitted by the Under Secretary to the Minister, who approved, and gave instructions for the issue of the deed without reference to me. The case came before me in this way. The selector's agent came to me and said, "I think I have a right to ask you to interfere in this case; I showed you that my client was the conditional purchaser of this land, and it has been decided by the Minister to be a good purchase." I asked for the papers, and found that the facts were as represented, and I therefore submitted the matter to the Minister in this form:—"There can be no doubt that the recent decision herein has been arrived at upon a misunderstanding of the facts which could not have been the case had the representation of Messrs. Wilson and Ranken been referred to this or the Charting Branch, as it should have been prior to submission. The purchase at auction of portions 35 and 36, made on the 27th of September, 1875, was cancelled, because the land had previously, namely, on the 22nd of April, 1875, been conditionally purchased by Francis Patey, a minor, whose conditional purchase still stands good, and not with any reference to a subsequent conditional purchase. It is a fortunate circumstance that the activity of the selector's agent has prevented the issue of the deeds of these cancelled purchases, which should not of course be proceeded with. The balance of the auction purchases should be refunded." Mr. Farnell approved of that, and on his approval the issue of these deeds was stopped. That case shows that action taken by one side of the department without reference to the other, may be injurious, as the action of the Minister is likely to be based on insufficient information.

1635. *President.* What case was that? Between Francis Patey (a minor) and I think Mr. Blackwood. As regards this matter, my contention is that our routine leads to possible inconvenience to the public from decisions given upon imperfect information, without the advice of responsible officers as to one side, and as I have already said leaves the door open to jobbery. The suggestion that I made, really with a view to remove objections, was that the cases should come to me so that I might give advice and submit them to the Under Secretary, in order that he might submit them to the Minister in a way which gave every guarantee that his decisions should be safe and final.

1636. *Mr. Ranken.* In your memo. of 10th October you say: "The obvious result of this instruction in depriving the Minister of the information afforded by the records of this branch of the service and the assistance of the officers in the class of cases, namely, disputed ones, in which such information and assistance is likely to be of most value, was pointed out by me in certain memoranda which were referred by Mr. Secretary Driver to the Under Secretary, but shared the fate of similar documents." Will you explain the meaning of this latter passage? I refer to this memorandum of mine on an important official subject, dated the 20th June, 1877, which was referred by the Minister, Mr. Driver, to the Under Secretary in my presence.

1637. It is in existence? But it has never been dealt with from that day to this.

1638. Your memorandum as to the reconstruction of the arrangement? It was never dealt with at all.

1639. That was submitted to Mr. Driver for his decision? Yes; and by him referred to the Under Secretary.

1640. And no action was taken on it? No further action was taken on it.

1641. You did not imply that the papers were made away with? No; I have not said that, but they were not dealt with.

FRIDAY, 20 DECEMBER, 1878.

Present:—

MR. ABBOTT, | MR. RANKEN.

R. P. ABBOTT, ESQ., PRESIDENT, IN THE CHAIR.

A. O. Moriarty, Esq., was called in and further examined:—

1642. *Mr. Ranken.* I think the last time you were examined we had under consideration these papers of the 10th of October, the originals of which have been obtained from the Lands Department, and we were referring to the arrangement under which your functions as Chief Commissioner for Conditional Sales were defined? If the Commissioners will pardon me for reverting to the case which came upon me almost by surprise—the complaint made by Mr. Stephen against me on some remarks of mine in 1874, to one of those matters which I said were old matters,—I believe the papers were once in my custody since 1874. I believe, although I am not quite certain, that they were attached to another correspondence which is here in reference to some charges and counter charges between Mr. Stephen and myself dealt with by the Cabinet in 1877. I think I saw these papers on that date but I will not be certain. If however I did see them I certainly did not read them over then because the matters I had to deal with then did not make them of much consequence. If I had them in my possession in 1877 I certainly did not read them, and with that exception I have not seen them since 1874. In speaking of them the other day I really had a very faint notion of what they were about.

A. O.
Moriarty, Esq.
20 Dec., 1878.

1643. The papers of 1874? Yes; I confess I was struck and startled by something which was made to appear on those papers, and which apparently has attracted the notice of the Commissioners. I refer to the statement to the effect that I had destroyed some papers. I have not destroyed papers. It is not my habit to do so, and I am well aware of the gravity of such a proceeding. I do, however, remember tearing up some paper of my own which I considered as withdrawn.

1644. You did not consider it essential to the matter? My recollection is not prompted by even now seeing these papers. My recollection is that some complaint or cause of complaint arose and that I wrote something about it. The thing was withdrawn, settled, at an end. Something led to the same matter being pursued, and in the interval I did tear up something—some hasty writing of my own which I thought had perhaps be better destroyed than not. I believe I did tear up some memorandum of my own, but I tore it up believing that it was no longer official.

1645.

A. O.
Moriarty, Esq.
20 Dec., 1878.

1645. Do you think that that was the paper to which Mr. Stephen alludes as your memo. of the 7th? I suppose that would be it. I did not destroy any memorandum or paper that had not come back to my possession as entirely mine and which had ceased in any sense to be official. At the time I believed the matter to have been fully withdrawn and at an end. I believed the correspondence to have terminated before that date. The paper which I tore up contained nothing but some memorandum of my own; what it was I do not now remember—perhaps it was something intemperate; I daresay it was; but, whatever the paper contained, the matter had been the subject of a private note from me to Mr. Stephen, and was for the time at an end. As I see this destroying of documents has now been made a charge against me, I feel bound to show, as I can, that the Under Secretary did not hesitate to make such charges against me on slender grounds. I have in my hand a paper that grieved me very much at the time, a reprimand, of March, 1875, for having taken an official paper out of the office and destroyed it. I do not know if the Under Secretary has made this also the subject of a charge against me. This is rather a severe reprimand, as the Commissioners will see, and I can hardly be supposed to have any vanity in now referring to it. This copy which I have in my hand was made at the time by Mr. Oliver, who is still employed in the office: "23rd February. Will the chief clerk please return to me my memo. as to the necessity of all letters being initialled. I mean the one having reference to his suggestion that letters written by the head of a branch need not be initialled at all." My reply was:—"The memo. referred to by the Under Secretary is on a torn slip of paper pinned on to a manuscript letter, and not such as are usually preserved. Its contents, so far as they required to be acted upon, were communicated to the gentlemen to whose work they related. I should then have torn it up, but found that there were other notes on the paper, not intended to be acted upon, but referring to me personally. With reference to these I handed the slip of paper to another person, who I suppose has referred to the circumstance, and thus led to the present inquiry.—A.O.M., 23/2/75." I do not now remember what these notes were, but they strongly reflected upon me personally. They were written on this scrap of paper that I speak of, and the pen was drawn through them, but not so as to obliterate them.

1646. Were these offensive remarks legible? Perfectly.

1647. They were written by the Under Secretary? Yes, and referred to me. The course which I took with regard to that paper was this:—I took it to the Premier and I said to him, "I do not want to make any complaint against Mr. Stephen, but you will see from this paper the way in which he thinks he is at liberty to write to me. I am willing to retire. Will you give me a country Police Magistracy, and let me retire from this position, which has become intolerable to me by reason of this *petty tyranny?" I left the paper with Sir John Robertson, and I heard no more about it. Some days afterwards I got this minute from the Under Secretary:—"I have not had the time nor much inclination to allude to the very unusual, to use a mild word, course taken recently by the chief clerk in taking away out of the office and handing to another person—afterwards on inquiry admitted to be the Premier—a minute of mine which was in its character official. I only wish to say that Mr. Robertson, although I had a long conversation with him the day before I asked to have my minute back, never alluded to it, neither had I any idea of his having it until Mr. M. said so. Possibly if actuated by the same spirit, I were to hand to the same person certain minutes of the chief clerk's, now in my possession, more especially one reflecting, in rather strong language, on the course pursued by the Government, of which the said person was a member, on a certain occasion, they might do him more harm than my minute is ever likely to do me in the eyes of Mr. Robertson, who, no doubt, appreciates the object of handing it to him." (The obvious implication was with reference to my dismissal from office.) "If I do, however, or if I submit the present matter to the Minister for Lands—the proper person to submit any complaint to—I will promise Mr. M. that it will not be done behind his back, and that the opportunity of explaining will not be afforded to him only by accident. I want this back, please." I wrote this answer:—"In the enclosed memo. the Under Secretary is pleased to intimate his disapproval of my having 'taken out of the office and handed to another person a minute' of his. It was stated, in reply to a person's inquiry, that the minute was a torn scrap of paper, which ordinarily would have been torn up when attended to, and which I should have torn up but that I found upon it some reflections on me, written by the Under Secretary and erased by him, but of a character which I did not feel inclined to pass without notice. It may relieve the Under Secretary's mind if I now inform him that upon showing this paper to the Premier I made no reflection upon him, and no attempt to damage him such as he gives me credit for. He knows best whether, if I had so inclined, I should have been without justification. But I do not know why the matter should have been brought up a second time on a separate paper, unless for the purpose of the menace within conveyed as to some minute of mine, which the Under Secretary states to be in his possession and likely to do me harm if submitted. I can only say as to that that I have not the least objection to his showing any minute of mine to anybody he pleases, and without in the least knowing what he refers to, as it is not in my habit to collect literature of this description. I may add for his information that I am prepared deliberately to repeat, under any circumstances, anything that I may have written at any time. At the same time I am not conscious of ever having written anything reflecting on Mr. Robertson, and I am quite sure the Under Secretary does not possess any minute of mine that does so." I produce this merely for the purpose of showing that the charge of making away with papers is one which the Under Secretary has not hesitated to make on very slender grounds.

1648. This paper, to which you refer, you left with the Premier? Yes.

1649. Is it in existence now? I do not suppose it is. The attention of the Commissioners has obviously been directed to the course taken by me in commenting upon the delays in the signature of correspondence. The Commissioners may conclude that that was a rash if not an insubordinate course. I will at once admit it was a course likely to lead to some consequences. I of course knew when I was making these remarks I was making a commentary which, at the very least, exposed me to the risk of reprimand.

1650. You allude to these words in your minute of the 27th of January, 1874: "Personally I should very much prefer not signing at all, and have only done so with the object of avoiding injurious delays—the more undesirable in the Under Secretary's absence than even when he is present; the delays in the signature of correspondence are so unparalleled and prejudicial to the Public Service"? Yes; and as I

say

* NOTE (on revision):—I explained that I had not made such a complaint. Although using these words now, I did not use them on the occasion referred to.—A.O.M.

say I must have been aware in writing them that I was incurring the risk of severe reprimand at the least, but I was also taking a course which exposed me to instant dismissal if I could not verify my statement. I leave it to the Commission to consider what must have been the state of affairs which seemed to me to warrant me in thus risking my children's bread.

1651. Had you the proof to bring forward? Unquestionably I had.

1652. Can it be produced now? Five years afterwards. I can tell it; but I would have infinitely preferred not to have to reflect upon the Under Secretary.

1653. I think it is desirable you should state the circumstances which led you to make that remark? I have not the least hesitation in stating the circumstances which seemed to me to call for that remark, but I will not state them in the Under Secretary's absence. I will state them in his presence.

1654. *President.*] Would it not be very unseemly to go into matters of that kind when you were both present? I cannot help that. The whole thing is unseemly.

1655. I do not know what you wish us to understand by that remark. Do you intend it to refer to the action of the Commission? I do not.

1656. The only object that we can have is to obtain information upon a matter which we think important. We desire to have your explanation as fully as we can get it, but it would be more than unseemly if we were to try and get at the facts under present circumstances with you and Mr. Stephen both present at the same time? With every respect to the Commission, and with the strongest wish to give effect to their views, I cannot but think that my own course is a clear one, and that I ought not to say anything to the prejudice of another man in his absence.

1657. Do you decline to tell us the foundation you had for that minute? I will do so in Mr. Stephen's presence if you desire it. To explain what I mean by the use of the word unseemly, will you permit me to say that I have not understood from the Minister for Lands, nor have I seen any paper which gave me to understand that my conduct in the Department of Lands—excepting as it may form part of the question affecting the general organisation of the department—has been referred to this Commission for inquiry, or that my personal relations with Mr. Stephen have been so referred. I do understand that on two public matters which seemed to me of great importance,—as to which I have stated my views temperately and with hardly any personal allusion to Mr. Stephen, and upon which Mr. Stephen has replied not by attempting to answer my arguments but by dragging in the side issues of our personal relations in commenting upon the papers which are here—I understand that these public matters have been referred to the Commission. I say that Mr. Stephens' remarks are not replies to my arguments on these questions, but are the nature of a personal attack upon myself. As I understand it, the reference made to this Commission on these points was a reference which I requested the Minister to make—not as to personal issues which with great respect I think unimportant, but with respect to public matters which are of the greatest importance. The Minister approved of my suggestion that the attention of the Commission might be invited to these matters. As to this question of routine, there is a suggestion of mine, dated the 14th of October, begging that the matter might be further considered, suggesting that it was worthy of further inquiry, and possibly of reference to the Commission appointed to inquire into departmental matters. I may be wrong, of course, but my understanding with regard to this matter—an understanding which I derived from conversation with the Minister—certainly was that he desired substantially what I proposed, when I begged that these matters of public concern might be further inquired into.

1658. *Mr. Ranken.*] Are the Commissioners to understand that you are averse to answering any questions with regard to your personal relations with the Under Secretary, which seem to us to be inextricably blended with departmental matters, the want of harmony between two such high officers being a main cause of the evils which exist? It is not for me to comment upon the views of the Commission, but it seems to me very like putting the cart before the horse. I have a great deal which I can tell the Commission as to the general state of the department.

1659. *President.*] We consider that the course we are taking is a necessary and proper one, and I do not think it seemly that we should submit to dictation from anyone, as to what we shall do or not do, what we shall take first or last? As regards my personal action, relations, or position, I am entirely in the hands of the Commission, and shall answer any questions you may put to me; but I think I am justified in objecting to be pressed to make charges against another gentleman in his absence.

1660. We have no wish to inquire into your personal conduct or relations any more than as affecting the management of the department and the interests of the public. We have no desire to obtain information as to the relative positions of yourself and Mr. Stephen, or the terms upon which you are at the present moment, excepting in so far as they regard the public interest. We conceive that in this view of the matter it is within the scope of our duty to ask some questions on these points, but it must rest with you whether you give us the information or not? The department is a very large one, and there are a great many people in it who are quite as well informed as I am in matters affecting the Under Secretary.

1661. Your position justifies us in seeking information from you on this and every other point, and we feel that it would not be right to seek information from subordinate officers which, we have no doubt, you can give us with more force and greater authority? Perhaps a few words more may show the Commission my position more clearly. The Under Secretary, as a matter of fact, has not hesitated for a long time past to attribute to me an intention or desire to supplant him; and if the Commission would suppose for a moment—what I do not assume—but suppose for the sake of argument that I possessed some information which if given to this Commission would be likely to be damaging to him, how could I expect him or any body else to think that I gave it for any other purpose than to damage him? He declares that I am animated by a strong desire to drive him from his position. How can I then be accepted as an impartial witness? I should not have the smallest hesitation in discussing any question affecting Mr. Stephen in his presence, but I do not think I ought to discuss his conduct in his absence.

1662. We only want information as affecting his public position, and that information we think we are entitled to have from any officer, no matter whom it affects. We presume there would be no hesitation on your part to give us information respecting the conduct or capacity of any other officer, and if we cannot get information from you where are we to look for it? —

1663. *Mr. Ranken.*] We are in possession of a considerable amount of evidence already, and without attributing blame to any one we perceive that a considerable amount of scandal has arisen from these disagreements, and it is to the interest of all that these matters should be cleared up and settled. The papers show that a Minister writes one minute upon the representations of one officer, and a few days after

A. O.
Moriarty, Esq.
20 Dec., 1878.

A. O. Moriarty, Esq. after another cancelling it on the representations of another, and that these contradictory minutes are circulated through the department. That must lead to scandal and inefficiency in the Public Service, and we are entitled to inquire who is to blame? I am entirely in the hands of the Commission; I have nothing to conceal.

20 Dec., 1878.

1664. *President.*] We will take all the responsibility of asking for all the information you can give us on these subjects? Perhaps I have said too much in this case which took place in 1874. I made some remarks which perhaps I was not justified in making, and I was reprimanded.

1665. The point of difficulty seems to be now more as to the grounds on which these remarks were made? Although I think my lips are sealed for reasons which I need not describe, the lips of other gentlemen in the department are not sealed. There are several other gentlemen now in the department who were in it in 1874.

1666. The only names mentioned in these papers are yours and Mr. Stephen's? —

1667. *Mr. Ranken.*] Having written the accusation you need have no hesitation in justifying it now? I do not think I could put the matter in more pointed words than I have done here. I said that when the Under Secretary was present the delays in the signature of the correspondence were so unparalleled as to be prejudicial to the Public Service. In explanation of that I may say this much—that the correspondence referred to here was completed correspondence, communications or instructions to officers of the department and the public which had been dealt with by the department and which merely required the Under Secretary's signature to enable them to be despatched.

1668. The records of the office may be produced? No; there would be no record to show the interval which elapsed between the date of the preparation of a letter and the date of its signature. Letters bear the date upon which they are despatched. I can only add, what I have declared from the first, that I am not here to proffer charges against the Under Secretary. I have no disposition to do it, and I do not feel that I can be expected to make any reflection upon him, or charge against him in his absence; I feel that to justify this statement made in 1874 would be now to bring a charge against him in his absence, and while I should not hesitate to say what I mean by these statements in his presence, I should not do it in his absence.

1669. It is the very essence of Mr. Stephen's complaint that you have made charges without substantiating them.

1670. *President.*] We are quite prepared to take the responsibility of obtaining the information. It is disagreeable to you to give it, and if we saw any other way of getting it we would not trouble you to answer questions on these points. If that were true at that time, and it appeared to any one who was responsible in the matter that the same state of things existed now, it is obvious that it would go a long way in accounting for the delays and disorganisation which have been alleged to exist, and into which this Commission has been appointed to inquire? I do not think I am amenable to the charge of insinuating charges and not substantiating them. I state my perfect readiness to say what I have to say in Mr. Stephen's presence without reserve, but I think it would not be fair to do so in his absence. I will answer any specific question.

1671. What were the circumstances upon which you based your statement? That is a general question. I think the words explain themselves. I said just now that it was obvious that when I wrote that paper in 1874 I must have known that if I were not then prepared to prove my statement I should deserve and probably have received prompt dismissal, and justly so. I have repeatedly pressed upon the Commission my unwillingness to make any charges at all, and I do not think I could be expected now, after the lapse of nearly five years to prove something which if proved at all could be best proved when the statement was made, and which from the very nature of the case cannot be proved at all now. The routine of the department was then fresh in the memory of the officers concerned, and it could have been shown in five minutes whether the statement was justified or not. After five years that is palpably impossible.

1672. Was the proof ever brought forward? It was never asked for.

1673. Is there any Ministerial minute condemning those remarks? There was for making the statement at all, but I was never asked to prove it.

1674. If the Minister had held it susceptible of proof would it not have been inquired into? I do not know what the Minister's thoughts may have been. I was never asked to prove it. I was reprimanded for making the observation; but I think you will see that there is nothing in the minute which left it open for me to say anything further.

1675. Departmental matters, as far as they have come before us, are completely mixed up with disputes between you and Mr. Stephen? My allegation is that the Under Secretary has only met my views, arguments, and recommendations in matters of public business (which if they reflect upon him at all do so very mildly and inferentially)—by references to private squabbles. I do not see that there is any reply at all to my arguments and suggestion and views, but there is a dragging in of side issues about old disputes in no way bearing upon the subject. In fact there is in this an attempt to evade the questions which have to be discussed and settled, by confusing the whole thing with a fog of side issues. This remark has been made to me within the last hour and a half by a gentleman who knows the case as well as I do, and who is in no way at issue with the Under Secretary now. His words were—"side issues, as usual."

1676. Do you refer to the business before the Commission? There are two questions on which I have made recommendations to the Minister concerning the routine of business in the office. These matters can be dealt with without the smallest reference to the Under Secretary. The first is as to the routine to be followed in regard to these conflicting applications, and the second is to show the Commission good grounds for believing that my recommendations —

1677. Do you consider it beyond the functions of the Commission to inquire into these personal matters? No; but I believe that these are not the main matters referred to this Commission.

1678. *President.*] We contend we have a right to decide that question; and we cannot allow any witness to dictate to us as to the course we ought to pursue. If you can go no further in the direction we desire there is no use in saying more about it. We tell you that these papers have been before us; that we consider them worthy of grave consideration, and we have taken a good deal of evidence about them. We ask you to tell us what you know as to the foundation for certain statements we find in these papers, and if you can do no more than tell us what is our duty we think there is no use in trying to pursue the subject further.

1679. *Mr. Ranken.*] We have reason to believe that the disputes referred to in these papers have been the cause of much confusion and scandal in the Public Service.

1680. *President.*] We desire to give you the fullest opportunity of stating your views, but we do not think

think it would be becoming to allow you to dictate as to what course our examination shall take. *Witness:* I fear I have been very unfortunate in my manner of expressing myself, for nothing was further from my intention than any desire to dictate to the Commission. I am entirely in the hands of the Commission, and ready to answer all their questions. I have wished to point out difficulties which exist in the way of answering certain questions. I pointed out the difficulty I felt in regard to this matter of 1874, and I thought I was entitled to do so. I only decline inquiry which would lead me to say anything in antagonism to Mr. Stephen, except it be with the full knowledge that Mr. Stephen will hear and know what I say. If the Commission make him acquainted with what I may have said I shall be free.

A. O.
Moriarty, Esq.
20 Dec., 1878.

1681. I do not think that any responsibility need rest upon the shoulders of any witness whoever he may be, however high his position? I am afraid that in my desire to avoid producing a particular result I am producing another result which is even more undesirable. I am afraid that I am producing in the minds of the Commission an impression that I have some personal reasons for refusing to go into this matter, or some idea that I consider my views are more important than theirs. If the Commission will insist on all that is past, on my stating something more definite, I will do it.

1682. We take the responsibility of asking for the most definite information we can get. We have nothing to do with persons? But I have a great deal to do with persons.

1683. However our mode of procedure may ultimately affect persons we cannot be influenced by that, by what may or may not happen at the end of our examination. Our business is simply to elicit the facts? I am in the hands of the Commission. I will answer any question you like to put to me.

1684. *Mr. Ranken.* My question is: What were the grounds upon which you based the accusation which you have there preferred against Mr. Stephen—of delay in the signature of letters? Those circumstances obviously were that letters from the department, letters which had been prepared for signature, replies to correspondence, instructions to officers, business which had been completed and only awaited the Under Secretary's signature were delayed. Such letters were not signed habitually for periods so great as to warrant me in then calling the delays which occurred as unparalleled. I spoke of matters which were then passing daily through my own hands to the Under Secretary, and which came back to me after some interval from him, I referred to the then current daily routine, and I said that the delays which occurred in the Under Secretary affixing his mere signature to letters which had been prepared, were injurious, unparalleled, and prejudicial to the Public Service. In repeating that statement now, after this long interval, I do not say that the delays there complained of existed at a later date. Partly as the result of that statement, perhaps, a better state of things came about for a long time. The reference to this question had one good result at any rate, in that it stimulated increased activity.

1685. Was this delay in the Under Secretary's office habitual? The delay in the affixing of his signature was a personal thing, habitual to the Under Secretary himself—a personal matter, not a delay in his office. Pressed letters had been written so long before the Under Secretary signed them that they had to be written over again before impressions could be taken in the transfer book.

1686. Were these circumstances known to other gentlemen in the department? They were; to all the heads of the branches, who can say if they remember it now.

1687. *President.* Are the same gentlemen in the office now? Most of them are. There are Mr. Blackman, the chief officer of my own branch; Mr. Lindsay Thompson, Mr. William Edwards, and Mr. Charles Brown were, I think then, as now, the heads of branches.

1688. That was while you were chief clerk? Yes; I should think these gentlemen could give you information on this point if they remember anything about it. I do not profess to remember much, but my recollection has to do with the business which passed through my hands. The letters passed through my hands, and the heads of branches would each have their special correspondence. I recollect that my attention was called to the fact that the letters were so long written that they could not get them transferred into the transfer book.

1689. *Mr. Ranken.* Then the delays must have extended over some days? Weeks; that observation, such as it is, is drawn from me.

1690. Quite so. You are entirely exonerated. In your memorandum of the 10th of October you refer to the original arrangement under which your functions as Commissioner were detailed. Does it not appear strange to you that the very point where you and the Under Secretary so frequently came into collision—that is as to the dealing with matters in which the two branches of the department were concerned—was never specially considered—that that arrangement provided no means to prevent clashing in the dealing with conditional purchases and improvement purchases? If that matter were not embraced in the arrangement it was an oversight, no doubt.

1691. Will you look at your memorandum of suggestions? I see that at the close of this minute of mine there is a *nota bene* which explains that it is partial only. I state here that—"The foregoing suggestions are submitted not in the nature of recommendations for a reorganisation of the department (as to which I have stated my views in another shape), but as a re-arrangement of certain portions of the existing machinery, to relieve the increasing strain to which they are now subject."

1692. You will find another note of yours at the end of Mr. Stephen's letter which comes next? The subject is not referred to there.

1693. The official document which gave effect to your suggestions was issued on the 20th December, 1876. Is it not strange that it makes no special provision to guard against these cases of clashing? Quite so. I may state that I have refreshed my memory this morning by asking some officers of the Survey Department as to the routine which was established with regard to these cases. They verified my own recollection that for a considerable time this routine naturally suggested itself, and as the leading action required to be taken belonged to the Conditional Purchase Branch, or any other branch, the draftsmen of the Survey Department were instructed to send the papers to that branch of the department primarily concerned. That routine existed for a considerable time, and no difficulty arose under it. It was set aside without my being directly informed at all.

1694. How did the papers in which conflicting interests occurred reach you? From the Survey Department.

1695. They sent you those papers which appeared to them to relate more especially to the business of the Conditional Sales Branch? Quite so.

1696. What course did you take with them? I submitted them to the Minister.

1697. Cases in which an improvement purchase was involved? This would happen. We will suppose that

A. O.
Moriarty, Esq.
20 Dec., 1878.

that an auction sale took place on a certain day. An auction sale in itself is a completed transaction—that is, assuming that the land sold is available; but if a conditional purchase were made on a date prior to the auction sale, the whole thing would depend on the validity of the conditional purchase. If the conditional purchase were a good one, then it would follow that the auction sale could not stand, and there could be no clashing.

1698. Would the papers not be sent on to the Auction Branch to be noted as to the action necessary to be taken there? Undoubtedly.

1699. The arrangement of 1876 required that everything ministerial should remain under the personal control of the Under Secretary. Your interpretation as to what is ministerial appears to differ from that of Mr. Stephen's? As I take it, the term ministerial has in itself really no definite meaning as applied to the Public Service generally; but in the Lands Department it has a special meaning as applied to the functions of a particular branch.

1700. Does not "ministerial" mean "administrative"? Of course; and in that sense would include the decision of the Minister on all questions—conditional purchase or otherwise.

1701. Is not that the very function which Mr. Stephen claims is vested in his hands subject to the Minister? No, because in his own minute, which was approved by the Cabinet, he suggested that I should be the official organ of the department as between the Minister and the public in all matters relating to conditional sales. I never heard that the Under Secretary questioned the propriety of my submitting conditional purchase cases to the Minister. Mr. Stephen's recommendation, endorsed by the Cabinet provided on this point: "That the conduct of the conditional purchase business, correspondence, &c. (which has attained the dimensions of a department in itself almost), be delegated in like manner to the chief clerk, who should submit all papers to the Minister, carry out his decisions without reference to the Under Secretary, and be the recognized medium with the public and officers concerned in all matters connected with the business so entrusted to him."

1702. Under that impression you submitted on the 10th of October last this minute to the Minister to put things on a right footing? Quite so.

1703. And Mr. Farnell seems to have adopted your suggestion? Yes.

1704. Are you aware of the Under Secretary's minute attached? I have seen it.

1705. If you will refer to these papers you will find a letter signed by Mr. Rutter. It would appear that you promulgated the change? A statement to that effect has been made on this minute by the Under Secretary; but there is no foundation whatever in fact for that statement. I have not assumed to instruct the Survey Department in regard to any matter in which the Under Secretary is concerned.

1706. Was that letter of the 10th October written by your desire? No.

1707. That letter of the 10th October is in these words:—"The Deputy Surveyor General has directed me to inform you that it has lately been decided by the Secretary for Lands that cases in which conditional purchases conflict with other classes of applications shall be addressed to the Chief Commissioner of Conditional Sales. This of course is the opposite to a direction received some months ago when similar cases were addressed to the Under Secretary for Lands." From whom would Mr. Rutter receive that instruction? From the Deputy Surveyor General I suppose.

1708. How would the Deputy Surveyor General learn the will of the Minister on a matter of that kind? I believe he happened to be in the Minister's room when the Minister gave the instruction. The Under Secretary has assumed that I was instrumental in some way or other in promulgating this instruction, but that impression was a false one. I did not in any way—directly or indirectly.

1709. The letter promulgating the decision was dated the day before the decision was given? I know nothing about that. The fact is that neither directly nor indirectly had I any hand in issuing the instruction to the Survey Department. The original papers are here, and will show what were the facts as to any question of dates. I fancy that this date, 10th of October, attached to Mr. Rutter's letter, must have been a clerical error. The notations of the officers in the Survey Department show that the instruction went through the department from the 12th to the 16th of October. The earliest initial is dated the 12th and the latest the 16th. I fancy that Mr. Rutter's date of the 10th October was a clerical error; but I had nothing whatever to do with it.

1710. The Minister cancelled your recommendation and substituted an order to be drawn up by Mr. Stephen? Yes. He decided to refer the matter to the Commission.

1711. That was also promulgated through the department in the same way? Under the Under Secretary's instructions.

1712. Do you not think that that implies considerable laxity, want of method and discipline in the Service, when two such contradictory minutes can be circulated almost at the same time? I think it is a very unfortunate thing. My action was confined to urging upon the Minister certain views which I thought it would be wise that he should know of. In making these suggestions of the 10th October I honestly thought that I was making a suggestion deferential to the Under Secretary, a suggestion which would obviate his opposition. My words are: "I now beg to offer a suggestion which may remove the difficulty and the causes to which it is probably attributable. I suggest that all cases in which conditional purchases conflict in any way with other applications or interests be referred direct to me by the Survey Department, and that I should submit them when necessary to the Minister (through the Under Secretary), so that the decision may be arrived at with every safeguard for its accuracy and finality." It is a new suggestion that this class of cases should come direct to me, and that I should submit them through the Under Secretary. I do not seek to supersede the Under Secretary in any way.

1713. You qualify that, I think, by using the words "when necessary"? Yes, when necessary. Many cases do not require submission.

1714. You assume to determine the cases in which it would be necessary to submit to the Minister? No; because another step may have intervened. It may have become necessary to make some reference or to get some information. The suggestion I think plainly expresses what I intended, that the action of the Minister, where the Minister's action was involved, should be invoked by me through the Under Secretary—that I should take all my action subordinately to the Under Secretary, or in concert with him.

1715. Would that be sufficient to prevent clashing? I thought so, and I made the suggestion for that purpose. I do not know that there is anything in my minute which could be considered as reflecting upon the Under Secretary, excepting perhaps a very mild complaint which I made about a minute of mine fifteen months old having received no attention whatever. I do not think the Commission, as men of business,

business, will admit that that minute was a paper which should have been thrown aside as of no account; still less that it was a document of such a character as could be considered a private one—as the private property of the Under Secretary.

A. O.
Moriarty, Esq.

20 Dec., 1878.

1716. You state here that the Minister has given his decision only by a note of approval;—is not that the usual method? Quite so; but I meant to say that he had not gone into the matter further than by writing the word “approved.” This minute was addressed to the Minister who had just given the decision, and it calls his attention to the circumstance. It complains, the Commission will observe, that even that approval I had never been allowed to see. I was left in complete ignorance of it. This arrangement, made in June, 1877, was never officially communicated to me. I was not told of it for several days afterwards, when I heard of it from one of the draftsmen in the Survey Office.

1717. That required that all cases in which there was a clashing of interests should go direct to the Under Secretary and not to you? Yes, it upset the routine which had existed for months, and the alteration was made without my knowledge.

1718. But in practice did not the Under Secretary submit all conditional purchase cases to you? No, not a single case. It has been a leading subject of complaint with me that I do not see these cases. The Minister is led into giving a decision which may turn out to be wrong because the proper branch of the department has not been consulted.

1719. Do any bad consequences follow? Dummy selections succeed. This has happened. This morning I referred to two officers of the Survey Department, and asked them to charge their recollections as well as they could and to say whether my impression was correct, that on several occasions they had brought to me cases and said, “Have you seen this decision?” I have answered, “No, I have not.” They have asked, “Do you think it is right?” and I have answered, “No, I think it is wrong.”

1720. Were these cases in which conditional purchases were concerned? Yes, in which they were proposed to be cancelled; and in some cases they had gone the length of the refund order being issued from the department without my ever having seen the case. And these were cases in which if I had had any such ground as in the larger case to which I have referred I should have gone to the Minister and have told him that I thought he had been unadvisedly led into giving a decision which was wrong, but nothing but an extreme case would justify me in taking that course.

1721. Have such cases happened more than once? Yes; more than once. I have used the word “jobbery”; and I think that in the case to which reference has been made that was a job perpetrated through the, I do not doubt, unwitting agency of the Under Secretary. He was pressed by the parties to make the particular recommendation which he made, and which would have had that gross result, had not the case come to me before it was too late. Other cases have gone the length of being completed in my own division of the office—cases which I do not think would have been completed if they had been sent to me. When the Minister has given an order, the clerks of course act upon it, and in that way my own branch of the office becomes involved in some cases which I think are wrong, and in which I think the decisions would not have been given if they had been submitted to me at an earlier stage; cases in which I think the Minister has been led by unwise representations, in incomplete or incorrect information, to come to wrong conclusions, and in which the decisions have sometimes even been carried out without my knowledge.

1722. If this later suggestion of yours had been the rule, or the earlier routine had been followed, such cases could not have occurred? No. In this minute of June, 1877, it was said that the routine led to no inconvenience. That was, I think, unquestioned. That statement was true, or it was not true. If true, it was worthy of attention. If not true, there was an immediate opportunity of questioning its accuracy, and its accuracy was not questioned. The arrangement was a convenient and business-like one, it led to dispatch in business, and, as far as I am aware, was not attended by any erroneous action. That is what I stated in this minute of June, 1877. Before leaving this minute, and the putting away of it in June, 1877, I think, something occurred which, I think, I must state to the Commission. The minute was given to Mr. Driver, and certain other minutes on other subjects were given to him. I repeatedly requested Mr. Driver to come to a decision, one way or the other. I said that I should accept his decision, whatever it might be, but that I thought I had a right to ask him for a decision on these points. I repeatedly requested him to get the papers brought before him, and he said that he would. The last time this happened, Mr. Driver sent for the Under Secretary, and asked him why these papers were not brought before him. The Under Secretary replied that he wished to write something in answer to what I had written, but had not time to do it. Mr. Driver asked him what time he would require, and he said about a week. Mr. Driver then specifically instructed the Under Secretary to bring them before him at the end of the week. They were not brought before him at that time. Mr. Driver became ill, and so they remained undealt with.

1723. Is that the paper you allude to as having been fifteen months undealt with? Yes. That particular form of jobbery referred to there in a case in which Mr. Fisher was interested, is a common one, well known to the officers of the department. In 1873 I was sent by Mr. Farnell to investigate some supposed cases of the kind at Deniliquin. In one case I found that a squatter had selected land in very large areas, which was just about to be sold by auction, to prevent other persons from selecting the land before it could be sold. The land had been measured and was under proclamation for sale, and was open to selection, but having been selected, later selections of the same land could not be made. The lessee, who is the moving cause, does not appear in the transaction, but his agent, professing to act as the agent for the selectors, asks, under one pretence or another, for the cancellation of the selections, and the return of the money. This was allowed in the cases of which I speak at Deniliquin.

1724. In Mr. Fisher's case, by your action, the forfeiture was enforced? Yes. In another case, which occurred at Deniliquin, the auction sale was allowed to go on when the office had not authorized it to go on. It was no doubt intended to allow it, but the instruction was not sent. Mr. Fitzpatrick, who was the business agent of the lessee, had received information of that intention, and he telegraphed to his principal. I found afterwards that all the deposit payments had been made by the station holder's agent himself.

1725. There was a case of a selection by Ellen Morris, in which similar action seems to have been taken, and in which there seems to have been some difference of opinion between you and the Under Secretary? I do not remember the case at all.

1726. Here are the papers. Will you look at them? I see there is a minute of mine in this case. I have not seen it since it was written. I see that in this case Mr. Raymond acts as the agent for the selector, and he applies that the land may go on to auction, as the selector was desirous of withdrawing from the purchase. This is just a case in point.

1727.

A. O. Moriarty, Esq.
20 Dec., 1878.

1727. Is the presumption that she was a dummy? I do not say that; but this case illustrates the inconvenience of which I have complained. This letter was received and registered on the 7th of February, 1877, and is dated on the 5th.

1728. Was that request for cancellation complied with without reference to you? Yes. This letter, I see, is dated the 5th of February, 1877. The standing rule of the department is that before any action is taken on papers they shall be registered. This letter is registered as received on the 7th of February, 1877, but I see that between the date of the letter and the date of its registration in the office there is a memorandum by Mr. Edwards, the head of the Auction Branch, to this effect:—"These portions may, perhaps, go on for sale pending inquiry. The conditional purchase can be easily sustained if the facts are not as stated." Then there is this memo. by the Under Secretary:—"Under statement in enclosed telegram, now received, the sale may go on, and the C.P. declared void."

1729. The matter had not come to your knowledge at this stage? No. On the Under Secretary's minute a telegram was sent to the agent to sell the land on the 7th February, 1877, the day on which the auction sale was to take place. That instruction was given; but I do not hesitate to say that except upon the authority of the responsible Minister such an instruction ought not to have been given, for on the face of it was a sale by auction of land previously conditionally purchased as if the land had been Crown land. The Under Secretary refers to an enclosed telegram received in Sydney on the 6th of February:—"Letter sent asking to withdraw my application for 103 and 104 Coree South, and allow it to be sold." There was such a telegram apparently. This is a copy of it. I was not made aware of this case until the 20th of March, on which date I see there is a note of mine, in which I urged that the course taken could not be taken; that it was illegal, the land having been private land at the date of the auction sale. The Under Secretary says there was no Minister to appeal to, and that the case was submitted half an hour before the sale. A thing submitted in such a way as that has, as it seems to me, a fishy appearance. I see that Mr. Driver's remark upon the papers is that "the sale of these lots should not have been permitted;" and he has added something further, which, upon the Under Secretary's representations he has subsequently erased. This case is of a kind which has occurred on more than one occasion. A similar case occurred last week or the week before.

1730. You think that forfeiture should have taken place in that case? I do not know that; but while the land was private land it ought not to have been sold at auction. No interest would be damaged by withholding the auction sale for a sufficient time to allow of inquiry.

1731. No inquiry was made? There was no inquiry made.

1732. I think there is some special action which you are said to have taken about the telegram there, at which Mr. Stephen appears to have been aggrieved? When this paper came to me I found that it contained a reference by the Under Secretary to an enclosed telegram, as giving grounds for the course taken. When I was dealing with the papers I saw there was no such telegram. I asked for it in the office; but not being able to get it I sent up to the telegraph office for it. I see that there is a copy of it here, and I suppose it was obtained from the office by my action. The action which the Under Secretary seems to have been aggrieved at was my obtaining the telegram and completing the correspondence. No, I see I am mistaken. On looking further into the papers that the copy of the telegram was obtained by the Under Secretary. I see that the memo. sent to me was that there was no message from Ellen Morris, Urana, to the Under Secretary for Lands on or about the 7th of February. At this date the great bulk of the correspondence was addressed to the Under Secretary, and my business was often addressed to him. The bulk of the business that I dealt with would at that time be addressed to him. In sending for this telegram I was sending for correspondence proper to my own business.

1733. You could not get a copy in the office? When the papers came to me I saw that there was a reference to a telegram which was not with the papers. I asked for it, or told some one to get it from the telegraph office. The reply was that there was no such telegram from Urana; but subsequently Mr. Stephen appears to have got this copy from Jerilderie, and that would account for it not having been supplied in the first instance. In asking for this telegram it never occurred to me that I was questioning anyone's authority.

1734. It was the only course open for you to ascertain the position of the matter. Is that the ground you take? I have never seen these reflections by the Under Secretary before. I dealt with the case on the 30th of March, 1877.

1735. Was not the case decided before it came to you? Action was taken by the Under Secretary, and I drew the attention of the Minister to the fact that that action was irregular. My minute is dated the 20th March, and the copy of the telegram bears the Sydney stamp of the 22nd March, but the Under Secretary's memorandum is dated the 23rd of April. I have not seen this memorandum before.

1736. Was the auction sale complete before your action? The auction sale took place on the 7th of February, the day the telegram was received, but the papers were not received by me until the 20th of March. I complain that this action should have been taken without reference to the papers, or the information in the Conditional Sales Branch. Similar action has occurred within the last few weeks again.

1737. This case in the face of it is equally objectionable as that of Mr. Fisher's? I will not say that.

1738. It is analogous in nature? I only know that the application of Ellen Morris to withdraw her selection is in a handwriting which is very like the handwriting of the lessee of the run, whose handwriting I know. I will not say it is a case of dummy selection, but it looks like an arrangement. There is a minute by the Survey Department that there is no ground for the cancellation of this selection. I pointed out that it was illegal.

1739. Is it not the case that non-survey is the only ground for cancellation? Yes, generally, but there may be other grounds. The land may not be all available, but that ground is special, and nothing but a special ground will warrant cancellation.

1740. The law and custom is that cancellation only follows non-survey within twelve months? Yes.

1741. Forfeiture is the necessary result of any irregular action on the part of the lessee? Quite so; if it be ascertained that the conditions are not carried out.

1742. In such cases selections are forfeited? Yes. Half a million acres have been recovered by forfeiture in this way since January last, so that you will see that it is an important thing that action in these matters should be regular.

1743. Were those irregular applications of the same kind? They were for various breaches of the conditions.

1744. *President.*] With reference to the case of Ellen Morris, you say that some similar cases have occurred, or cases under similar circumstances. Do you recollect the name of the parties so that we may be able to identify them? Here is a similar case—register number 42,430. I do not say that these are all dummy cases. I do not think the gentlemen concerned would be capable of dummyming as the law now stands, but I believe that where they found a selector who was willing to move off from their run, they would be glad to buy him out, and get the land put up to auction.

1745. Looked on in that light you think they would consider that legitimate? Perhaps they would. I bring this case to show that action is taken without reference to me—that the land is put up to auction, and that thereby the rights of parties are settled finally without reference to me or to the Survey Department.

1746. Have you any other case? Within the last few weeks the Minister had a case about which he spoke to me, but it has not reached me yet—a case, as the Minister told me, in which a Volunteer land order was made part of a measured portion, the order for 50 acres being made applicable to 59 acres. The Under Secretary recommended the Minister to cancel the conditional purchase and uphold the Volunteer land order. The Minister told me that he had declined to do that. The Minister himself discovered what should have been pointed out to him by the office that this Volunteer land order for 50 out of 59 acres was in itself an illegal application, throwing 9 acres out of measurement which could not be covered by any other legal application.

A. O.
Moriarty, Esq.
20 Dec., 1878.

WEDNESDAY, 8 JANUARY, 1879.

Present:—

MR. ABBOTT,

MR. RANKEN.

R. P. ABBOTT, Esq., PRESIDENT, IN THE CHAIR.

A. O. Moriarty, Esq., was called in and further examined:—

1747. *President.*] When you were last examined you left some papers with the Commission, the record number of the conditional sales department being 42,430? Yes; I think I referred to them as having an immediate bearing upon the question of dealing with cases upon partial information. In this case the Under Secretary proposed to the Minister that these conditional purchases should be cancelled in order that the land might go on to auction sale. That suggestion was made without reference to me or to the Conditional Sales Division of the department—without reference to the conditional purchase papers or to the applications the purchasers had made, which were in my custody at the time, and which were subsequently asked for when the Minister had declined to act upon that recommendation.

1748. *Mr. Ranken.*] Is not the case similar to that of Ellen Morris? It is very similar, I think. There are some remarks of mine here, in which I point out that action had been taken without reference to me or to the papers. The Under Secretary's minute is to this effect:—"Will the Chief Commissioner of Conditional Sales oblige me (as bearing on the case) with the two letters of the Goldsmith's asking for a refund of deposits now in the Conditional Purchase Branch? See further papers, telegram, &c., herewith, not that I intend to press the matter further, but the Minister wishes to see them." I think that shows pretty plainly that the Minister had not seen them.

1749. *President.*] Whose minute is that? The Under Secretary's, of date 23rd October. I think it will be seen from the other papers in this case which are before the Commission that the action taken was prior to that. I wrote this note on the Under Secretary's minute:—"Two letters herewith, received 19th instant. There are, I understand, other papers than the enclosed relating to the matter which I have not seen, but in which the cancellation of the conditional purchase (without reference to the applications, to the enclosed papers, or to this division) was proposed. If the case has been imperfectly dealt with, it is to be attributed to that irregular action." There is this further minute of the Under Secretary, which goes into the merits of the matter:—"The enclosed applications show the lots to be those advertised for sale. If the matters, however, had been referred to the Conditional Purchase Branch first the sale would have been over before the submission of the papers. Yet Mr. M. wanted all cases to go to him first." Then there is this remark of mine: "This is an entire mistake. There was abundant time for the matter to be referred to me and dealt with on its merits." The sale would not have gone on because the Survey Department knew perfectly well that the lots were conditionally purchased, and could not be sold. I do not think there is any reason to suspect collusion in this instance between the selector and the lessee, as to the taking up of the land; but I think there is abundant evidence of an arrangement having been come to between the conditional purchasers and the lessee before this application was made.

1750. Was it an application for forfeiture? No, for the refund of the money.

1751. Because of the intended sale? Yes. The land being conditionally purchased before the auction sale, nobody else could get it. Immediately before the sale the conditional purchasers wanted to cancel their applications, so that they could get their money back, and the inference also is, that they would get a bonus from the lessee to clear out. The land would thus go to auction and be sold to the lessee at £1 an acre. By an abuse of the law these selectors would be able to levy upon the lessee to the extent of the bonus they might obtain from him.

1752. *Mr. Ranken.*] The case looks more like one of blackmailing than of dummyming? Quite so. I think that is what it was. I do not think the lessee is a man who would be capable of collusion for the purpose of dummyming. With regard to the case of Ellen Morris, as I have, I think, already informed the Commission, I am quite in the dark as to what supposed reference to my position or action the case of Ellen Morris has. I have not seen it since I submitted it to the Minister about eighteen months ago, until I saw it here the other day.

1753. It was before you here the other day? Yes; but I had not seen it until I saw it then. I suppose I am considered to have done something wrong with reference to Ellen Morris's case, but what it is I really do not know.

1754. I fancy it was with regard to your making inquiry about the telegram? That is a sort of thing which could have been explained in a word. The inquiry was just this: There was a telegram referred to in the papers as showing the reasons for a certain course; but when the papers came to me the telegram

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A. O.
Moriarty, Esq.
8 Jan., 1879.

A. O.
Moriarty, Esq.
8 Jan., 1879.

was not with them, and I simply asked for it. Without the telegram it would have been impossible to know what the reasons were. As I believe I said the other day, that case is important. It comes up, not produced by me, as one of those similar cases referred to in my note to the Minister about the evils of action based upon imperfect information. Again I say, before I proceed to give evidence, while I consider myself bound to answer the Commissioners' questions, and while I personally have nothing to conceal from the Commission, yet I do feel that I am in an utterly false position in being asked any questions or in answering any questions of a nature calculated to reflect upon the Under Secretary in that gentleman's absence. I simply desire in advance to repeat my objection to that course, and request, before I am asked any question about Mr. Stephen, Mr. Stephen may have an opportunity of being present.

1755. The papers I have now before me, and about which I wish to ask a few questions, begin in November, 1876, and end in the February following. They begin with your suggestions as to remodelling the work of the department. On receiving Mr. Stephen's minute attached to your memorandum, it appears that you submitted the same to the Minister with your own remarks upon it, without referring it again to the Under Secretary? I think I have already explained that.

1756. The matter has been incidentally alluded to? I am prepared to go through with it. My memorandum of suggestions embodies the result of several conversations with the Minister, the Under Secretary, and myself, and contains what, as I understood, was agreed upon. This I handed to the Under Secretary. I understood from the Minister some time afterwards that he had given the Under Secretary instructions to carry it out; but it was not being carried out. Nothing was being done about it. There was some interval.

1757. You will find the dates of the papers there? No; there is no date in this.

1758. That is your original memorandum of suggestions? Yes.

1759. You will find Mr. Stephen's memorandum attached to that; then a memorandum of your own, written two days afterwards? This memorandum of suggestions is not dated, but I see that it refers to something being done, say from the 1st of November, and must therefore have been written prior to that date. I remember that it was referred to between myself and the Minister then as a matter which had been lying over for some time unattended to.

1760. That was the paper you submitted to the Minister? No, to the Under Secretary; the paper which contains all the arrangements agreed to. There is a later memorandum by the Under Secretary in which he takes exception to certain things proposed in regard to the lease business, and to this I see there is an addendum written by me which was not submitted to the Under Secretary.

1761. You submitted that to the Minister? It is my impression now—not having thought much about it since—my distinct impression that I got those papers from the Under Secretary at the Minister's request, and that in conversation with the Minister it came out that there was only this lease business in issue between us. At the suggestion of the Minister I wrote this memorandum which was an abandonment for the time of my own proposition, leaving the matter to be dealt with ultimately on its merits. There is no fresh suggestion made; merely a withdrawal of that part of my suggestion to which the Under Secretary took objection. I cannot speak distinctly about a matter which is two years and a half old, but I believe I wrote this at the Minister's suggestion with a view to the general arrangement being then and there carried out. What I wrote was, "As the only question remaining to be decided as between the Under Secretary's views and those submitted by me has reference to the lease business, which does not involve the general arrangement and can be subsequently discussed more at length and settled on its merits, the papers are submitted with reference to the general measure which is urgent."

1762. That you submitted to the Minister? Yes, at the Minister's personal request, and I have no doubt I wrote this under his instruction.

1763. There is also a minute written by Mr. Stuart when he was acting for the Minister for Lands, in which he comments upon the impropriety of official documents passing by the Under Secretary? Mr. Stuart referred to this particular thing no doubt, but if the Commissioners will pardon me for a moment, they will see that he refers to this with a number of other things. The Commissioners will see that at the end of these papers there is a note of mine, which was written in the Premier's office, Sir John Robertson's office, in the following March, and under circumstances which I think I have already explained to the Commission. The Minister expressed a wish that I should write something which would lead to the matter being arranged by mutual apologies and concessions. On the spur of the moment I sat down and wrote this:—"My dear sir,—If it had not been for my desire to avoid further discussion of a matter which has already proceeded to an undesirable length, I should have felt bound to ask attention to one or two matters in the documents placed before the Cabinet which are new to me, and I think the subject of a slight misapprehension." These subjects were those which led me to hesitate to take action. One of them was this statement, that in matters affecting the department I passed by the Under Secretary. I did not do it. You will see that my essential representations are contained in the minute which I submitted to the Under Secretary himself. At the same time I do not hesitate to say that in such a matter as this I should have felt it perfectly open to me to submit in this non-official form any suggestions bearing upon the new position which it was proposed should be conferred upon myself.

1764. Without reference to the Under Secretary? Without reference to anybody. I should have been justified in submitting them as my own views. The case under consideration was the creation of a new division of the department, separate from the Under Secretary's position, placing considerably more than half of the duties which attached to his position under me. It would have been a proper, regular, and delicate course at the same time for any Minister to ask my views non-officially, as they were here written and given to the Minister. At the same time I did not take the course of making my suggestions direct to the Minister.

1765. That does not appear to have been Mr. Stuart's view? Mr. Stuart was obviously under the impression that I had submitted the whole of this thing to the Minister; but I did not do so, and it is to that I refer in my letter. In Mr. Stuart's minute I was reprimanded for doing that which I did not do; for my essential suggestions are contained, not in this addendum but in the memorandum which I submitted to the Under Secretary. No man of sense would talk of that addendum as an essential suggestion.

1766. Mr. Stuart's opinion is that everything should be submitted through the permanent head of the department to the Minister? That may be Mr. Stuart's views, but it is open to anybody else to hold other views. It is only a common sense view to say that the Minister may have in an unofficial, confidential form, the views of the man to whom he is going to entrust the carrying out of an important routine. I have known the same thing to be done a dozen times over.

1767.

A. O.
Moriarty, Esq.,
8 Jan., 1879.

1767. Was not the Under Secretary more concerned in this change than the officer of the new department? I think not; the Under Secretary had no responsibility under it.
1768. He remained the head of the department? He did; but substantially this part of the business was arranged by mutual consent, and was ultimately embodied in his own memorandum. This memorandum of suggestions which I drew up never went before the Cabinet. The Cabinet accepted his suggestions, he being only partly concerned in the arrangement, and my complaint was that he suppressed this paper, and kept it from the knowledge of the Cabinet.
1769. You maintain substantially that your course was correct? My course was essentially correct. Mr. Stuart was under a misapprehension in supposing that I handed these suggestions to the Minister. I did not do so. He could never have made the assumption he did if he had been made aware that this minute was submitted, not to the Minister but to the Under Secretary. But at the same time I say that it would be perfectly correct on the part of the officer concerned to hand confidential statements of this kind to the Minister under the circumstances here disclosed.
1770. Do you think that the matter should have gone into maturity without the Under Secretary being consulted? Nothing of the sort. There was no maturing of it without the Under Secretary. My views involved a wider change in organization than this. In my suggestions I stated that they were not submitted as recommendations for the reorganization of the department, but as embodying matters which had been discussed between the Minister, the Under Secretary, and myself, put on paper by me, and handed by me to the Under Secretary.
1771. The words which Mr. Stuart uses are quite decisive as to what the discipline should be? Mr. Stuart's views are quite clearly put, but they are as clearly put upon a misapprehension of the facts to which he was referred. There is a second misapprehension in this minute of Mr. Stuart's, which is the other matter to which I refer in my note to Sir John Robertson, and that is this:—"I consider also that his remarks in criticism of Mr. Stephen's capacity and application were quite uncalled for, and are, under the circumstances, unjustifiable." There are a great many remarks of mine here in this paper, which is a lengthy one, but there is not a single word in that paper remarking upon the Under Secretary's application or capacity; not a single remark except this: The Under Secretary himself reported that in an altercation we had—it was an altercation I am sorry to say—I had told him that his idleness and incapacity had broken up the department. The Under Secretary made that a complaint against me. I did not, in my reply, go into extraneous matters to justify that I was really sorry that I had been provoked into making the remark. That expression fell from me in a private conversation, following some insulting remarks of the Under Secretary about my "damned impudence."
1772. Is there anything in writing making a deliberate charge of incompetence and carelessness? Not a word; but that was Mr. Stuart's second misapprehension.
1773. Your memorandum of the 22nd December contains something which I should like your opinion about. In that memorandum, reopening the question of the lease business, you say, "without even implying anything to the disadvantage of the Under Secretary it is palpable that this business has not engaged in any degree his interest or attention. No instruction or suggestion of any significance (if any at all) has ever emanated from him with respect to it; it is not too much to say that he does not realize its present state or bearings, and is not familiar with the present, if he is with the former, law regarding it." Do you not think that that is a direct charge of indifference, ignorance, and neglect? I did not intend it to be regarded in that light. The words are very clear.
1774. You say he does not realize and is not familiar with the bearings of the question? I think this paper will be found to be a copy.
1775. Is it not in your handwriting? Yes; but it was never submitted in this form; I see it is marked "copy." This is a paper which I personally communicated to the Under Secretary.
1776. It comes to us as a paper which you read to him in his office? Yes; its proper order is as an appendix to one of these later papers. It was never submitted.
1777. I cannot see the distinction. Is it not in your handwriting, and was it not read to the Under Secretary? I do not repudiate the question in any way; but I have been misled in referring to it, or rather you have.
1778. It was in connection with the same subject? Yes; in fact it was the origin of the misunderstanding.
1779. It was written two days after the arrangement? It was written when I became aware of the fact that the Cabinet had, at the Under Secretary's instance, without being aware of the more comprehensive suggestions made by me, dealt with the measure in a way which I thought inconvenient; and this memorandum was written for the purpose of being read to the Minister at an interview which was to have taken place, urging that that particular question should be reconsidered; but there is not a word in it which I am not prepared to substantiate.
1780. I think it substantiates the charge of your having accused the Under Secretary of incompetence, neglect, and ignorance? Not so; you will observe that it took place on the very occasion that I used the words "idleness" and "incapacity."
1781. It is a document which was deliberately drawn up? Deliberately drawn up; when I say "deliberately" I should explain that it was drawn up instantly I became aware of the action which had been taken, and as embodying objections to it; but it was communicated to the Under Secretary at the same moment that the other words were communicated to him.
1782. Probably the charge implied in these words provoked the irritation which led to this result? I do not think so.
1783. There is a further remark towards the end of the document in which it appears that you implied that the Under Secretary might oppose your suggestions on selfish or personal grounds? There is this remark: "I trust that my views, which have no selfish aim, and if accepted will only enlarge my usefulness, may be considered sufficiently well founded to outweigh any opposition based merely on personal and imaginary grounds of the Under Secretary's position and its claims, as opposed to the benefit of the service." What I meant to say and what was the fact was this: the Under Secretary had given no reason in opposition to my views, but simply his word, his will—he did not choose to do it.
1784. Was he bound to give any reasons? I think he was in a matter so important to both of us and to the service.
1785. Was it his duty to discuss the business? In my position, taking over more than half his duties, I was entitled to discuss it. This particular business had been just recently the subject of legislation; a few months previously, perhaps twelve months, that legislation took place, and was the adoption of my suggestions.

A. O. 1786. To what do you refer? The lease business.

Moriarty, Esq. 1787. Under the Act of 1875? Yes.

8 Jan., 1879. 1788. That introduced a new arrangement with regard to the lease business? By that Act the Legislature adopted and carried into practice suggestions of mine which had been submitted during previous years to various administrations, the principle of which will be found in the Land Bill, which was introduced by Mr. Wilson in Sir James Martin's administration five or six years before; and it had been embodied in regulations drawn up by me as to which I will produce the written concurrence of Mr. Forster, now Agent General. I had taken very great interest in the subject, and ultimately clauses were passed by the Parliament as I drew them; and I drew all the regulations embodying them. I did not act in the matter as a mere official but as something more. I took a deep interest in it as a public question, and my views were ultimately accepted by the Government and the Legislature. I had drawn up the regulations and worked them up to a certain date.

1789. As chief clerk? As chief clerk; and as chief clerk I took a very active share in the general administration of the department, and I paid particular attention to this business, more so than to any other within the scope of departmental administration, and I felt that I was in a position to urge upon the Government that the charge of this business should not be taken out of my hands. It had very nearly been brought into successful operation, and was then at a critical point at which it might become a failure or an accomplished success. Up to that point it had been a singular success. The result had been a jump in the revenue of some £17,000 within the twelve months, and the correspondence relating to the business had been nearly stationary.

1790. That was from the different positions in which the leaseholds were placed? From the facilities which were introduced into the new system for giving effect to the intentions of the Legislature with regard to these leases. The thing was at a critical stage; and I felt unwilling to take the new business unless I was continued in unquestioned charge of it. The Under Secretary did not take a deep interest in this business, although he has been managing it for eighteen months. I say the Under Secretary is not well informed as to a great deal of this business.

1791. Was not the matter practically decided by Mr. Garrett? No, it was not. I have a note by me, which I can show the Commission, in which Mr. Garrett told me to bring forward the matter again.

1792. *President.* Have you it with you? No; if the Commission will allow me, I will produce Mr. Garrett's note, in which he intimates to me that the matter should be considered settled for the present—that he had been under the impression that I had been indifferent to this matter—and that he concurred in my view, that it should be attached to my division. I will show Mr. Forster's note, in which he approved of these changes, and only abstained from carrying them out owing to some technical objections raised by the Surveyor General, subsequently overruled; and I can produce the original Bill. The law of 1861 provided that conditional and other purchasers should have a preferential right to lease adjacent lands, but it omitted to state what the new leases were to be; it omitted to give the new comer the right to prescribe what the new leases should be; and it omitted to give the Minister the power to prescribe it. There was great litigation and loss in consequence, several cases having come before the Courts, and in practice the state of the law led to great evils. A new and undefined lease, created in the midst of the old, inevitably caused misunderstanding. Litigious persons would attempt to gain, not the three times but twenty-seven times what they had a right to take up in any direction, and the result was to introduce a sort of commonage or debatable land. My suggestion was that the pre-emptive right attaching to the new purchase should always have a specific relation to the boundaries of the purchase.

1793. You considered that your position justified your hints? My position and the facts justified the statements I made.

1794. When you submit these papers we can go further into this matter. But there are some further accusations brought by you against Mr. Stephen which I think ought to be explained. You use terms which seem extreme. You speak of a measure, the leading features of which were suppressed? This was the paper referred to, and there was not a word about it in the minute which the Under Secretary caused to be submitted to the Cabinet.

1795. But your own memorandum waives that? As to the lease business, but not as to other matters.

1796. The leading feature of the arrangement was the separation of the Conditional Sales Branch? Yes; but there was also reference to what my position should be in taking up this new business, and there is not a word about that in the minute submitted to the Cabinet.

1797. In your memorandum of 23rd January, 1877, you state that Mr. Stephen had obtained by stealth an authoritative decision adverse to your views. How do you justify the use of that expression? I do not recollect that I have used that term. If I have, I refer to the fact that this particular paper was kept back while the official correspondence was put before the Government by the Under Secretary. It had been kept back by the Under Secretary, although it was an official paper sent by me to him, and officially ordered to be carried out.

1798. Is not that a different view from Mr. Stuart's in regard to the etiquette of the department? I might reply to that, that the Minister who dealt with the matter took a totally different view; but as to the question of etiquette, I repeat that I submitted my memorandum of suggestions to the Under Secretary in the first instance. Subsequently I obtained them from him at the instance of the Minister, when this memorandum was added.

1799. Do you think that the term "obtained by stealth" is a proper official term to be used by one officer to another? I confess I think the putting by of this paper was an extreme act on the part of the Under Secretary.

1800. Mr. Stephen having in his own discretion adopted such portion of your suggestions as he thought fit, put aside the rest? I think the correct course for Mr. Stephen to have taken would have been to inform the Cabinet that I took certain views, to have appended this paper, whether he agreed to it or not, to his own suggestions, and then the Cabinet would have had an opportunity of deciding on the question in full knowledge of the views of all the officers concerned. I do not think he had a right to deal with this paper in the way he has dealt with it. If I had acted in a similar manner I should have felt that any person whose paper I had put aside would have been justified in using this expression.

1801. Mr. Garrett's memorandum which you will produce will justify your action? It will show the Commission that in officially opening the matter I acted upon good grounds. I do not think, however, that express permission by the Minister was necessary, for I hold that it was competent for me, as an official, to open any official question coming within my province. If the Commission have done with this business

A. O.
Moriarty, Esq.
8 Jan., 1879.

I have done with it, with one exception. I have already mentioned that this note of mine was written in the Premier's room, and that he told me I could write anything I pleased. I wrote this letter of 15th March, 1877, at his table, not at his dictation, in which I see that I guard myself by referring to one or two points in which I thought Mr. Stuart was in error; but on getting afterwards, by the Minister's desire, Mr. Stephen's retraction, I found an essential word obliterated, obviously at a different time—an alteration I did not like. His letter expressed regret that his irritation should have induced him to rejoin in the "objectionable" manner he did; but at a subsequent time Mr. Stephen has drawn his pen through the word "objectionable." It looks very like a withdrawal of the apology to me.

1802. The word is obliterated? Yes, by a different pen and with different ink, obviously at a different time. I took exception personally to that, but I was told—the Government were going out of office on that day—that Mr. Stephen had had authority to do it.

1803. You wrote an apology in regard to the personal dispute between yourself and Mr. Stephen? I wrote what was intended to be a grievous expression of regret, in the hope of terminating the matter, and upon the assurance of the Premier that it should terminate the matter.

1804. Was it meant to end any disputes which existed between you and Mr. Stephen? Entirely; and I wrote it under the assurance of the Premier that it should terminate any disputes with Mr. Stephen. I have had no personal disputes with Mr. Stephen since the date of that letter. I have differed from him in matters of duty, but I have had, to my recollection, no personal disputes with Mr. Stephen since then.

1805. Since January, 1877? Since March, 1877. I supposed, in fact, that all personal disputes between Mr. Stephen and myself were ended by this correspondence, which I have not since seen until I saw it here. I know that it has been in the Under Secretary's possession, and that it has been shown to other parties.

1806. It has not been recorded? No; but it has been shown to third parties; in fact Mr. Stephen has shown it, among other people, to a reporter of the *Herald*.

1807. But he did not record it as an official document? No; but the Under Secretary felt himself warranted in treating it as a Cabinet decision, and showing it to persons representing the outside public. The department is not aware of this matter, as the papers are not recorded.

1808. The usual course would be to record them? Yes.

1809. Was it not from a sense of delicacy that they were not recorded? Possibly; delicacy to himself not to me. I am quite certain that there was no sense of delicacy to me which was the cause of their not being recorded, as I shall have an opportunity to show the Commission in another matter.

1810. In the following April you renewed the question of the lease business in a minute to Mr. Driver. Are you aware that there is a repetition almost word for word of the reflections contained in your minute of the 22nd January? I am aware that my minute contained a statement of simple facts; I have not seen it since.

1811. You will find the same sentence almost word for word there? [*Papers handed to witness.*] I do not quite see what it is that you refer to.

1812. Your statement that the lease business had never engaged Mr. Stephen's interest or attention, and so on? Quite so; it is a moderate statement of the case.

1813. It contains the same gratuitous reflections on Mr. Stephen's want of capacity? It mentions that Mr. Stephen had not considered that question in the same way that I had done; in the same way I might say that Mr. Stephen had not considered the higher mathematics.

1814. Do you not think that in your position that was unwarrantable? No; I pointed out that circumstances had given me a familiarity with the question, and that I had taken a deep interest in it.

1815. Your remarks refer, not to yourself but to Mr. Stephen? I have not finished my remarks; I was pointing out that up to that moment the whole treatment of the question had been in my hands, and that it should remain so. Then came the *per contra*. It was to be brought under the personal control of the Under Secretary who had not taken the same interest in the question that I had, who did not understand it in the same way that I did; I said that in the same way as I might have said had I been a mathematician, to this Commission, that with great respect they did not understand the differential calculus.

1816. Could anything be more offensive to the head of the department than to tell him he did not understand his duty? It had not been his duty.

1817. Did you ever meet with such criticism or remarks while you were Under Secretary, as you have applied to Mr. Stephen? Assuredly not; nor did I ever give occasion for them. I should expect to meet them under like circumstances.

1818. You would not have tolerated such remarks? I would have entertained them, and tolerated them, and come to an issue upon them. With regard to this particular issue I do not know what Mr. Stephen's views are, excepting that he will not go into the matter, although different ministers have told him to do it. Mr. Driver requested him to deal with the matter within a week. He has not done so to this day.

1819. You do not use the words "idleness" and "incapacity," but do you not imply the same idea in this correspondence? Certainly not. In no single instance have I done so. In this instance I urged upon the Government that this particular thing had been my nursling, my bantling, and I urged them to leave it with me. I had nothing to gain by it.

1820. Would the control of that business give you additional position? Certainly not. It gave me an opportunity of carrying out ideas which I had worked hard for. I saw that it was on the eve of being spoiled, and I believe it is being spoiled now. The Auditor General is in constant broils with the department about it now.

1821. That would not justify you in holding Mr. Stephen up to contempt? Certainly not. I did not hold him up to contempt, any more than I should hold him up to contempt if I were to say that he was ignorant of the differential calculus. I said just now that I do not believe that the Under Secretary has even now a competent knowledge of the business. He has had a reference made to the Crown Law Officers upon a point which I believe is known to every clerk in the office, and which is made as plain in the Act itself as any Act can make it. The point was as to whether lands held under pre-emptive leases are open to be sold by auction. The law says it shall; the universal practice has been to assume that it shall, and yet the Under Secretary referred it for decision. In another case he obtained an opinion from Mr. Garrett directly in the teeth of the opinion of the Attorney General and the law.

1822. *President.* Can you tell us what the matters were? One was with reference to whether pre-emptive leases are open to sale by auction. The other was as to whether lands leased by auction, which are

A. O.
Moriarty, Esq.
8 Jan., 1879.

are not selected on, can be taken from the auction lessee on renewal with a view to satisfy the claim of a new purchaser outside the lease. Auction leases like other leases are renewable from year to year. Where a purchase is made within a section the lease of that is not renewable, but the lease of the rest is. The practice has been to hold the renewal of untouched leases as unquestioned. That is the law, and there is a provision for the reduction of the rent upon the sections which are broken. The Under Secretary induced Mr. Garrett in a particular case to refuse to renew an auction lease—to give somebody else a pre-emptive lease of a section, out of which there had been no purchase. That was in the teeth of the general practice. The Under Secretary has not had the opportunity of taking such an interest in this business as to make himself familiar with its principles or its details.

1823. *Mr. Ranken.*] That is the lease business? Yes. I thought at the time that the thing would not be a success if I were not allowed to nurse it a little longer. I strongly urged that it should be left with me; and my anticipations that it would not be a success if not left with me are I think in course of realization now. The Commission will see that at the date of this correspondence the views of the officer in charge of that branch were strongly in accord with my own.

1824. He was your subordinate? He was subordinate to the Under Secretary and myself. Mr. Brown's views on this matter are plainly stated.

1825. Was he competent to form an opinion on that matter? I think very competent. He is still in charge of the business. The Commission can examine him if they think fit. As I have been rather severely handled in connection with this matter I think I must say a little more. The Commission will find, if they see fit to inquire into this matter, that it has been no uncommon thing for cases of this sort to be allowed to accumulate and lie by for twelve months at a time without any attention being paid to them at all.

1826. Are you prepared to substantiate the statement? I have no doubt that I could.

1827. If such a statement is made it ought to be substantiated? I have been told so by the parties concerned. I have not inquired into it, but I have no doubt it is true, and I accept the responsibility of substantiating it. I tell the Commission how to substantiate it; and that is, by reference to the officer who has charge of the work.

1828. Which officer? Mr. Brown. I may be right, or I may be wrong.

1829. Have you any wish to say anything further about this lease business? I have some returns which, if the Commission will permit me, I will call attention to when I am again examined.

1830. *President.*] We shall be happy to consider anything which you think worth producing to us? Since I was last examined there has been a change of Government, and my time has been so completely occupied with the ordinary current work of the office that I have had no opportunity to consider what I would say to-day.

1831. *Mr. Ranken.*] Then there is this matter of Mr. Edwards, a rather deplorable matter, in which you make a complaint against Mr. Stephen? I think that paper is docketed misconduct on my part. As the Commission will have seen from these papers the Cabinet suspended me for having been fined for an assault on Mr. Edwards under some provocation which it is not necessary to go into. The matter formed the subject of inquiry at the Police Office, and I was fined 20s. The Cabinet suspended me on the day of the occurrence. On the following morning I saw the Minister, who told me to write an explanation of my suspension, and he said that he would deal with it instantly. I wrote it, and the Minister did deal with it instantly. The Minister gave to the Under Secretary before 2 o'clock that day his minute releasing me from suspension; he gave it to the Under Secretary in order that the Under Secretary might communicate it to me. Although I remained in my office until 6 o'clock that day, the Under Secretary did not communicate it to me.

1832. How long was it detained? From before lunch-time one day until the following morning. It was an instruction from the Minister to release me from suspension, which the Minister had promised to send in this way in order that my mind might be relieved from anxiety; but the Under Secretary kept me in suspense until the following morning, and before the paper had been two hours in my possession he sent to me for it by his messenger. I replied that I had not quite done with it. The Under Secretary sent another message, stating that he required it at once. My reply was that I still had not quite finished with it. The Under Secretary then, although we had not spoken for a considerable time, walked into my room and demanded that I should give him this paper instantly. I replied that it would be returned as soon as I had done with it. It was returned within four hours. During the four hours I was in the Minister's room, when the Under Secretary came in and made this formal complaint of my having detained this paper.

1833. Was it in reference to that that you commented upon his arbitrary and insulting conduct? I said his action was most arbitrary. That was not the only thing. I spoke of his conduct in making remarks to other persons in my hearing, and referring to me. For example, on that day, he called out at my open door some insulting observations plainly intended for me to hear. I do not remember what they were now, but I called the attention of the Minister to them as insulting.

1834. They applied to you? Yes; I thought his conduct in demanding the return of these papers instantly was arbitrary, and that his conduct in talking at me across my open door was certainly insulting. I have a great respect for the institution of Under Secretary. I have held the position myself more than once, have been largely concerned in organising departments, and have some information therefore as to what is due to the position; but I cannot imagine any one in such a position, excepting Mr. Stephen, considering himself justified in acting in this way. I cannot conceive that the Under Secretary to the Treasury would treat the Collector of Customs as Mr. Stephen has treated me, or that Mr. Maxwell Allan would treat the Inspector General of Police or the Comptroller General of Prisons in such a way. If Mr. Under-Secretary Allan ordered either of those officers to give up documents in the way that Mr. Stephen ordered me, I think he would receive a much more direct and emphatic reply than I gave. I gave a courteous reply. I did not say that I wanted to copy it; I said that I had not it by me, and that as soon as I had completed what I was about I would send it to him. As I have said, the Under Secretary came into the Minister's room while I was there, and complained of this detention for four hours. Mr. Farnell's observation to me was that the complaint was a paltry one.

1835. Your words are—arbitrary and insulting line of conduct? I think his action in demanding the return of the paper was arbitrary; and that his conduct in going into the room of a gentleman who did not speak to him, and who was not a subordinate in regard to his immediate duties, was most arbitrary; and I think that his references to me in my hearing were most insulting. I must ask the Commission to allow

allow me to call further attention to it. I did not intend to do so but I think I am driven to do it by being asked to justify the use of words such as these. I will show the Commission that on other occasions the Under Secretary's conduct to me has been most arbitrary and insulting, and that I have made it the subject of an official complaint to the Government.

A. O.
Moriarty, Esq.
8 Jan., 1879.

1836. Is that on record? It is not on record. I have recorded it, but I will explain to the Commission why it has not remained on record.

1837. In February, 1878, there seems to have been some collision or misunderstanding as to certain appointments. The names of Mr. Tindall, Mr. Keele, and Mr. Lord are mentioned as gentlemen applying for appointment; and there seems to have been some irregularity as to the way in which their applications were dealt with? I do not remember the details, and I have nothing by me to which I can refer.

1838. *President.*] If you prefer it we will leave this matter over until you can bring the papers with you? There has been a misunderstanding, and I am sorry to say it still exists. In taking over the new conditional purchase business I took over certain officers who were employed upon it. The Under Secretary was prevented by his own minute from interfering with the conditional purchase business or staff. There are certain officers who compose purely the conditional purchase staff.

1839. The appointments rested with the Under Secretary? It rests with the Under Secretary to carry out the Minister's instructions with regard to appointments, but I believe the Under Secretary labours under some misapprehension as to what his duties are in that regard. The Under Secretary apparently is under the impression that the Minister should not appoint anybody without consulting him. My idea is that the Under Secretary has no claim to be consulted as a right; and that no official has a right to make formal recommendations for appointments. Patronage is a privilege which pertains entirely to the Minister. As a general rule not even the Under Secretary is entitled to recommend new appointments. But there are exceptions to all rules, and in the case of this Mr. Olivier, who had been employed in the Audit Office on conditional purchase work, I thought it advisable that his services should be secured, and I do not think there was any indelicacy in my personally stating to the Minister that he was a person whose qualifications were such as to render it desirable that he should be employed. If I have to make a recommendation in regard to which action is necessary by the Under Secretary as the vehicle of communication with the Treasury or other departments, or in any other way, it would be a proper act of delicacy to write to the Under Secretary in the first instance, but I do not recognise that I am forbidden to speak to the Minister, or that the Minister is forbidden to exercise his right of patronage. That right is personal to the Minister, and is not an official matter. I have on a variety of occasions stated my opinions of the qualifications of particular applicants, and the Minister has of his own authority made the appointments then and there.

1840. Is that the case here? I think so. I do not assume the right to make recommendations. I have only written on the papers in such cases at the direction of the Minister, for him to endorse the appointment.

1841. Do not these papers show that Mr. Olivier was appointed and in the office before Mr. Stephen was aware of it? There is no application by Mr. Olivier or any recommendation of him by me. One of my assistants misconducted himself in some way, and I brought his conduct under the notice of the Minister. He had absented himself for a considerable time and I requested that another appointment should be made; and by an understanding with the Minister I wrote what was a recommendation of Mr. Olivier's appointment.

1842. Should not that have gone formally through the Under Secretary? It would have been more regular perhaps; but I have been placed in this position that I could not be certain that my recommendation would be submitted by the Under Secretary to the Minister since cases have occurred in which my recommendations have been ignored.

1843. Did you think it would be postponed? I thought it likely that it might not be effective at all. I have no doubt this recommendation was written by understanding with the Minister on the instant. The Minister's note is written on the same day as mine; and I have no doubt my memo. was written on the instant by understanding with the Minister.

1844. Then Mr. Olivier's appointment was cancelled in consequence of a promise made to some other clerk? No, it was not cancelled. Mr. Farnell was told that he had made a promise to some one else, and he then wrote this minute: "It is quite evident to me that matters of this kind should be dealt with by the Under Secretary. I must carry out my promise to Mr. Phillips, and therefore revoke my approval of Mr. Olivier." He did not [do that, however, for on the day following he wrote this further minute: "Referring to the latter part of Mr. Stephen's memo. and my own memo., what I mean is that the Commissioner shall recommend within his own division, and that the recommendations should come through the Under Secretary to the Minister, on the same footing as the Surveyor General."

1845. Is that the routine of the Survey Department? Yes; but there is this difference that the Surveyor General does not submit cases at all to the Minister. The submission of cases brings us into conversation and sometimes, in an emergency, action might be taken on the spot, without waiting for the ordinary red tape. I wish, however, to explain the reason for this remark "on the same footing as the Surveyor General." The Under Secretary has, on a variety of occasions, ignored my right to any voice in the recommendation of or control of any subordinate officers. This was the subject of an understanding between Mr. Stephen and myself, and I am sorry to say that he very soon ignored it. That understanding was to stop all question,—I won't say dispute, certainly not on my part—as to whether these matters of intra-departmental control would not come within the general rule of business which I had to submit to the Minister without reference to the Under Secretary. Mr. Stephen one day, in conversation with Mr. Blackman, threw out a suggestion which Mr. Blackman brought to me, and it was to this effect: Whether I was willing to submit all these cases to the Under Secretary for the Minister's sanction, on the understanding that he would submit them in the same way as he did similar cases sent to him by the Surveyor General. I asked Mr. Blackman, "Do I understand you as bringing that suggestion from the Under Secretary to me?" He replied, "Wait a minute." Mr. Blackman went back to the Under Secretary, and on his return replied that that was the deliberate suggestion of the Under Secretary. I accepted that proposal and I am prepared to act upon it, and I have acted upon it. But the Under Secretary ignores it. I shall have to call the attention of the Commission to the fact that the Under Secretary will interfere with my subordinates, entertain their applications for leave of absence, and recommend their applications for increases of pay without my knowing anything at all about it. I had to complain to the Premier that one of my assistants had been called away from his duty without my knowing anything at all about it.

1846.

A. O.
Moriarty, Esq.
8 Jan., 1879.

1846. *President.*] Some question has arisen lately with regard to promotions, showing a state of things rather more than interfering with your officers. I refer to promotions in one branch of the office in regard to which your subordinates complain that justice has not been done to them? The understanding about that was, I think, quite distinct. It was pointed out in my own memorandum of suggestions, and I think the understanding was embodied in the Under Secretary's minute under which we are acting that the department should remain as a whole, and that the status of the several officers was not to be interfered with by the division of duties, which placed the conditional sales business exclusively in my charge.

1847. The question to which I refer has arisen within the last few weeks? A number of young gentlemen who are serving in my division of the office, and who are senior on the grades to those upon whom a vacancy has been conferred, have been ignored. They came to me in a body, and I advised them to put their case in writing and I would submit it, which I did. As it happened, the vacancy was in the Under Secretary's division of the department. In my note to him I said that without claiming any right to a particular vacancy the understanding was that the claims of officers senior on the grade were to be considered first, and that to that particular office my subordinates were eligible for promotion.

1848. You considered that by remaining in your office they should not lose their right to promotion? I do not think the Under Secretary could have been aware that the seniors in the grade were on my side of the office. I think he acted under the impression that the officers he recommended were the seniors on the grade.

1849. The officers in your division of the department protested? Yes; a deputation saw the Minister, who at their instance stopped the matter, pending inquiry. It is quite certain that under the arrangement for the division of the department the promotions were to go on as before, in the same way as they would in a military service.

1850. Would there be any difficulty in the way of the production of these papers; are they within your department or custody? They are not within my official custody. I think I saw them on the Minister's table. I believe they are in the Under Secretary's custody. Mr. Farnell told me that he had referred them to the Commission, or that he would do so.

1851. I suppose that to obtain them we ought to make formal application, or could you suggest any other course? I suppose they are with the Under Secretary. With regard to this question of Mr. Olivier's appointment, I see here that there is a minute of mine. I mention that I wrote a minute, but had not sent it out of my custody. I intended to revise it. Some one of these minutes written by me was not sent on by me. I intended to have made some alteration in it. I have not seen any of these papers for some time, and I do not identify it at this moment. But there is some one minute of mine which contains some strong expressions, perhaps some intemperate reflections, I think, in connection with this case of Mr. Ollivier's. But I never sent that minute to anybody. Having written it, I meant to alter it.

1852. You meant to withdraw it? I did not mean to issue it. It was taken by the Under Secretary's directions off my table before half-past 9 o'clock on the following morning. I think that was a rather arbitrary thing for him to do.

1853. It was on the original papers? Yes.

1854. You meant to remodel it? I did, and not to put it forward as it appears here, I won't say by stealth, taken off my private writing-table in the office from the papers in my personal charge, and taken without my personal knowledge or concurrence. I mention it as illustrating two things. First, it is possible there is something in it which I should now probably regret. I think it entirely unwarranted and unwarrantable. I undertake to produce my memorandum or remonstrance to the Under Secretary against his interfering with my papers before half-past 9 o'clock in the morning. The Commission will see that, however great my disinclination to say anything detrimental to the Under Secretary in his absence, I am driven into a corner, and am fighting with a shadow, which, for aught I can tell, may be a cloud or a windmill. He appears to have been very free in his communications with regard to me to the Commission. I do not know that I have anything to reply to excepting what I have seen here. All I can say is that I am prepared to reply to anything if I know what it is. But on the other hand I am placed in the difficult position of having to refer to matters without knowing what is important and what not.

1855. *President.*] The papers put into your hands represent the matter laid before the Commission.

FRIDAY, 10 JANUARY, 1879.

Present:—

MR. ABBOTT, | MR. RANKEN.

R. P. ABBOTT, ESQ., PRESIDENT, IN THE CHAIR.

A. O. Moriarty, Esq., was called in and further examined:—

A. O.
Moriarty, Esq.
10 Jan., 1879.

1856. *Mr. Ranken.*] There were some documents you were going to put forward, Mr. Moriarty? I think the last time I had the honor of appearing before the Commission I mentioned that the present system of pre-emptive leases was one that I had taken a great interest in for a number of years, in which I felt that I occupied as it were a personal position, entitling me to assert my views with some confidence. I think I mentioned that I thought I could refer to papers showing that very many years ago that which is now the law had been by me urged upon the Government. Looking over my papers since I found that memorandum, which is in fact the very original draft, written in 1867 or 1868.

1857. In suggestion of what? In suggestion of the modification which became the law in 1875. These are some very rough notes which I have found, which will be found to be almost word for word repeated in the regulations which are now in force.

1858. What is the date? It has no date, but it must have been written at the end of 1869 or the beginning of 1870.

1859. Then can you put that in as matter for the Board? It is hardly in a shape, but I will, with the permission of the Board, put in a document which recognizes it. This is a document which, although unofficial,

unofficial, is entirely upon an official subject, and I have no doubt the writer, if I had the opportunity of referring to him, would authorize me to make any use of it. It is a document from Mr. William Forster, the present Agent General, dated the 5th August; that must have been 1869, because he retired from the Government in the early part of 1870. It is to this effect:—"My dear Moriarty,—I have submitted your draft regulations having reference to grazing rights of conditional purchases to Adams, who seems to be so strongly impressed with the technical difficulties in the way of carrying such regulations into effect that I am afraid I shall have to forego what I thought, and still think, would have beneficial effects upon the operation of the law under which pre-leases are acquired. I intend, however, to have a talk with Robertson on the subject. Yours sincerely,—WILLIAM FORSTER."

A. O.
Moriarty, Esq.
10 Jan., 1879.

1860. By "Adams" he means the Surveyor General? Yes.

1861. And the reference to memoranda? That refers to the memoranda which I had written. The principles embodied in these draft regulations had been accepted in a draft Land Bill framed by another Government some years previously, at my suggestion. I shall be in a position, if necessary, to show the Board that the Land Bill of 1867-68 contains almost word for word the words of this draft, and that the same words appeared originally in the Land Bill of 1875 as introduced into Parliament. They were not in the Act as passed, because the subject was misunderstood and seemed likely to be misunderstood. But words appear in the Act as passed which were drafted by me in substitution of these.

1862. And of which the original words appeared in the draft? They were words taking the power by regulation to do these things which were previously proposed to be done in the Act itself, and the words of the regulation issued under that Act, all of which I framed, carry that suggestion out. Having taken a very great interest in this question I have ever since I was chief clerk in the Lands Department, having the whole of the business passing through my hands, given very great attention to the question, and I think up to that time, as I stated, with great success, as shown by these figures:—The lease rent for the year 1873 was £30,516, exclusive of pastoral leases; for the year 1874 it was £33,020; for 1875 it was £35,787; and in 1876 it went up to £48,871. It made that jump in consequence of the increased facilities for the acquisition of these rights. In 1877 it was £51,875, so that from 1875, before the system came into force, in two years the amount of the revenue from pre-leases went up from £35,000 to £51,000 in round numbers.

1863. That is between 1875 and 1877? Yes, in two years it has gone up from £35,000 to £51,000, showing that the system, as regards revenue, had a marked result. As regards correspondence these are the figures. I am afraid I have not the particulars here, but I have examined it, and I am right in stating that while there was a small advance it was very trifling. The increased correspondence in these two years was very trifling. It is my impression there was hardly any additional work at all. I assert as a fact that hardly a dozen cases of dispute came under the cognizance of the office during that period, and I had charge of the business. If there were any, the regulations admitted of their being so promptly settled that they left no difficulty.

1864. That is the period between the passing of the Act and the introduction of the regulations? No, the regulations were made upon the passing of the Act. I had charge of that business.

1865. In consequence of your being chief clerk? Precisely so. I think I have shown I had some ground for taking an interest personally, and I hope not a selfish interest. By taking it I gained nothing except the opportunity of having more trouble in carrying into complete effect a vital change in the law, which I was largely instrumental in bringing about, and which embodied my own conceptions. When I became aware that the arrangement under which I was to take certain duties—additional duties—finding that this was not part of what I had suggested, I instantly saw the Minister. I had supposed that it would form part of that.

1866. You refer to the correspondence of December, 1876? I took exception to this as far as I could. I declined to take the proposed position without those duties, in which I took the greatest interest, because I foresaw that this conditional purchase business was as troublesome as a man could be concerned with. It has been encumbered with the grossest abuses for so many years that to manage it satisfactorily would require a great deal more power than I saw my way to acquiring, and machinery I saw no likelihood of being provided.

1867. What abuses do you refer to particularly? I refer to dummieing in its various forms.

1868. The disregard of declarations? Yes; whereas the law provides certain conditions, the land was in the bulk of cases obtained without those conditions. In the year 1878 about half-a-million acres have been recovered by forfeiture from persons who took it up about 1875, under the law, without any intention of carrying the conditions out, or with the intention of evading them. I saw that the conditional purchase business would require more authority.

1869. And was this leasehold business intimately connected with it? It had always been connected with it. For example, sometime in 1870 the leasehold business was conducted in the Conditional Purchase Branch, and was under the charge of the officer who had charge of that branch. I found that in taking charge of the office as chief clerk, in 1873, that the Lease Branch was in conjunction with the Conditional Purchase Branch. Finding that the officer in charge of the sub-branch was an efficient officer, I thought it would be more convenient, and I suggested to the Under Secretary, and to the Minister, I think, that the Lease Branch should be made a separate branch. It was so, and it has remained so up to the present. It is so now, to this moment. As I pointed out, the great bulk of the applications are from conditional purchasers; not one can be dealt with without reference to the conditional purchase register, which is in my custody.

1870. Are there not a large number of leases connected with the original free grants? Yes, but those are matters which are mere routine, and only require re-adjustment as they are affected by conditional purchases, and new claims under the new applications.

1871. Do they not arise out of auction purchases and improvement purchases? Out of auction purchases and improvement purchases in part.

1872. What proportion of them? The great trouble is in connection with conditional purchases; not perhaps in amount of revenue, although that is very considerable.

1873. Then was that from the increased area, or from what cause? The increased facilities for obtaining leases. The former practice had been that the applications had to be made to the Minister for Lands, but were not dealt with until the conditional purchase was measured, and the application was allowed to remain undealt with for years. The result was that the adjacent land was in the leasehold of another party, and the conditional purchaser did not dare let his cow graze outside. But by the change made under

A. O.
Moriarty, Esq.
10 Jan., 1879.

under the law of 1875 it was settled by law what his boundary should be in relation to the boundary of the leaseholder; by application to the land agent he became entitled to take possession of his land; he was aware, and the squatter and the neighbouring selectors were aware, what his land was. The result was a cessation of complaints that people could not get possession of pre-leases, and a great diminution of trouble in the office in connection with it. I was going to observe, on becoming aware it was proposed to take this away from me, I saw the Minister and urged that it should not be done. The Minister made an appointment for 2 o'clock the same day, proposing to see me and the Under Secretary together on the subject. It was about 1 o'clock when I saw the Minister and this appointment was made, and between that time and half-past 1 or a quarter to 2 I wrote a memorandum giving certain reasons, which was that deliberate statement, in writing, which was the subject of conversation at my last examination.

1874. Mr. Driver was Minister then? No, Mr. Garrett. I merely mention this to give the real routine of the occurrences. About a quarter to 2 the Minister came in and the Under Secretary followed him into his room; my appointment was for 2 o'clock, and I did not feel warranted in asking to see him before 2. At 2 o'clock the Minister went out, and I got a note from him which I have here. It is headed, "Private," and I am not warranted in doing more than mentioning that I received such a communication to the effect that as the matter was settled it had better remain as it was for the present. It was on receipt of that note that I went to the Under Secretary's room.

1875. *Chairman.*] I think that is as much as you have told us before on the papers before us? I do not think so.

1876. *Mr. Ranken.*] Then had you any other communication with Mr. Garrett? Yes; I saw Mr. Garrett afterwards; I wrote him a note, and I have his reply to that note. It is also headed "Private," but it is entirely official in its contents, not confidential. If the Commission will look at it, without asking me to put it in evidence, I think they will see that I am warranted in saying that this paper will bear out my statement that in re-opening the question officially I acted upon the suggestion of the responsible Minister.

1877. What is the date? I think the 22nd January, on the same day, I think. Mr. Garrett very soon afterwards went out of office. In February, a few days afterwards, when Mr. Driver came into office, I wrote the first of a series of memoranda which have been produced by the Under Secretary, which begins, I think, by referring to the circumstance that I wrote at the former Minister's suggestion.

1878. I think the date was the 5th April? That was the first opportunity I had of taking the matter up from the time of the previous Minister. I think the Commission will see that the administration of the whole of the Government had been undergoing changes. In the meantime the department was engaged very fully, and I put questions by which would bear putting by until the proper time came to raise them. The first of these memoranda was addressed to Mr. Secretary Driver, and he took with respect to it the course which Mr. Garrett had intimated his intention of doing—referring it to the Under Secretary for report. He has never made that report. He has no right to act so. He has entirely mistaken his position and mine in acting so. As I said to the responsible Minister, if my views should be decided by him to be erroneous, I should have nothing more to say; if they are right, the Minister should have the opportunity of deciding that they are right, and if so I should have the opportunity of carrying them out. It should not be in the Under Secretary's power to put documents aside like that.

1879. You contend that both Ministers had agreed to consider your suggestion? Both Ministers, and one directed the Under Secretary to reply to my suggestion. I do not know what the Under Secretary's views are, but I have heard that he entertains views opposed to mine, and therefore is not likely to agree to any change proposed by me. This was one of two official subjects which I had expected to have to deal with before this Commission; the other I need not refer to.

1880. *Chairman.*] I think there were certain papers you were desirous of having in? Two matters only.

1881. *Mr. Ranken.*] The appointment of these clerks? I do not know I have anything to say to that.

1882. I think you had some papers in reference to these appointments that you wished to refer to? The Commission will remember, in reference to the appointment of a clerk named Olivier, a certain memorandum of mine I mentioned when I last had the honor of appearing before this Commission had been taken without my authority from my room. The paper I refer to is dated in February, 1878. In a minute which is here the Under Secretary had complained to the Minister that I had recommended a particular appointment otherwise than to him. With regard to that I would merely observe that in the case of every Minister in office from the time of my taking charge of the new business it had been my practice in emergencies to make the recommendation of a particular officer, when his employment was to be in my own division entirely. In the case of this Mr. Olivier, an officer had misconducted himself, I reported it to the Minister, thinking it concerned myself alone, and the Minister's instruction was, "Mr. Moriarty may carry out his recommendation in this matter," which I did. Subsequently, on the same paper, I wrote another, recommending that Mr. Olivier be appointed at the same salary as that of Mr. Burns. The Minister approved of it, and it was because of my sending it straight to the Minister instead of sending it to him, that the Under Secretary has made a long complaint, in consequence of which the following minute was written by the Minister:—"It is quite evident to me that matters of this kind should be dealt with by the Under Secretary. I must carry out my promise to Mr. Phillips, and therefore revoke my appointment of Mr. Olivier." On the following day I saw the Minister, and pointed out that there were other vacancies, which admitted of both Mr. Phillips and Mr. Olivier being provided for. The burden of the complaint was that Mr. Olivier's appointment had prevented the Minister from carrying out his promise to another person; but I showed that there was an opportunity of appointing Mr. Phillips as well as Mr. Olivier. The result was that Mr. Phillips was appointed, and Mr. Olivier's appointment was not revoked.

1883. Still, strictly speaking, I suppose the matter should have gone to Mr. Stephen? I do not know that. I had the duty of submitting to the Minister all matters relating to my own business, and taking his instructions. The removal and appointment of a clerk I consider a very small part of that business.

1884. Were not these appointments expressly excluded? In an emergency one does not hesitate to set a small routine aside. I thought it of no consequence, and I should not have made any difficulty about it, but the Minister, on the matter being explained to him, made the following addition to his minute:—"Referring to the latter part of Mr. Stephen's minute, and my minute of yesterday, what I mean is that the Commissioner should recommend within his own division, and that the recommendation should go through."

A. O.
Moriarty, Esq.
10 Jan., 1879.

through the Under Secretary, on the same footing as the Surveyor General." I had received the paper from the Under Secretary, and I returned it with these remarks (and that is the paper which was not with the correspondence, and has remained with me. It was separated by the Under Secretary and sent back to me) :—"The explanatory addition which the Minister has made places the within matter on the footing at one time suggested by the Under Secretary himself, and to which I have always been willing to adhere." I think there is nothing offensive in that. It was returned with these remarks :—"I sent for the papers this morning, Mr. Moriarty being late, and have only at present to observe that I shall prove to the Minister by written documents, how *utterly unreliable* the Commissioner's statements are. The very course he recommends to be the correct one has been ignored, as I never saw his recommendation until after the approval of the Minister. The other papers have been kept by me, as I shall have something to say with respect to them." That is on the 2nd of February I wrote this :—"The Under Secretary can be in no such need of papers as to send into my room and throw my papers into confusion before half-past 9 this morning. I had not done with those he has taken, and shall not discuss the matter further with him in its present stage." Mr. Stephen writes :—"Mr. Moriarty has evidently mistaken the latter part of my minute. I had not the slightest intention of allowing him to discuss the matter further with me. It is the Minister to whom the case, with other papers, will be re-submitted, and who no doubt will have little trouble in discovering the side on which the indecency, if not worse quality, lies." This, no doubt, refers to these words which I did not intend to forward. I intended to alter them.

1885. Then you wished to amend that in some way? I did mean to alter it. I did mean to strike out this word "indecency."

1886. You did not dispatch it? It was taken off my table without my authority. I mentioned in my last evidence, I think, that the Under Secretary shortly before this had sent a proposal through Mr. Blackman, the chief clerk, that the course which the Minister indicates in his last minute should be taken, and I had intimated to him my readiness to agree with that view. But in a few hours the Under Secretary saw fit to ignore it, in a case in which one of the commissioners of conditional purchases—who took their instructions from me entirely—made a report that one of the inspectors of conditional purchases—also entirely under my direction—had appeared before one of his courts in a state of intoxication. I heard of this from the Minister, who gave me certain instructions about it. I had not seen the papers, and I applied to the Under Secretary for them, and after some discussion he sent them to me, and made this curious remark about the understanding with Mr. Blackman, "I hardly think the suggestion made in conversation with Mr. Blackman can be looked upon as an understanding in the light of the decision of the Minister a few weeks ago." I was not on speaking terms with the Under Secretary, I am sorry to say, and on getting a message from him whether I would accept this course, I asked the gentleman who brought it whether I was to understand that as a suggestion from the Under Secretary. He went back and asked him, and came back and said he did mean it as a suggestion for our joint observance. I said I would observe it. The date of this memorandum of Mr. Farnell is February, 1878. I regarded it as settled entirely. There are other earlier papers attached to these, with regard to the cases of Mr. Keele and Mr. Lord, and some others, which really involved the same thing. There was a long complaint of the Under Secretary to Mr. Driver of my having directly called attention of the Minister to the neglect of duty of certain officers under my control.

1887. You alluded to the charge against inspectors of conditional purchases. Is that on record? It is on record; the officer was dismissed. With the Under Secretary's complaint I received a minute ineffectively censuring me for doing my duty, and stating that the decision must be taken as final. On receipt of that minute I instantly saw the Minister, and called his attention to this memorandum, pointing out that if this were to be the ultimate decision it would place me in the position that I should have to carry on a branch of the service with officers over whom I had no control, as whenever they misconducted themselves they would not be accountable to me. This minute appears upon another matter. The Commission will remember certain of these papers have not been recorded in the department. I observed that it was not from any delicacy to me that they were not recorded. These papers were immediately recorded and published through the department before I saw them at all. I think I ought at least to have seen a paper referring to myself before the clerks in the office saw them. I took this paper to Mr. Secretary Driver when I received it, and respectfully requested him to reconsider it. I stated to Mr. Driver that if that became his deliberate view, that if I was to direct the duties of these officers and not deal with complaints of misconduct against them, the position would be so inconsistent I should decline to hold it. I told him it amounted to practically superseding me, and I stated that I could not hold a position which seemed likely to become devoid of usefulness, and I would not encumber the office by taking part in what would be a solemn farce. I left the paper with Mr. Driver, and he promised to reconsider it. He retained it until he left office, and the Under Secretary retained it since; I never saw it until in the possession of this Board. This paper in which Mr. Driver directed me that I was not to deal with complaints of the officers under my charge is involved in the same subject as this matter of Mr. Olivier. The Under Secretary contended that to whichever division the officer might be attached matters affecting his conduct should be dealt with by him, without reference to me, that being his right. This of course would lead to great inconvenience in a number of ways. It had led to this inconvenience in one case. I had been pressing an inspector of conditional purchases to report upon some urgent cases, and I had been making an arrangement of duties between him and another to allow of him performing what he had in his hands. I could get no answers to my letters to this gentleman. At last, on the 2nd July, 1877, I ascertained that he had been on leave of absence for a considerable period.

1888. An inspector? Yes, an inspector who took his instructions from me. He had obtained leave of absence, and an extension of his leave. I then first became aware of his having leave of absence at all. I had made a complaint of this to the Minister. I had some reason to believe that there had been some misunderstanding, so I put it aside, and made no question about it. But the thing is not terminated, I am sorry to say. Within the last two or three months another inspector of conditional purchases applies—in October, 1878—for leave of absence. His letter comes into the Under Secretary's Record Branch on the 1st November, 1878, and remained with him till the 19th December, 1878, and then the Under Secretary submits it to the Minister for approval, who, probably without being aware where it came from, approves. The officer was informed, and then for the first time the paper was sent to me for information. I was left in entire ignorance of this officer's wish to leave.

1889. And being entirely under your orders? He being entirely under my orders, and instructions entirely

A. O. Moriarty, Esq. entirely drawn up by me, wholly in my branch, the sphere of his duties entirely arranged by me, and supposed to act in concert with the Commissioner of the district, who also would settle in concert with me the times for holding Courts of Inquiry.

10 Jan., 1879.

1890. Requiring the inspector's attendance? Yes; and this is not the only case. Within the last few days I find another gentleman has been allowed leave of absence—Mr. Evans, the cricketer. I certainly was aware, indeed the parties who wanted to get him down asked me if I would make any objection, and I said, "No." By that accident I am aware he has got leave, but to this moment I have never been officially informed.

1891. The matter has been arranged in the Under Secretary's office without reference to you? Without any reference to me whatever. I spoke to Sir John Robertson about it, and he then told me he had given leave. I said it ought to have been sent through me. He said of course it should, and at his suggestion I submitted the following minute: "Mr. Evans, a conditional purchase inspector, has I understand been allowed leave of absence, and without raising any question as to this I desire to submit that as this gentleman is a subordinate officer of mine his application should have been made through me." Sir John Robertson wrote a note on this that, "Unquestionably it should have been." If I had been aware of it I should have made every arrangement. In one case I had been threatening him with suspension for neglect of duty while he was on leave of absence without my knowledge by the authority of the Department of Lands. I am sorry to say that the matter does not end here. The Commission will observe that the Minister's instruction that I should recommend in matters within my division is dated the 1st February, 1878. On the 13th March, 1878, Mr. Evans makes this communication to me: "I beg permission to charge the accompanying application for expenses. Not having been travelling, it is impossible to make application otherwise." This is upon our register, but the first I saw of it was about ten days afterwards, with a communication from the Under Secretary to this effect: "This seems a special case which ought to be certified by Mr. Blackman or some gentleman of the conditional purchase department." I made this note on it: "The circumstances are special, and the application should have been submitted to me for recommendation. Recommended;" and I addressed it to the Under Secretary. He returned it to me with this: "Not the slightest necessity for any recommendation from the Commissioner. Being a money matter I sent it to him for information." I took this to the Minister with a note to this effect: "I do not think the Minister will approve of the Under Secretary's views, which are contrary to his instructions that I should recommend." And he wrote: "I think Mr. Moriarty's view is the correct one." Some months afterwards it came to this: The way in which these inspectors are remunerated is this—so much for each selection they inspect, and so much for travelling allowance. It is only known to me and the officers under me whether these inspectors are employed in travelling on the days set forth in their vouchers or do the duty. We only can check them, and we only know whether they made the reports which they charge for. Yet all these things were dealt with by the Under Secretary without reference to me.

1892. Then the Under Secretary would have no check upon them. Not the slightest. At last the Minister had to write again: "In the case of certain expenses in connection with the conditional sales division they should in all cases be approved by the Commissioner before being submitted to me if it is necessary to submit them." Many things are submitted which do not need to be submitted at all. Some of these matters which I have produced.

1893. Speaking of Mr. Evans, are these cricket matches supposed to be sufficient excuse for leave of absence? I have taken objection once or twice. On one occasion Mr. Farnell made the remark that he seemed to be more employed as a cricketer than as an inspector. There is another matter about which I had written a memo. that went no further. I saw the Minister about it, but after his explanation, at his suggestion, I withdrew the memorandum. It is as to the first appointment to positions. A vacancy recently occurred in my division of the office, in reference to which I was anxious to secure the services of a gentleman who I thought would be a very useful clerk. I thought it necessary to make special application, because people have sometimes been appointed with hardly any qualification whatever. My division has been at times flooded, I might almost say, with people of very little use.

1894. What leads to such appointments? Well, of course Ministers are obliged to consider the recommendations of their supporters, and it is not for me to criticise them, although unqualified people have got in so often that I have felt it necessary to urge the Minister to let me have some well qualified men when some position was vacant that required good men. With regard to a recent vacancy, I suggested to the Minister the name of a gentleman. I made no official recommendation, and I could not conceive that I was treading on anybody's corns, or could give offence to anybody. To my surprise, a few days afterwards, I was told that his appointment was cancelled. I thought it was a good opportunity of coming to an understanding as to what the routine of these matters should be. On the 13th of last March I wrote this minute:—"As regards the recent appointment of Mr. Biggs to the temporary staff of the division, I desire respectfully to state that on the Minister's approval of the appointment I communicated unofficially with that gentleman in Melbourne, whither he had recently gone to fill a temporary engagement that he will probably have relinquished on receipt of my note. I trust, under the circumstances, the appointment will not be cancelled, and that no question of routine of application will subject him and myself to the serious inconvenience—an inconvenience and annoyance that would result from such a course. At the same time I submit that a perfectly correct routine has been followed; his application was regularly made, and it is quite regular for me to ask and obtain it. If I had felt it proper to make a formal application, no doubt it would have been to the Under Secretary, whose business it would have been under present instructions merely to submit it. But I did not think it either proper or necessary to make such a recommendation, which would moreover inevitably have led to delay, recognizing the well-known rule (known at heart to everybody but the Under Secretary for Lands apparently) that the patronage of the service is not a matter of official routine but appertains personally to the position of a responsible Minister. It is perfectly regular for me to mention in conversation the qualifications of any individual, especially having regard to the present requirements of the service in this division, and perfectly regular for the Minister if he saw fit, as he did, in making the appointment then and there. The paper then went direct to the Under Secretary from the Minister in the regular course. It is almost humiliating in the present state of business in the department, which calls for the undivided attention of every responsible officer, that valuable time should be consumed in the discussion of questions so plain and yet so insignificant." I saw Mr. Farnell and submitted the matter to him. He told me that although the Under Secretary had been pestering him to cancel this appointment, he had declined to do

do it, although I had been informed that it had been done. I quite feel that I am making more of these personal matters than the circumstances justify, but I do not think I need apologise to the Commission for that.

A. O.
Moriarty, Esq.
10 Jan., 1879.

1895. *Chairman.*] We desire to have everything that will bear upon this matter? I confine myself entirely to matters which directly arise out of these issues, which I learn from the Commission have been brought under their notice by the Under Secretary himself.

1896. We did not say the Under Secretary? I do not think I have said a word which would affect the Under Secretary except as in connection with these matters.

1897. *Mr. Ranken.*] What you have still to bring before us relates to the same subjects? I have done with the matter of appointments.

1898. *President.*] Before you go into any fresh matter I should like to see those papers with regard to the inspector's cases, if there is no reason why they should not be left with us? There is another case referring to this matter of dealing with the conduct of my officers without reference to me. In 1877 I was despatched by the Minister for Lands to the Yanco Creek with the Deputy Surveyor General, on a special commission. On the very morning of my departure I had a visit from Mr. King, one of the Commissioners, who asked me what had been done in connection with his complaint against the inspector of his district. A very gross case it was of having appeared before his Court in a state of intoxication, and ridiculed the proceedings of the Court and answered the Commissioner with impertinence, turning the proceedings into a very gross farce. I had never heard of it, and I said, "I never heard of such a complaint from you." He said, "I reported in April last." I found it had been sent to the Under Secretary and had been untouched from April until August, although all this while I might have been held responsible by the Government, and should have been held responsible by the Parliament and out of doors for this misconduct. His report embodied this charge, and I was not allowed to see it; no action whatever had been taken upon it, a delay for which I should have been held accountable. This officer was removed to another district, and he would have been dismissed but for the delay. The only thing I believe that prevented his dismissal was the circumstance that when dealt with the occurrence was one of very old date. In November he was brought to account for having been drunk in the previous April. It was too late to dismiss him then.

1899. This is another officer and another offence? Another officer and another district. The conduct of the same officer has been brought under notice lately, and he has escaped dismissal by resigning. He should have been dismissed in April, 1877. There is another matter I feel I have a right to refer to bearing upon the suppression or destruction of papers. I have already brought before the notice of the Commission a memorandum in which Mr. Stephen alleges the right to do as he pleases with the papers addressed to him by his subordinate officers. I think he has no such right, and had no such right. I think no man has a right to destroy official papers.

1900. *Mr. Ranken.*] Do you refer to the paper that was removed from your table? No, I call attention to another case in which he exercised a right to do as he pleased with documents written by subordinate officers. This is a case in which some minutes were destroyed by mutual concurrence of the officers concerned, with which I have no concern as far as that goes. I do not think that course ought to have been taken myself, but it was taken by the concurrence of the officers concerned. The case I think ought to have rested as it was, but the Under Secretary and the Surveyor General concurred. I have something to say, however, with reference to a minute of mine, not simply as bearing upon the destruction of papers, but the subordinate officers being allowed to deal with special cases without reference to me as chief clerk in the department. It was to this effect:—"I do not know how such errors can now be corrected, the deed having been issued to the auction purchaser. Such errors as these are always liable to occur, if the routine of the department, which is devised to prevent error, is set aside at the solicitation of individuals. I have always objected to this, and should have done so in the present instance had the enclosed memo. been submitted, as it should have been, through me. The case will be one, I suppose, of conversation." On this the Under Secretary wrote:—"This paper has been with me previously, and I wrote a minute separate, pointing out the undesirableness of a junior officer in the Survey Office being instructed that he was only to take directions from or act under the authority of the Minister for Lands, or the possibility of such an inference being drawn by Mr. Lane from the Surveyor General's memo. Mr. Adams has put the matter right, and my memo. and his reply have been by mutual consent torn up. This paper has not been registered and will be torn up also when I have prepared from it a separate report on the facts for submission. I think the Under Secretary has no right to tear my papers up. I think he exceeded any authority which the usages of the Public Service permit to any official."

1901. The paper you wrote was torn up? Well, both of them, I suppose.

1902. *Chairman.*] You said you would tell us the case? The case will be found by these particulars: "Alienation, 7,575." In one of the minutes the use by me of such expressions as "arbitrary and insulting conduct" was made the subject of question. I complained in that minute of the Under Secretary having on some one occasion alluded obviously to me in my hearing, in a way the reverse of polite or respectful. Another case occurred which I felt bound to make instantly official. It was this:—On one morning I was sitting at my desk engaged in my business when I overheard, it was impossible to do otherwise, my door being open, I overheard the Under Secretary call out to Mr. Olivier, a junior officer, something plainly importing that Mr. McElhone had been put up by me to move in Parliament for some papers in Mr. Pretious's case. I naturally felt very indignant at this, but I also felt unwilling to injure Mr. Pretious, who had shortly previously been dismissed, and towards whom at that time I should have been very unwilling to take an ungenerous course. I felt rather inclined to relieve his mind of the contrary impression, and for that reason I begged Mr. Olivier to convey to the Under Secretary that he was entirely mistaken in supposing that I was instrumental in causing reference to this case in Parliament. I thought that was enough, but shortly afterwards Mr. Blackman came into my room from the Under Secretary, and said Mr. Stephen asked him to ask me whether I had not been at the bottom of Mr. McElhone's attack upon Mr. Pretious. I said it is a very singular question; I know how I feel inclined to answer it, but I will not, and beg him to feel assured he was entirely mistaken. In a few minutes afterwards the messenger brought into my room a written memorandum, not marked private or unofficial, in which he alluded to this matter, to the effect that whether I was instrumental in this or not my conduct to him had been such that he must be excused for entertaining the idea; that I would do well to see that the papers were not brought before Parliament, as they would contain some unpleasant allusions to my removal from office some time before. So this gentleman made a most wanton, indelicate, and indecent reference to my dismissal from office some

A. O.
Moriarty, Esq.
10 Jan., 1879.

years before, under circumstances with which he was perfectly cognizant, and proposed that I should use some influence to prevent these papers being brought before Parliament, as papers relating to my dismissal would be attached to them.

1903. *Mr. Ranken.*] Is that paper in existence? I had that paper registered, and I sent it to the Minister, accompanied by a note from Mr. McElhone. I said to him, "I beg to inquire whether I have directly or indirectly induced you to take any action adverse to Mr. Pretious in Parliament." He said, "Certainly not; the only thing you said was to ask me not." That day I received a letter from him, in which he declared that on no occasion had we had any conversation on the subject but once, and then I had actually requested him not to persecute Mr. Pretious any more. I submitted it to the Minister, who was about to bring it under the consideration of the Cabinet, but a few days afterwards I got this minute:—"Amongst the papers which the Minister has had before him for a short time past, I notice a purely unofficial memorandum of mine, minuted from a private conversation. The Minister will remember my speaking to him about it, and showing him the way in which it was written and addressed by me, plainly intimating its unofficial character. Yet this has been registered. I will not trouble the Minister with any observations but simply state my intention, acting upon my own responsibility of having the register of the document as well as the document itself cancelled.—W.W.S." Mr. Farnell writes: "I approve of the register being cancelled." I naturally supposing as I did that this meant the withdrawal of the document, but this was by no means the Under Secretary's impression. He wrote a further minute: "The Minister's decision applies to the paper itself, as well as to the register of it." But that was not all. That is dated on the 21st March. On the same day there is a memorandum from the Under Secretary, addressed to one of my assistant officers, who works entirely under me (Mr. Harper): "Will you let me see the conditional purchase register book?" Mr. Harper not having arrived at the office when I sent for him, the next in charge brought it—(all this took place within the first few minutes after the office being open, before the usual hour of attendance)—"I sent for the next in charge, who brought up the book, when the register was duly cancelled in accordance with the authority given me by the Minister. The Commissioner can hardly feel surprised by the course I have taken, for the registration of a paper which was an unofficial, if not a private document, was altogether unwarranted and improper." After addressing to me one of the grossest insults which it is possible for one man to address to another, imputing to me the meanest motives, and suggesting conduct equally mean, that paper is to be withheld, and he assumes the authority to cancel all the records of the minute containing this insult, and contends that it arises out of private correspondence, and was actually addressed to me personally, when we had not been upon speaking terms for a year previously, and he dared not have addressed such a communication to me privately. No man dare. The papers about my dismissal from office were accordingly, a short time afterwards, attached to Mr. Pretious' case and reproduced for the amusement of the curious, at a time when no one would take the trouble to look at them, and when it could produce no impression but that Mr. Pretious and I were rowing in the same boat. In no particular was there anything in common but the fact that Mr. Thomson, the inspector of accounts, had, in reporting, recommended that I should be required to give security, without being aware that I was under the security of a thousand pounds, which Mr. Pretious was not. In no other particular was there the smallest reference to anything in the cases that were in common. Yet these papers are republished purely for the purpose of annoying me eight years after their date.

1904. This was in a paper addressed to you, and which you recorded? Yes, I submitted to the Minister that if there was no foundation for the imputations that it contained, I should be protected; if there was, I should be dismissed. With regard to my dismissal from office many years ago, I should have no objection to these papers being published. They were originally published at my request, and laid before Parliament. It was the Member for the district in which I lived who moved for them. So far from wishing to suppress them I had, from first to last, sought a candid examination of these papers.

1905. Is that minute written by Mr. Stephen in existence now? I suppose not. In these papers the Under Secretary intimated his intention of destroying it.

1906. *Chairman.*] You have no copy of it? No, I have no copy of it. I can write a copy from memory, I believe, it made so strong an impression upon me.

1907. You have given us the substance of it in your evidence? Very nearly word for word.

1908. Who is responsible for the publishing of that correspondence in reference to your own case? It was attached to the papers in Mr. Pretious' case.

1909. Who is responsible for publishing it if it were unnecessary? I suppose the Under Secretary is responsible. At any rate he threatened me that it should be done.

1910. You took it as a threat? Yes.

1911. And it was done? Yes; when I was appointed to the Lands Department in 1873 I was appointed chief clerk. Another gentleman in the office (Mr. Blackman) had almost had a promise from the Government of the office, and my going in stopped his promotion and getting a considerable increase of salary, and stopped every other man in the office getting a step, so that I came into the department with every man under me entitled to consider himself aggrieved by my coming there. But in only one or two instances have I ever had a difference of opinion with any of the juniors. Every man seemed gratified with my being there, and all co-operated cheerfully. On one or two occasions I had to come to an issue with my subordinates, and one was dismissed for misconduct. But the general good-feeling was most creditable, with two exceptions, Mr. Stephen and Mr. Pretious, who had both been subordinates of mine, and both of whom I had previously served. The two men of all others that I should have expected co-operation from were the two who worked together against me, as a former Minister for Lands expressed it. In Mr. Pretious' case it commenced by his writing on some suggestions of mine remarks of so very gross character that I took them at once to the Minister and requested he would use his authority to have this paper withdrawn, which he did. He ordered Mr. Pretious to withdraw it. That was the commencement of a system of bickering against me, in which Mr. Pretious was supported by the Under Secretary; and from that time up to the time when I had to take a very decided step with regard to it, as I stated in the correspondence of January, 1878, there were almost some hundred of irritating memoranda addressed to me by the Under Secretary, marked "unofficial," on official subjects. I have made suggestions to the Under Secretary from time to time which I think he would have done well to entertain. I stated to the Under Secretary once, in conversation, that I was prepared to take the odium and responsibility of indicating to him officially a number of the employes of the department, some of them in high positions, who were not satisfactorily conducting their duties, but I made this condition, that it should

should be entertained: I would not expose myself to the unpopularity of pointing out certain officers if my recommendations were to be shelved. He said I had better not, and I did not. I have had a great deal of experience in public offices. I was appointed Chief Commissioner of Crown Lands in 1860 under an arrangement which was personally unsatisfactory to the then Under Secretary, Mr. Fitzpatrick, and arrangements had been discussed under which this office was proposed to be attached to Mr. Fitzpatrick's own office. I took it under circumstances likely to lead to difficulties in my official relations with Mr. Fitzpatrick, but up to 1870, when he retired, on no single occasion had we differed. We had differences of opinion in reference to official business, but our personal relations were undisturbed. I have never been in collision with any other officer than Mr. Stephen. At this moment there is no other officer but Mr. Stephen whom I have had any difficulties in getting on with. I should have no difficulty in getting on with him if his eyes were sufficiently open to the responsibility of our positions in the department. I believe on the other hand that it is before this Commission that he has come in collision with another officer—the Deputy Surveyor General. I can say I have no other difficulty, and I believe the Deputy Surveyor General has no other difficulty.

A. O.
Moriarty, Esq.
10 Jan., 1879.

1912. *Mr. Ranken.*] Did you not say that some part of these personal difficulties arose from the system itself;—would not the best friends come into collision in consequence of the system? The system is unsatisfactory, and I have urged amendments of it in several regards.

1913. You will go into that question? If you please. The fact is my own official position is an illustration of the fact that the duties supposed to devolve upon the Under Secretary have considerably outgrown the Under Secretary. Considerably more than half the duties of the Lands Office proper are dealt with by me in consultation with the Minister for Lands, and the Survey Department, without any reference to the Under Secretary at all. There is no real responsibility, as the business never passes through the Under Secretary's hands. Of course there is a nominal control, but it is not real; and then the business of the department has outgrown the organization, and the organization itself is to some extent *effete*—worn out.

1914. Has a letter written to you by the Commission, asking for the appointment of Commissioners up to the 7th December, reached you? No, I am not aware. I will make inquiries and see. (*Looking at press copy of letter.*) No, I have never seen this paper.

1915. All these papers you refer to will be included in this if you furnish it? The fourth paragraph will include it.

1916. That letter ought to go to you, I suppose? I think it ought to have come to me.

1917. I suppose any further communication we make in reference to this must take the same course to the Under Secretary? The Commission have seen fit to lay down that rule, I think. It was, I thought, within my proper line of duty to give the information, which I sent direct to the Secretary in the first instance, and which was returned to me.

MONDAY, 13 JANUARY, 1879.

Present:—

MR. ABBOTT,

MR. RANKEN.

R. P. ABBOTT, ESQ., PRESIDENT, IN THE CHAIR.

R. D. Fitzgerald, Esq., was called in and examined:—

1918. *President.*] You are Deputy Surveyor General? Yes.

1919. You are aware that this Commission has been appointed to inquire into the organization and administration of the Departments of Lands and Survey? Yes.

1920. Are you aware that some special matters have been referred to the Commission for inquiry—some special matters with which your name is connected? Yes.

1921. One of them is the case of an application for the lease of land on some islands near Lord Howe's Island? Yes.

1922. I suppose you have seen these papers? I have seen them, but I was anxious to get them since I knew that a reference was made to the Commission. The Minister gave me a direct order to get them, but I was unable to get them, and I never got a satisfactory reason why I could not get them.

1923. You never made any application to the Commission for them? I did not know they were with the Commission. I wanted to see Mr. Fisher's application, also Mr. Brown's.

1924. Here are the papers. Will you look at them? I wished to have an opportunity of looking into them, because the dates of some of the papers might be important. I was told by the clerks that the papers were with the Under Secretary, and that I could not have them.

1925. How long is it since you were told that? I have asked for them every week since the Commission sat. I have always been told that they were in the Under Secretary's drawer, and that I could not have them.

1926. Who gave you that information? Mr. Patterson, the head of the Record Branch, and Mr. Newman, who gets papers out of the Under Secretary's room when they are required in other departments.

1927. Do you say they have told you that every week? Yes; I made a point of asking.

1928. And these gentlemen told you that they were in the Under Secretary's room? Yes, and that I could not get them in consequence.

1929. You say you got an order from the Secretary for Lands to procure them? Yes, when I could not get them otherwise.

1930. What did you do with that? I gave it to Mr. Patterson.

1931. Do you remember when? Some short time after the Commission was appointed.

1932. And you have frequently asked for the papers since? Yes.

1933. And you were told that Mr. Stephen had them in his drawer? I was told that Mr. Stephen had them in his drawer, and that I could not get them.

1934. Here is the letter forwarding these papers. Do you see the date of it? Yes, the 31st of October.

1935. We have had those papers since that date, but we have not received any request in any shape, to send them to you, nor have we heard in any way that you desired to see them? I wanted to see them specially.

1936.

R. D.
Fitzgerald,
Esq.
13 Jan., 1879.

- R. D. Fitzgerald, Esq.
13 Jan., 1879.
1936. There is no urgent necessity why we should proceed with this matter to-day as we intended. We can leave them in your hands for a day or two? The point on which I want to satisfy myself is, as to whether the intimation to Mr. Fisher that he could not get the lease, because it was granted to Mr. Brown, was given before the Minister granted the lease, and that, I think, can be easily ascertained from the papers.
1937. There is no date to the minute before you, is there? There is a figure 3.
1938. Does not the letter forwarding these papers appear to be written under a mistake, inasmuch as it says they were forwarded at the request of the Commission, while the minutes written on the papers by Mr. Farnell and Mr. Stephen imply that they were forwarded at the instance of the Minister. Both minutes are written on the same date, the 31st October, and Mr. Stephen's letter, forwarding the papers to us was also written on the same date, that letter indicating that they were forwarded at our request. Can you understand that? No; except that it put the papers out of my way.
1939. If you take these papers to-day would you be prepared to go on with the examination on Wednesday? I think so.
1940. The case of J. B. Watts has also been referred to us? I do not know what it refers to.
1941. Here are the papers? I know this case quite well, and I am ready to give you any information on that case.
1942. These papers of Mr. Brown's I see were recorded? Yes, in the Occupation Branch originally.
1943. They would be recorded in Mr. Patterson's branch? Yes; he told me that they were with the Under Secretary.
1944. And the proper person to get them out of the Under Secretary's room was Mr. Newman? Yes. I have applied to each of them, and they have always told me they were in the Under Secretary's room and that I would not get them.

Edward Patterson, Esq., was called in and examined:—

- E. Patterson, Esq.
13 Jan., 1879.
1945. *President.*] You are the clerk in charge of records in the Lands Department? Yes.
1946. Do you recollect having any papers in connection with an application for a lease of some islands near Lord Howe's Island? Yes, I do.
1947. Do you recollect Mr. Fitzgerald making any application to you for these papers? Yes.
1948. When? I suppose, so far as my memory will serve me, about six weeks ago; but I could not say to a week or so.
1949. Has he asked you for them more than once? Yes, two or three times—three, I think.
1950. When was the last occasion; was that six weeks ago? About five weeks since, I suppose. When he asked me for them the first time, I suppose it was about six weeks ago.
1951. And since then he has asked you again? Yes.
1952. Two or three times do you say? Two or three times.
1953. What did you tell him? I told him the papers were with the Under Secretary.
1954. Was that the reply you gave him on all these occasions? Yes.
1955. Did Mr. Fitzgerald give you any order from the Minister for these papers? Yes; an order which I gave to Mr. Newman.
1956. How long ago was that? About five weeks ago, the third time.
1957. Did you tell Mr. Newman that Mr. Fitzgerald wanted them? I told him, and I handed to him the Minister for Lands' memo.
1958. You handed that to Mr. Newman? Yes; and I told him that the papers were with the Under Secretary.
1959. What is Mr. Newman's position? He keeps all the Under Secretary's papers, and sorts them out.
1960. Has he access to the whole of them? Yes.
1961. Always? Yes.
1962. He knows what papers are in Mr. Stephen's possession? He told me that these papers were with the Under Secretary.
1963. When you gave him this order? Yes.
1964. That they were still with the Under Secretary? Yes.
1965. Do you recollect how long ago it is since you saw these papers? I really do not know. I think they came into our office in the month of June. It is about seven months ago.
1966. Since the time when you first saw them? Yes.
1967. Do you recollect at what stage they had arrived when you saw them last—were there any minutes by Mr. Fitzgerald upon them? That I do not know because the papers did not come through my hands.
1968. Were you aware that these papers were sent to this Commission on the 31st of October last? No; I had no idea of it.
1969. Is it since the 31st of October that Mr. Fitzgerald has asked you for them? Yes.
1970. And since you told Mr. Newman that he wanted them? Yes.
1971. You did not know until now that the Commission had the papers? No, I did not.
1972. *Mr. Ranken.*] In ordinary cases would not the papers pass through your hands before they were sent anywhere? Yes. I entered them in the month of June, and then I think they went over to the Crown Lands, and from that office I believe they were sent over to the Under Secretary as far as I can remember.
1973. Your books show the transmission of the papers from one office to the other? Yes.
1974. And it would have been in accordance with the usual routine for you to have entered them when they came to the Commission? Yes.
1975. Those papers stand now with the Under Secretary upon your books? I believe so; but I could not say for certain. I know they were with the Under Secretary because Mr. Newman told me so.
1976. *President.*] Since you handed that order to Mr. Newman you have heard nothing more about them? Mr. Fitzgerald has two or three times reminded me with a laugh that those papers have never been received from the Under Secretary.
1977. Since he asked you? Yes.
1978. He told you that he had never received them? Yes; about a month ago, on the steamer, when coming to the office, he laughed, and said to me, "I have never received them."
1979. That was after you had received the order? Yes; some weeks or more; it was more than a week.

Thomas

Thomas E. L. Newman, Esq., was called in and examined :—

1980. *President.*] What is your position in the Lands Department? I assist the Under Secretary; examine accounts, deal with advertising, and issue orders for the insertion of advertisements in the local papers. T. E. L.
Newman, Esq.

13 Jan., 1879.

1981. You have access to the Under Secretary's room? Yes.

1982. And have charge of his papers? Yes.

1983. He refers to you if he wishes to find papers? Yes.

1984. And you know generally all the papers which are in his office? Yes.

1985. Do you recollect some papers referring to an application of Mr. J. A. Brown, for the lease of some island near Lord Howe's Island? Yes.

1986. Do you recollect whether on any occasion Mr. Fitzgerald made application to you for these papers? Yes; he did.

1987. When was that? About two months ago, I think.

1988. Was that the first occasion? I think it was.

1989. What did you say to him, or what information did you give him about them? I think I said the papers were with the Under Secretary, waiting action.

1990. Did he only ask you for them on that occasion? I think that was all.

1991. Have you heard anything from Mr. Patterson since? Yes; he gave me some memo. of the Surveyor General.

1992. Of the Surveyor General? Of the Deputy Surveyor General.

1993. What was that? Asking for the papers.

1994. Did not Mr. Patterson give you an order from the Minister for Lands, authorizing the Deputy Surveyor General to get the papers? I do not think it was a written memorandum; I think it was verbal.

1995. What was the written document to which you refer? Just asking for the papers.

1996. From Mr. Fitzgerald? From Mr. Fitzgerald, asking for the papers, and Mr. Patterson came to me to ask me to get them.

1997. You do not recollect having seen an order from the Minister about them? No.

1998. Mr. Patterson informs us that he gave it to you? The order which he gave me might have been initialled by the Minister; if that had been the case Mr. Fitzgerald would have had the papers.

1999. You think that in that case Mr. Fitzgerald would have got the papers? Yes.

2000. It was an order from the Minister which Mr. Patterson says he gave you? The order might have been initialled. I could not say now whether it was or not.

2001. You say that if he had had an order from the Minister he would have got the papers; was the fact of his not having such an order the reason why he did not get them? No; when Mr. Fitzgerald asks for papers he always gets them; he gets them as a rule unless they are under action.

2002. Did you tell the Under Secretary that you had been asked for these particular papers? I did.

2003. How long ago? About two months ago.

2004. What did the Under Secretary say? He said he could not spare the papers, as he had not quite finished the action on them.

2005. Is there anything which would refresh your memory as to the time when you applied to Mr. Stephen for them;—did you speak to him more than once about them? I think only once.

2006. Had you sufficient authority to hand these papers over to Mr. Fitzgerald yourself? Not until the Under Secretary had given me permission to do so. The instruction I received from the Under Secretary was that no papers are to leave his room unless he sees them.

2007. You told the Under Secretary that Mr. Fitzgerald desired to get the papers? Yes.

2008. And he told you that he had not finished with them? That the action was not complete.

2009. When was that;—do you recollect? About the same time—about two months ago.

2010. At what stage had these papers arrived at when you saw them last? I think Mr. Brown had had permission to go to these islands.

2011. Did you know that these papers had been referred to this Commission? No.

2012. Did you know that these papers had been in our possession since the 31st of October last? No, I did not.

2013. When did you first ascertain that we had these papers? I did not know you had them.

2014. Not until I told you? No.

2015. Then you were in error in supposing that they were in Mr. Stephen's room? Certainly.

2016. When you first spoke to Mr. Fitzgerald? Yes.*

2017. Can you say whether the occasion on which you spoke to Mr. Stephen about the papers was subsequent to the 31st of October or not? I could not say.

2018. But until to-day you did not know that we had the papers? I did not.

2019. You knew nothing more about it than that they had come to Mr. Stephen's room? I saw them in the Under Secretary's room. They were there; but according to the dates you speak of now they could not have been there on that day.

2020. On the day that Mr. Fitzgerald asked you for them? They could not have been there at that time.

2021. Not at the time that Mr. Fitzgerald first asked you for them? No.†

2022. In the ordinary course of business what is your plan with regard to transmitting these papers from one department to another? I pick out all the decisions that are ready for the Minister, and put them into a pigeon-hole which I have marked. The Under Secretary takes them to the Minister and gets them approved. The Minister sends them out by a messenger, and they are put on a side table. I then sort them and take them to the heads of the different branches.

2023. Have you no record of them? No; the head of the branch marks them off in a book.

2024. Do you stand by and see that done? No.

2025. You have nothing to show how you part with them? I have no record. The only record is, that when the papers are submitted to the Under Secretary they are marked off in the branch they belong to; and when they are returned they are remarked and distributed in the room.

2026.

*NOTE (on revision) :—When Mr. Fitzgerald asked me for the papers they were with the Under Secretary.

†NOTE (on revision) :—Yes.

- T. E. L. Newman, Esq.
13 Jan., 1879.
2026. You have nothing to show that you have parted with them? No.
2027. If they were lost you would have no means of showing that the blame did not rest with you? No.
2028. You have no recollection of having disposed of these papers in any way? No.
2029. In the regular course of business, in what way would they have been dealt with in coming to this Commission? They were in Mr. Stephen's room, for example—what course would they be sent in coming to this Commission? They ought to be sent to Mr. Patterson, the head of the Record Branch, as having been sent to the Commission.
2030. Any other course would not be the usual course? No.
2031. So that if these papers never turned up again, there is no one in your office who would know anything about them? No; but the person who had the last notation would be responsible.
2032. Still if they were in the Under Secretary's room, and sent away here out of the usual course, there is nothing to show that the Commission had them; and if they were lost, they would be held to be lost from the Under Secretary's room? Yes; I suppose they still stand in the record book as being there.
2033. Would not the responsibility rest on your shoulders, you having charge of the papers? Yes; I have no book.
2034. Would not that be the result of this want of system? Yes.
2035. If these papers had been lost, there was nothing to show they had passed the Under Secretary's room? Nothing.
2036. And you are in charge of the papers there? Yes.
2037. *Mr. Ranken.*] As I understand you, you first received a verbal application from Mr. Fitzgerald for the papers? Yes.
2038. Then, subsequently, this order or memorandum? There was a memorandum.
2039. Did you refer to Mr. Stephen in both cases? I think I did.
2040. And what answer did you get? That the action was not complete.

WEDNESDAY, 15 JANUARY, 1879.

Present:—

MR. ABBOTT, | MR. RANKEN.

R. P. ABBOTT, ESQ., PRESIDENT, IN THE CHAIR.

R. D. Fitzgerald, Esq., called in for examination:—

- R. D. Fitzgerald, Esq.
15 Jan., 1879.
2041. *Mr. Fitzgerald* said: If the Commission has no objection, I should wish the Under Secretary for Lands to be present at my examination. I have a special issue to bring before the Commission, which amounts to a charge against the Under Secretary, and I am desirous that he should be present.
2042. The President said: In regard to a similar request that was made to the Commission, the Commission decided that it was undesirable to grant it. The business of the Commission is to make inquiry into the state of the Lands Department generally, and not to investigate charges against particular individuals, except in so far as their position affects the management of the Department. Any information you can give us with regard to any matter of business in the Lands and Survey Departments, we shall be glad to receive.
The examination of Mr. Fitzgerald then proceeded:—
2043. *President.*] Do you wish to state anything further to the Commission? I wish to state that I have never had any quarrel with the Under Secretary, nor was there ever any misunderstanding between us prior to his sending the letter to Mr. Harriott. I have no desire to bring any charge against the Under Secretary or go further with one than to prove, if required, my statements on the letter referred to, which statements I believed would have been dealt with by the Minister. I have neither taken any notes nor kept any record of the cases which I intend to submit, and can therefore only produce such cases as I have sufficient recollection of to procure.
2044. I think the last minute written by you on these papers which you have laid before the Commission is dated the 31st October? I said I was ready to go on then.
2045. The minute says, "as verbally stated to the Secretary for Lands when I returned him these papers on the 25th instant, I am prepared to furnish proofs of my statements when required";—to which papers do you refer in that minute? I think there are only two papers, because the applications for lease were not with the papers you have. There was only Mr. Harriott's letter, and that is the paper to which my minute of the 31st October referred to particularly.
2046. The first minute on these papers to which you refer is dated 30th July of last year, and that commences: "The attention of the Secretary for Lands is requested to the minutes of the Under Secretary, which appears to be specially uncalled for in this case, where the chief officer of Crown Lands himself drew attention to the claims of an applicant being ignored by the Under Secretary." I take it that the material part of that minute is contained in this paragraph:—"The Under Secretary on all possible occasions, especially where he takes a personal interest, endeavours directly and indirectly to prevent an expression of opinion by the officers of the Survey Department. I must therefore refer to the Secretary for Lands whether it is his desire they should not report on the merits of cases, as well as upon facts, and submit to his experience whether it is to the advantage of the public that they should be gagged as desired?" Yes, that is the material part of the minute.
2047. With regard to the first part of it, which speaks of Mr. Stephen's personal interest, is that one of the matters upon which you say you are prepared to give information? Yes.
2048. Will you have the goodness to explain that to us? I have further explained it in the last part of the next minute I wrote; on the reply of the Under Secretary where it is not quoted by the Under Secretary exactly as I gave it.
2049. In the next minute you wrote you explain thus, "As to the charge itself and proofs, I have not charged the Under Secretary with having a personal interest, but with taking a personal interest?" Yes, he quotes me as having said he had a personal interest.

2050.

R. D.
Fitzgerald,
Esq.
15 Jan., 1879.

2050. Then the minute goes on: "By which I intended to say that when he is acquainted with an applicant, or an applicant influences him, he acts as special pleader for him, and is unwilling to have such special pleading sifted through the Survey Office;"—can you tell us what cases or circumstances led you to form that opinion? I have some of the cases with me; perhaps it will be better for me first to give the Commission particulars with reference to the very case referred to by the minute.

2051. If you please you will tell us how it came to you and how you came to deal with it? An application was made to the Governor by Mr. Fisher, of Hobart Town, for the right to take guano off an island near to Lord Howe's Island, and, if necessary, "the lease or any protection of that kind"; Mr. Fisher claimed to have discovered that there was guano on the island.

2052. What is the date of that application? The 7th May, 1878.

2053. In the usual course I suppose the application went from the Governor to the Lands Department? I may state that on the 13th May, 1878, a Mr. Brown, of Sydney, made an application to the Governor similar to that which Mr. Fisher had made. On Mr. Brown's application the Governor raised the question as to whether the island was a part of the territory of New South Wales. If it were a part of New South Wales it would be dealt with as ordinary Crown land belonging to the Colony, and would not come under the Governor's special jurisdiction. I had to answer the question. I said the island was in New South Wales, and I then made some suggestion as to the preservation of the native plants on the island in case it were leased to anybody. After that Mr. Brown—I think I may say by coming to the office, and understanding that a special lease was the form under which to apply—made an application for a special lease on the 13th May, 1878. Both applications went to the Under Secretary. Cases respecting special leases are not dealt with by the Under Secretary, but by Mr. Harriott. With regard to the two leases or applications for leases spoken of, the Under Secretary dealt with them. He submitted Mr. Brown's case to the Minister for Lands with this recommendation: "Special lease may perhaps be approved at rental approved, subject to the conditions imposed by the Surveyor General."

2054. That was Mr. Stephen's minute? That was Mr. Stephen's minute, and the Minister approved of it.

2055. And it was submitted to the Minister without going through the ordinary course? Yes, without going to Mr. Harriott. Mr. Fisher's application does not appear to have been submitted at all, nor was any reference made to it so far as the Minister was concerned, but this minute was written on it by the Under Secretary: "A special lease has been granted of this small island to Mr. Brown, who made definite application for the same and tendered £50 as the yearly rental. This application was sent to the chief officer of the Occupation Branch yesterday."

2056. Is there any date to that minute? The figure is very indistinct, but I think it is "8."

2057. The day after the right was granted? The day after he got the approval of Brown's application—the sending of the minute which granted Brown's application and refused Fisher's. The upshot of it is that Mr. Fisher has not been informed of what was done up to this day—that he was not to get the lease, and that Brown holds the lease.

2058. You say Mr. Brown has got the lease? Yes; I may add that Mr. Peel Raymond is acting for Mr. Brown.

2059. Was it Mr. Raymond who wrote the first application for Mr. Brown? I think he did.

2060. I see on the first application paper Mr. Raymond's name in print, and it is also signed by him? Yes, he acted as Mr. Brown's agent from the first.

2061. Did you remark that the 13th May, the date of Mr. Brown's first application, sent in by Mr. Raymond, is the day on which the papers in Fisher's case were sent on to the Under Secretary for Lands? I did not.

2062. That is how I understand the minute; perhaps you will have the goodness to explain? Probably it was the day, but the papers were not registered in the office until the 15th.

2063. Whose minute is that dated the 18th? I do not know; I suppose it is the minute of some one in the Colonial Secretary's office.

2064. That is, the same date referring the minute to the Secretary for Lands is the same date on which Brown's application comes in? I see it is.

2065. Who registered it? Mr. Paterson would be the proper officer. The Governor in his minute on Brown's application mentions that a similar application has been made by some one from Hobart Town.

2066. That is the letter of the 31st? Yes, that was the minute that brought it to the office, the one on which I wrote the minute about the plants. Mr. Harriott drew attention to the fact of Fisher's claim having been ignored, and the Minister withdrew his decision that gave it to Brown, but it was afterwards granted to Brown.

2067. In the first instance, in pursuance of the action taken by the Under Secretary, the Minister granted Brown's application, and afterwards withdrew it in consequence of a representation made by Mr. Harriott? Yes, the Minister said there should be a reference to the Survey Office.

2068. And in consequence of that it was referred to you? It was referred to me a second time by Mr. Harriott. I said I thought that Fisher had a claim if he would give equal rent, and accept equal conditions to Brown. Indeed, I think I said he had a preference.

2069. The Governor says in his minute: "I presume these islands are the same as those applied for a few days ago by some person from Hobart Town; if found not to be part of Howe Island, the application may be returned to me;" so that the Governor appears to have recollected Mr. Fisher's application as well as Mr. Harriott? Yes.

2070. Then, as I understand it, the first application of Brown's, dated 13th May, was done away with altogether, and an application made afterwards for a special lease? Yes.

2071. And that stood as it were on a fresh footing? Yes.

2072. Still no notice was taken at all of Mr. Fisher's application? So far as I know there was not. I might point out that the reason given on Mr. Fisher's application to Mr. Harriott, for writing the letter of refusal—for that is the meaning of it—embodies a point which the minute of the Minister on Brown's case does not embody.

2073. What is that point? That the one application was more regular than the other. But the Minister appears to have had no notice of Fisher's application when he approved of the lease to Brown.

2074. There is nothing in the papers in Fisher's case to show that they were ever submitted? I should decidedly say they were not submitted.

2075. So far as appears by the papers nothing was known by the Minister of Fisher's application? I think not; at the same time there is a minute on Fisher's papers to the effect that preference has been given to Brown's application on certain grounds.

2076.

R. D.
Fitzgerald,
Esq.

15 Jan., 1879.

2076. But so far as Fisher was concerned there was no objection taken to his application on that ground; he knew nothing of it; he has had no communication about it? He has had no communication up to the present time.

2077. His application was in point of fact ignored in dealing with Brown's, although both applications were for the same island? Yes.

2078. *Mr. Ranken.*] And Fisher's application is dated some days previous to Brown's? Fisher's was the prior application; he claims to have discovered the guano.

2079. *Chairman.*] Fisher's first application is dated 7th May; that is referred to the Under Secretary on the 13th May, and on that same day the application by Mr. Brown is sent in by Mr. Raymond? Yes.

2080. Then on the 31st May an application for a special lease is made, and the date of dealing with that, as it appears on the letter, is the 7th June; it is dealt with by a minute of the Under Secretary's, in which he says:—"Special lease may perhaps be approved at the rental offered, subject to the conditions proposed by the Surveyor General"? The condition proposed by me was a general condition, to be observed by anyone to whom the island might be let.

2081. That is as to the plants? As to the plants.

2082. *Mr. Ranken.*] It was a standing rule in regard to such leases? I said that by whomsoever the island might be leased that condition should be observed.

2083. *Chairman.*] That it be made "an absolute condition that plants, especially tree-ferns and palms, should not be removed from the island without special permission"; and on the same day on which that minute was received Mr. Farnell approved of Mr. Stephen's recommendation without its having gone through the usual course of being submitted to Mr. Harriott? Yes; Mr. Harriott always submits such cases to the Minister himself.

2084. What are his duties in reference to such cases; does he make recommendations? There is a general direction from the Minister that applications for special leases should be sent to the Surveyor General for report. Mr. Harriott sends them to the Surveyor General for report; when he obtains that report he then makes his own report upon it, and submits it to the Minister. He acts in these cases as the Under Secretary does in other cases, and as the Chief Commissioner, Mr. Moriarty, does for conditional purchases.

2085. And in this particular case none of the ordinary steps were taken before the final approval by the Minister was given? They were not.

2086. The next minute in the order following is one by Mr. W. W. Stephen, sending the papers on to the chief officer of the Occupation Branch—that was after the approval given by the Minister? Yes, he sent them then to Mr. Harriott.

2087. The matter having been decided, what was the object of sending the case to Mr. Harriott? That he might communicate with the parties. That he might tell Fisher his application was rejected, and Brown that his application was accepted, and carry out otherwise what would have been done if the applications had first gone to him.

2088. Mr. Harriott in his minute refers to the fact that Mr. Fisher made application prior to Brown's? He does.

2089. And upon that the Minister writes, on the 11th June, "No report has been received from the Surveyor General as to the special lease; the application should not be considered before receiving a report upon it from the Surveyor General?" There is a general order that there should be a report from the Surveyor General on all such applications; and in regard to the applications of Fisher and Brown, that general order was passed over. My general report was taken as if it were a special report.

2090. That is the general report which you first wrote? Yes; on the two cases combined.

2091. Then your next action was to write this minute: "I am of opinion that, subject to conditions for the non-removal of native plants, referred to in my previous report, there is no objection to the granting of a lease of Roach Island, an island to the north of Howe Island, containing about 35 acres; and if Mr. Fisher is prepared to take up a special lease on terms equal to, or at a better rental, to what is offered by Mr. Brown, his claim, as prior to that of Brown's, should be given the preference?" Yes, that is my minute. It is that minute the Under Secretary took exception to, and in regard to which he wrote to Mr. Harriott, suggesting that reports on the merits of cases should not be received from the Survey Office, but that they should deal with it themselves.

2092. Your minute is dated June 15th? Yes. Mr. Stephen's letter went with the papers which the Under Secretary sent to Mr. Harriott, and Mr. Harriott sent the papers to me.

2093. It is a minute of the 26th June, 1878? I may say here, as I have stated subsequently in that minute of mine, that the Under Secretary, when action arose upon it, came into my room and said to me that Mr. Harriott had no business to send this letter to me, because it was never intended that I should see it.

2094. He told you himself that it was not intended that you should see it? He told me himself that I should not have seen it.

2095. The paper contains a stamp;—can you tell the Commission where it got that stamp? It was stamped in the Occupation Branch.

2096. There is nothing on the document to show that anything was done with it to make it a public document before it went to the Occupation Branch? It was a letter from Mr. Stephens to Mr. Harriott.

2097. And the number at the head of it? That connects it with the case.

2098. That makes a public document of it? It connects it with the case; it may have been sent to Mr. Harriott with an intention of its being kept private, but Mr. Harriott sent it to me.

2099. In point of fact it was an official document, and was not in the nature of a private communication? Yes.

2100. In that minute of Mr. Stephen it says, "In reference to the minute of the Deputy Surveyor General of the 15th instant, I would observe that the granting of the lease has already been approved of by the Minister for Lands (see decision on my memo. of 7th instant); report required from Survey Department as to area, &c., which having been furnished with accompanying charts sent in by Brown, the applicant," and so on; but this portion of the minute seems to be the most pertinent: "The questions as to Fisher's claim to be considered in the matter, in the present stage, the rent to be paid, &c., are such as come within the province of the Lands Department to deal with, and as to which any recommendations or suggestions should, I think, emanate from the head of the administrative department which has the supervision

supervision of this particular class of business. As this case happens to have come through my hands I must say I think Fisher has no legal status whatever; but Mr. Brown has duly complied in his application with the requirements of the law." That minute is addressed to the chief officer of the Occupation of Lands? Yes; Mr. Harriott made a reply to that.

R. D.
Fitzgerald,
Esq.

15 Jan., 1879.

2101. Is this Mr. Harriott's minute: "A reference to the Surveyor General is necessary, under instructions from the Minister, of all applications for leases, for his consideration and report; how far this report is intended to affect other questions than those relating to the circumstances of land applied for does not appear in any suggestion or expression of opinion as to conditions, supervision, amount of rent, claim to lease, or other course of policy to be pursued that the Surveyor General may be at the trouble to offer, would seem the more entitled to due consideration if they are beyond the actual requirements of his report"? Then there is another minute upon that by the Under Secretary to Mr. Harriott.

2102. Another minute by Mr. Stephen, "I am not quite sure that I rightly understand the tenor of the above memo. by Mr. Harriott, or whether he thinks it desirable to press the matter further at present. The terms 'for consideration and report' can only be intended to apply to such matters as come within the province of the Survey Department to deal with; and in my opinion the recommendations on the particular points referred to in my minute are not only beyond the requirements of the Deputy Surveyor General's report, but unnecessary, and beyond his legitimate functions as relating to matters solely of a Ministerial nature, and in which the Chief Officer and the Under Secretary are the recognized advisers or medium of communication with the Minister"? Mr. Harriott sent that minute to me, and I considered it tantamount to desiring to shut us out altogether.

2103. The minute then goes on,—"According to the particular class of business in hand, irrespectively of this it should be remembered that we are held responsible in such matters, not the officers of the Survey Department; and it is only right and just therefore that we should be left to deal with them"? The Minister himself sent the case to me for report, and he directed that the Surveyor General should carry out the directions that all such cases should be reported upon by him. Of course I do not report upon any cases that I do not get from the Lands.

2104. The minute winds up by saying: "It would I am sure promote both harmony, and moreover expedition in business, were each branch of the service to confine itself to its own duties." Then comes your minute. Was it after he wrote this minute that the papers were sent to you by Mr. Harriott? Mr. Harriott sent it to me as being the next step.

2105. And then you wrote the minute you first spoke of? Quite so.

2106. Mr. Farnell, on the 2nd of August, wrote a minute confirming the view you had taken with reference to it, as to the propriety of making any recommendations you thought necessary? Yes; perhaps it would be well to read the Minister's minute.

2107. Mr. Farnell's minute reads thus: "There are certain cases and matters which must of necessity be referred to the Surveyor General's department; and in regard to any case or matter that is so referred, I think it desirable that the officers of that department should not only report on the professional aspect of the case, but also on the merits of the case. I cannot see any objection to the officers of the Survey Department expressing their opinion upon any case which may come under their cognizance; indeed I think it would in many cases conduce to their elucidation. However, no evil can arise from having the fullest information in every case"? In consequence of that minute the Under Secretary wrote the second letter or minute.

2108. Mr. Stephen, in his minute of the 5th August, states that the case has not been fully placed before the Minister, that the particular points to which he referred as pertaining to his department to deal with, being entirely ministerial in their bearing, cannot be clearly understood without all the previous papers; it had in fact been placed before Mr. Farnell from a one-sided point of view. "In the second place," the minute goes on, "while fully recognizing the principle of opinion given, that there are certain cases and matters requiring reference to the Survey Office, and which it may be desirable to have the views of the Surveyor General or his officers, I think it would be well, and save future trouble, besides being a matter of fairness to myself, that I should have the opportunity afforded me of bringing under notice numerous cases in which I can show that minutes are written and action denoted by the Survey Department in matters having no possible connection with their duties, and that the public business of this department is unnecessarily delayed thereby." Can you, Mr. Fitzgerald, give us any information as to the facts stated by Mr. Stephen? I had, perhaps, better read the rest of Mr. Stephen's minute—answers being given by me to his statements:—"It is really almost absurd the way in which the papers belonging to the Lands Department to deal with are sent to the Survey Office for some local or other information, and are returned sometime afterwards, having been kept merely for some suggestions or *quasi* instructions as to what action the ministerial department should take, being neither called for nor required. A far more weighty reason to my mind, why the papers should not be promulgated is the fact that into a general question as to the relative duties of the Land and Survey officers the Deputy Surveyor General has thought fit to import a charge against me, the serious nature of which I feel confident the Minister, in dealing with the first paragraph of Mr. Fitzgerald's memo., has overlooked; and if the decision be promulgated, that charge, unquestioned and unchallenged, must appear with the paper. I feel sure that the Minister will never, on consideration, allow an officer holding the position which I have the honor to occupy, in relation to himself, to be placed in such a light before the department. The charge is unprovoked, and one which, if true in its literal sense, would render me unfit for my office. It is the first time during my official career—a longer one than the Deputy Surveyor General's—that any officer has presumed to impute improper motives to me; and if the Minister does not desire him to withdraw it, as I trust he will under the circumstances, I must ask to be allowed to call upon him to prove, to the satisfaction of the Minister, either that I have had a personal interest in any case, or have ever attempted to prevent or suppress any information necessary to deal with any case whatever."

2109. And what was your explanation of that? That I had not accused him of having a personal interest, but with taking a personal interest.

2110. What is the date of Mr. Farnell's minute? August 23rd, 1878.

2111. That follows Mr. Stephen's minute, and is upon that minute? Yes; and it reads thus:—"I think it much to be regretted that statements such as occur in the foregoing Surveyor General's memo. should be made by one officer against another. Refer, however, to the Deputy Surveyor General for any remarks he may be pleased to make."

R. D.
Fitzgerald,
Esq.
15 Jan., 1879.

2112. What is the date of your minute which follows upon that? The 30th August. It reads thus:—
“Before going into the various matters contained in the minute of the Under Secretary of the 5th August, I must, in reply to that of the Minister of the 23rd August, beg to express my regret at having to make the statements referred to, and to assure him that nothing but necessity in the interests of the office and the public would have compelled me to do so. (For convenience I must take the liberty of numbering the statements made by the Under Secretary.) First statement: That the case referred to has been placed before the Minister without all the papers and from a one-sided point of view. My minute was written upon the only paper I received from Mr. Harriott; but had the Under Secretary considered that a re-perusal of them by the Minister would have benefited his case they were probably available, being either with himself or with Mr. Harriott. Second statement: That action denoted by the Survey Department having no possible connection with their duties, has delayed the business of the department. I deny that any action of mine has ever delayed the business of the department, and challenge the Under Secretary to produce a single case in which I have, as would be implied by the word “denote,” arrogated to myself the right to direct or dictate to him any course of action. (As to the cases mentioned in the margin as having been shown to the Surveyor General as they are not with the papers I can say nothing about them.) Third statement: That it is really almost absurd the way in which papers belonging to the Lands Department are sent to the Survey Office. I suppose I am not answerable for this absurdity if it exists; but, and as regards the intimation expressed in the margin of stopping the practice of sending papers to the Survey Office in future, I only hope that it may not be the cause of errors and injustice. Fourth statement: That the Minister in his decision has overlooked the charge contained in my minute. This I suppose requires no answer from me. Fifth statement: Being only regarding the action of the Minister, requires no reply. Sixth, seventh, and eighth statements: That the charge is unprovoked, and that I should be required to withdraw it, or the Under Secretary be permitted to call upon me to prove it. As to being unprovoked my minute is written on a letter sent by the Under Secretary to Mr. Harriott, urging him to take steps to cut off the Survey Department, and restrict them to mere statements of facts; and the Under Secretary himself admits that it was not intended that I should ever see such letter. To meet action like this it becomes a necessity to appeal to the Minister as to the charge itself and proofs. I have not charged the Under Secretary with “having a personal interest,” but with “taking a personal interest.” By which I intended to say that when he is acquainted with an applicant, or an applicant influences him, he acts as a special pleader for him, and is unwilling to have such special pleading sifted through the Survey Office. This I am prepared to prove should the Minister, who is himself as well acquainted with the fact as I am, desire it. Being fully satisfied with the decision of the Minister, I must decline being drawn any further into the discussion of side issues, but, in defence of the office, must request that the present correspondence be not suppressed.

2113. One portion of your minute refers to Mr. Stephen's third statement, as to preventing, in future, papers being sent to the Survey Office;—what did you take that to refer to? He said he would not allow papers in future to come to us if he could help it.

2114. But did you take that as referring to papers relating to similar cases to the one you have spoken of? I think he says there is a great deal of delay caused by sending the papers to the Survey Office, and he will take care in future to prevent them coming to us.

2115. You take that to refer to papers generally? Yes.

2116. And you apprehend that errors and injustice will arise? Yes; they have arisen since.

2117. In cases since Mr. Stephen made the remarks he did? Yes.

2118. Has that idea of Mr. Stephens about stopping papers from going to the Survey Office been carried out by him? Yes, as far as he could.

2119. Can you tell us of any case where it has worked injury to individuals? I can show you cases in which it has eventuated in absurdities.

2120. Do you recollect any case? Yes; I can give you a case. The Council of Education is in the habit of sending applications for school sites; and since that decision of the Under Secretary's, upon an order of his I believe, it has been the habit to write to the Board of Education to say that its application would be received, pending any objection that might arise on survey; and the Minister has approved of that. The result has in some cases been one or two month's delay in the papers coming to the Survey Office. The Council of Education wrote to us that it would be obliged if we would send them a letter to the effect that their applications were unobjectionable. What the Council of Education wanted to know was whether the site applied for was available or not. In many cases sites have been granted on Church and School lands, which could not be so granted, and causes such action, say two months delay, in reference to that class of cases. Similar delays and incongruities have arisen in regard to cases from the Mining Department. When the Mining Department have asked for reserves they have taken them to the Minister and had them approved of, and it has sometimes afterwards turned out that the land had been previously granted to somebody, was to be granted by special Bill, or that it was Church and School land, or otherwise alienated land. Of course they were not in a position to know it.

2121. That could only be done by the Survey Office? Yes; the applications were approved on receipt to facilitate business.

2122. By whom? They were submitted by the Under Secretary to the Minister, but he has given an order that that practice should be discontinued.

2123. This objectionable practice arose out of a desire to prevent the papers going to the Survey Office? Yes.

2124. And the consequence was a delay of business? Certainly.

2125. And probable injury to the parties concerned? It may have eventuated in that, but I do not recollect a case at present.

2126. You believe the change was made because of the correspondence between your department and that of the Under Secretary? Yes.

2127. And in following up the threat, as in point of fact it was made by the Under Secretary? Yes.

2128. But you say there are other cases similar to those you have mentioned? Yes, that is the practice that prevails at present.

2129. And it leads to delay? I believe it leads to delay.

2130. Can you give the Commission specific cases? Yes, I will bear it in mind when I next come before the Commission.

2131. When was the order made by the Minister in reference to the arrangement that had been made by Mr.

Mr. Stephen? I dare say I can get you the date. It was made at two different times—once upon the letter from the Council of Education, and again in regard to some cases from the Mining Department, in regard to which it was shown that the Minister had approved of things which he could not grant.

2132. Who was the Minister? I think it was Mr. Farnell; I am not quite sure. It was either Mr. Farnell or Mr. Hoskins.

2133. You showed the Minister the absurdity of the decisions he had arrived at on the representations of the Under Secretary? Yes. The cases were first submitted by the Under Secretary to the Minister for his approval.

2134. Without going through the usual course of being submitted to the Survey Department? Yes.

2135. And you believe that was in following up the statement made by Mr. Stephen? I know it was.

2136. As to this question of Mr. Stephen taking a personal interest and acting as special pleader for his friends, have you any case which would prove that? The cases I have brought with me relate principally to that point.

2137. Will you tell us what they are, and how the proof of your statement can be deduced from them? I will take the papers as they come. The first relate to a case of Mrs. White, for whom Mr. James White acts. He made an application for land under the 31st clause of the Act, which relates to prospective improvements. The application is dated 15th April, 1876. He made the application by right of prospective improvements, but failed to make the declaration within the prescribed time; and an officer in the Survey Department sent it on to auction. That has been the practice with reference to all forfeited cases, under whatever clause the application may have been made, since the passing of the Act of 1875. Mr. White remonstrated against the land being sent to auction. The Under Secretary wrote upon it to the Minister to this effect:—"I certainly think that some different course should be adopted than that taken in this and, I suppose, other similar cases"—I may mention that this minute is dated 19th April, 1878. It goes on—"before sending on land for auction sale, and that they should be submitted to this department for decision instead of being dealt with in the off-hand way this has been by the draughtsman in the Survey Office. The facts are briefly these: Mrs. White applied in April, 1876, under the 31st clause, for 320 acres of land. It was not until June, 1877, that the Survey Department reported that the application was invalid, the cancellation being approved by the Minister in September following. But within the prescribed time, and *two months previously* to the application being reported illegal, Mrs. White sent in the required declaration as to the completion of the improvements. Then in a little more than two months after, Mrs. White was informed as to the refusal of her application; the land is directed by an officer of the Survey Department to go on to auction, improvements and all, and it is advertised accordingly, and at £1 an acre. Mrs. White is not bound to purchase under the 2nd clause, after being allowed to retain it for over fifteen months under the 31st clause; neither is it a case of forfeiture for non-compliance with the conditions; neither again, *if it was*, is there any provision in the 31st clause or the regulations for sending the land on to auction as in the case of conditional and other purchases. The action taken certainly appears to me arbitrary, as it was also without proper authority. And I have, in anticipation of the approval of the Minister, and acting in his behalf, had the lot withdrawn from sale pending a decision upon Mr. White's protest. Approved.—J.F." I saw the Under Secretary misled the Minister by a mis-statement. The declaration was not made within the prescribed time (15th April, 1876, and the 15th April, 1877). But four months after it (24th August, 1877), not two months previously to the application being reported illegal (26th June, 1877), but two months after (24th August, 1877), and the land was directed to go on to sale (11th January, 1878), not a little more than two months after the applicant was informed (3rd October, 1877), but more than three (from 3rd October, 1877, to 11th January, 1878), and in fact was not sent to auction for seven months after the applicant had been informed by the Lands, and ten months (from 3rd October, 1877, to 15th May, 1878), after recommendation by Survey Office, from the 26th January, 1877, to the 15th May, 1878. Again the Under Secretary misleads the Minister by telling him it is not a case of forfeiture when it is, and that the law does not provide for the sending of such land to auction when there is no necessity for such provision. The Under Secretary then censures the Survey Office, and informed the Minister that the Under Secretary has withdrawn the land without his authority. Papers were then put away without being sent to the Survey Office.

2138. I understood you to say that the practice under which the land was dealt with had been in force from 1875—that is, for three years before Mr. Stephen's minute was written? Yes.

2139. Was it not a part of Mr. Stephen's duty, as the head of the department, to know what was the practice in so important a case as that? All such cases are sent on to Lands. We do not send them to auction, but send them on to Lands for auction.

2140. They ought to go through his hands? They go through his office through the Auction Branch.

2141. Would they go to auction without his seeing them? I cannot say.

2142. There is no necessity for their being sent to him or to the Minister? We send a recommendation that the applicant should be informed that his right is forfeited, and the Lands inform him. The Lands must have forwarded any number of such letters to applicants informing them their rights are forfeited and that the land is going to auction.

2143. How do you account for his taking the view he did with regard to this particular case? Mr. James White waited upon him; and he may have taken his dates and facts from Mr. White. You have the facts themselves before you.

2144. *Mr. Ranken.*] Where is the land situated? At Nerrigulla, on the Bando Plains, in the county of Pottinger.

2145. *President.*] What I want to know particularly is this: the papers are sent on from the Survey Department to the Lands Department, and must necessarily be dealt with by the Lands Department before the land can be sold? Yes.

2146. But the land cannot be put up to auction without the Minister's approval? No.

2147. *Mr. Ranken.*] I suppose this matter was exceptionally dealt with by the Under Secretary? Yes, I do not know of any other case decided like that.

2148. *President.*] Did Mr. White get the land? It was withdrawn from sale. The principal thing I want to show in this matter is the absurd mis-statements as to dates in Mr. Stephen's minute.

2149. *Mr. Ranken.*] The usual course was arrested? Yes, he had it withdrawn, but he wrote a minute to the Minister supporting its withdrawal.

R. D.
Fitzgerald,
Esq.

15 Jan., 1879.

R. D.
Fitzgerald,
Esq.
15 Jan., 1879.

2150. *President.*] Have you any other case? I have another case in which the Under Secretary with-draws from sale, under that special approval, as though it were general and had been obtained upon a correct statement of facts, and directs that such cases are not to be sent to the Survey Office, although that office always sends on all lands to auction, including the measurements of land forfeited or refused on illegal claims. The other case I refer to is an application also by Mr. White, a similar application to the other under the 31st clause. In regard to it the Under Secretary says in a minute, "May be with-drawn from sale according to the conditions of papers 30-32; the land should not have been advertised at all; and all cases as to lands of this sort going on to auction are to be submitted to the Ministerial Branch, and not dealt with by the Survey Department." There is no decision of the Minister's in that case, that forfeited purchases are not to go for sale.

2151. *Mr. Ranken.*] Previous to that it was the constant rule that surveyed portions of land should go to auction? Yes, if that is not done, the person applying for it gets it without paying for it.

2152. *President.*] In point of fact Mr. Stephen had, since the passing of the Act of 1875, dealt with these matters himself, or authorised the course to be pursued? He signed all the letters.

2153. Although it is made to appear by his minute that it was a new practice? His minute says, "Mr. White may perhaps be informed, if the land is improved to the extent of £1 per acre, that it is open to him to apply for it under the second clause." Then if Mr. White does not take action upon it the land goes to auction. Parties always get a chance by being informed.

2154. Will you pass on to another case? This is a note from Mr. Henry Dangar to Mr. Stephen:—"Sir,—As I understand that you are the officer to apply to in the following case, I shall be glad if you will give it your early attention. About four weeks since, I took up under a Volunteer land order about 50 acres of land situated about 1½ mile on the Sydney side of the Weatherboard Platform, on the Great Western Railway. I sent the order with my application to the land agent at Hartley, and received his receipt. I believe the land was properly available as Government land open to selection; but at the time of applying for it I was but imperfectly acquainted with the means of access to it. I have since discovered that, owing to natural obstacles, it will be impossible for me to make any use of it. I therefore beg to apply for permission to amend my application, by taking up another portion of land nearer to the Weather-board Platform in lieu of the land applied for." Upon this the Under Secretary writes this minute: "Yes, a similar application by Mr. Copeland has been approved." Mr. Copeland's application was not at all similar. There was no land for Mr. Copeland, and his application had of course to be cancelled, and he afterwards took up land elsewhere. I say on that,—the Under Secretary permits Mr. Dangar, without the authority of the Minister, to alter the land selected by him, and quotes an inapplicable precedent, the land applied for by Mr. Dangar being accessible, available, and even measured for him. My own opinion is that the Under Secretary has no right to act in that way for the Minister.

2155. That is another case in which the Under Secretary was influenced in the way you suggest? I think so.

2156. Have you any other case? I have another case, that of Mr. N. P. Bayley, who selected under twelve Volunteer land orders. The selections were made on a gold field, and they have been made good on an exempted gold field so far as the cancellation of parts of the gold-field could make them, under special advocacy of the Under Secretary. The Under Secretary advocated an illegal application by Mr. Bayly on an exempted gold-field, though the land had been legally conditionally purchased, and refers to the Volunteer land orders, as though it was made on the gold-field in ignorance of the illegality of the proceeding, and should therefore, on the promise of Mr. Garrett, be made good. The Volunteer land orders, in respect to which a promise is said to have been made, were used in 1873, and Mr. Bayly informed of the illegality of the application in 1874, whereas the Volunteer land order in question was not used until 1877. The Minister rejects the advice of the Under Secretary, as will be seen by his minute of the 22nd July, 1878. The Under Secretary inculcates the office as having given information to a conditional purchaser without any apparent grounds for such charge. See the answer of the Chief Commissioner of Crown Lands on such purchase, and memo. of mine (*afterwards read*). The proposition was that a portion of the gold-field should be undone to make good the Volunteer land order of Mr. Bayley's upon it, notwithstanding that the land was conditionally purchased under the 14th clause, and the Minister says in regard to this—"It is obvious that a Volunteer land order selection cannot be made within a gold-field. There does not appear to be any special circumstance connected with the Volunteer land order selection that would warrant the revocation of any portion of the gold-field, so as to permit the land order selection to be made. There is also a conflicting claim by a conditional purchaser, which claim appears to me to be both valid and legal, because the Volunteer land order selection is bad *ab initio*. The conditional purchase having been legally made I do not think the Minister can legally revoke the gold-field to allow of a land order selection being made. The correct course is to act according to law. In this case the Volunteer land order selection is void, and ought to be declared such."

2157. *Mr. Ranken.*] That is Mr. Farnell's minute? Yes; that is upon a very long argument of the Under Secretary's that Mr. Bayly's claim should be upheld against the conditional purchaser's.

2158. *President.*] I should like you to point out the minute of Mr. Stephen's, in which he inculcates the Survey Office, and the reply to that? This is it:—"If the strict letter of the law is carried out in this case the selection under the Volunteer land order should be declared void. But there are features in connection with this matter which I feel it right to bring under the notice of the Minister. The decision of Mr. Farnell to revoke a portion of the Gulgong gold-field was purposely given in accordance with a promise virtually made to Mr. Bayley some time ago." There is really nothing to prove that such a promise was ever made, and a letter to that effect was written to him, as I shall show the Commissioners by and by, on a paper on which the Minister decided directly the opposite, and directing the case to go to the Survey Office for report.

2159. A letter was sent to Mr. Bayley? Yes, a letter was sent to him telling him that his Volunteer land orders on a gold-field would be made good.

2160. And that letter was sent by the authority of the Under Secretary? By the authority of the Under Secretary.

2161. The Minister deciding contrary? The letter appears to have been written prior to the Minister's decision being given. The Minister directed that the matter should go to the Survey Office. Mr. Bayly quotes this letter on all the Volunteer land order selections he has made on gold-fields from time to time.

2162. Can you say whether the Minister knew of that letter having been written by the Under Secretary? No, there is nothing to show it.

2163.

2163. And no steps were taken to withdraw it? It is constantly quoted in arguments in favour of Mr. Bayly.

2164. *Mr. Ranken.*] Has the Minister ever decided in favour of such action? No.

2165. *President.*] The case you say is quoted by Mr. Stephen, although it was decided by him? Quoted by Mr. Bayley. I am not quite sure whether it has been quoted by Mr. Stephen. This is the minute on which the letter was written to Mr. Bayly:—"Under the recommendation of Mr. Warden Johnson the portion of the Gulgong Gold-field herein described may be revoked. This will enable the selections made by Mr. Bayly under the Volunteer orders to stand, and prevent the necessity for any special legislation as proposed in the first instance by that Minister"—I do not know who the Minister is—"with a view to amend the error committed in passing these selections." Upon that this letter was written to Mr. Bayly:—"With reference to my interview with you a few days since, on the subject of certain selections made by you in virtue of several Volunteer land orders, I am directed to apprise you that under the report of Mr. Warden Johnson the Minister for Lands has approved of that portion of the Gulgong Gold Field reserve which embraces the land applied for by you being revoked, with a view to the selections referred to being allowed to stand. I am to observe that the local land agent has been apprised of the fact. P.S.—I am to add that all other selections made by you in virtue of Volunteer land orders, and situated on the same gold field, will also be accepted."

R. D.
Fitzgerald,
Esq.

15 Jan., 1879.

2166. What is the date of that letter? September 16, 1874.

2167. And the minute? The Minister's minute is: "In order to deal satisfactorily with this matter the report of the District Surveyor had better be obtained." That is dated 29th September, 1874.

2168. So that in point of fact it was finally dealt with, so far as Mr. Bayley was concerned, before the Minister had anything to do with it? Yes.

2169. Are the boundaries of these gold fields accurately defined? Yes.

2170. There was no question of that kind? No. Holders of Volunteer land orders are not allowed to select on gold fields; and Mr. Bayly is the only person I know of who got such selections made good.

2171. And they were being continually undone to allow Mr. Bayly's selections to be made good? Yes, in regard to applications made long subsequent to the promise said to have been made by Mr. Garrett. There is nothing in the papers of any promise.

2172. But Mr. Bayley sometime afterwards uses the promise which he says was made, as a precedent for a similar course of action being taken? Yes. Copies of the letters are sent in with several of the applications.

2173. There is nothing in the papers to show the time at which the promise was made? No; the Under Secretary now and then refers to it, to Mr. Bayly having got the promise, but there is nothing else in the papers.

2174. Is the name of the Minister said to have made the promise given? Yes; Mr. Garrett's name is mentioned as having made the promise. I will read the minute:—"If the strict letter of the law is carried out in this case the selections under the Volunteer land order should be declared void; but there are features in connection with this matter which I feel it right to bring under the notice of the Minister. The decision of Mr. Farnell, to make a portion of the Gulgong Gold Field, was purposely in accordance with a promise virtually made to Mr. Bayly some time ago, to get rid of a mere technical objection pointed out in 77-1820 al., and which prevented his taking up the land until it was rendered open to conditional purchase under the 13th section, instead of the 14th, of the "Crown Lands Alienation Act of 1861," and of course the cancellation of his selection in favour of a conditional purchaser who has taken up the land in the meantime will deprive Mr. Bayly of all the benefit which the Minister proposed to give him. In the former cases, in which the same course was taken to protect Mr. Bayly from the effect of the error he had fallen into, he was allowed to remain in undisturbed possession until his selections had been rendered strictly legal by the revocation of small portion of the gold field which embraced the land taken up. There is nothing new or against precedent in this. In all those cases of conditional purchase and other classes of sale, which for various reasons were illegally made, and were afterwards legalized by special Act of Parliament, the purchasers were all allowed to hold possession against all comers, and were specially told they could do so until the said Act was passed. The same action is also being taken, I believe, as regards cases now waiting legalization in the same way. If therefore the propriety of this course has been recognized in cases where an Act of Parliament was required, surely the same concession should be granted in a case where only a formal notice in the Gazette is necessary to remedy the difficulty, and when the express object of such notice was to confirm the rights of the applicant. Otherwise it seems to me that the department will not be consistent in its action, and will be open to a charge of condoning illegalities in some cases of a certain class and not in others. Another point I have to call attention to is that Davis's conditional purchase was not made until after the Minister had made approval of Bayly's Volunteer land order selection being sustained, the gold field being for that purpose revoked." Mr. Farnell did that under a previous recommendation of the Under Secretary's.

2175. Mr. Farnell did that before? Yes. Then the minute goes on, "and as incidentally to this, although not bearing on the merits of the case itself, I would remind the Minister of what I pointed out to him sometime ago for his advice, that certain questions asked in the Assembly were so framed as to render it almost palpable that all particulars with regard to Mr. Bayley's matters had been given by some person in this or the Survey Department, and the fact that the Minister's decision above referred to was given on the 5th April, and that on the very next land office day, before any official communication could have been or was made as to the same, the land was conditionally purchased at Mudgee as against Mr. Bayly, is very strong evidence that the official decisions of the Minister are communicated to persons interested outside the department to the prejudice of one side or the other almost as soon as they are given." I may mention, with reference to that conditional purchase that a previous conditional purchase was made on the same land by an agent, and it was that same agent who then selected by this new application against Mr. Bayly.

2176. Who was the agent? Mr. Heawell. That is the same person who acted for a previous conditional purchaser who applied for the same land, so that the agent was acquainted with the circumstances and put in his application for the land and remonstrated against Mr. Bayly's having it. He says, "being the land applied for by N. P. Bayly on the 5th September, 1877, under a Volunteer land order, and which is voided, being situated within a proclaimed gold field, and only open to selection under the 14th section of the Crown Lands Act." There is nothing there to show anything beyond the fact that the agent was well acquainted with the law.

2177.

R. D.
Fitzgerald,
Esq.
15 Jan., 1879.

2177. He states what actually is fact? Yes.

2178. The minute you have just read is that the one which inculpated the Survey Office? Yes.

2179. You infer from that that the information was supposed by Mr. Stephen to have been given either by the Conditional Purchase Branch or Survey Office? He says either by the Conditional Purchase Branch or the Survey Office, and that it is the habit to give the Ministers' decisions as soon as they are known.

2180. A habit of the Survey Office or the Conditional Purchase Branch? Yes, the minute was sent to the Surveyor General.

2181. Was Mr. Stephen's minute sent to the Survey Office for any remarks whatever before the decision of the Minister was arrived at? The Under Secretary sent it under cover to the Surveyor General to inform his department of the reprimand the Minister had given it,—“It is evident that information was communicated, that the Minister's decision was communicated without the authority of the department. It is highly improper to make decisions known in a private or unofficial manner. Decisions should be made known only in an official way. This is not the first time that private communications of decisions have been brought under my notice; and I regard this as being highly irregular and subversive to the upright working of the department. Should any case in future be brought under my notice, I will suspend the offender, and recommend him for dismissal.”

2182. Whose is that minute? Mr. Farnell's; it is dated September 22, 1878. It came to the chief draughtsman, and I wrote to the Surveyor General: “The chief draughtsman having in accordance with your direction shown me these papers, I would point out before the order (an order of the Surveyor General's), which I feel too be inapplicable to the Survey Department has been circulated, that it has at all times been the rule in the Survey Office that discretion should be used in letting the public see reports for decision of the Minister. But as regards Ministerial decisions, which are alone under consideration in this case, I cannot see how they can be shown to the public by officers of the Survey Department until received from the Lands, when they are of course past the stage at which any improper action can be taken upon them. The decision referred to in favour of Mr. Bayly's Volunteer land order was made on the 5th April. The land was conditionally purchased on the 11th April; the papers came to the Survey Office on the 23rd April.”

2183. There is a reply also by Mr. Moriarty? Yes; upon my minute the Surveyor General did not think the order could apply to the Survey Office.

2184. It was not circulated? No, it was not circulated.

2185. With regard to the minute that Mr. Farnell wrote on the 29th September, after the letter that was written to Mr. Bayly, what year was that in? In 1874. I think the Volunteer land orders referred to were not issued at time. Certainly they were not put in until 1877. Some of the Volunteer orders were used on a subsequent date to the Minister's decision, which referred only to the past.

2186. I think it was the same month, September, 1874, in which the letter was written to Mr. Bayly that Mr. Farnell's minute is dated? Yes, it was on the 16th September, 1874, that the letter to Mr. Bayly was written, and on the 29th September that Mr. Farnell's minute was written to send to the district surveyor.

2187. It was after that date that Mr. Garrett's decision was quoted? Very likely. This is a letter from Mr. N. P. Bayly,—“Mr. N. P. Bayly wishes to withdraw the following application, dated March 10, 1875, under a Volunteer certificate:—50 acres, county of Philip, parish of Arthur, as appears by the plan attached, and to have the Volunteer certificate returned, which certificate is now in my possession, as he has made substantial improvements to the value of upwards of £80 on the same land, and therefore intends to apply for 80 acres in virtue of improvements.” This minute was then appended to the letter: “Volunteer certificate was returned to him.” Mr. Stephen, on 19 May, 1877, says, “I see no objection to a compliance with this application, and it may be approved.” That is to say, the Volunteer land order may be handed back to Mr. Bayly, because he has improved the land he held under it.

2188. He had a title under the Volunteer land order, and was allowed to give that up because he made another right under the land order? Yes.

2189. *Mr. Ranken.*] So that he could make use of the land order twice? Use it again.

2190. *President.*] Would it be possible to find out whether it was used afterwards? He got it back for the purpose of using it. I hold that such a thing as that requires the Minister's decision, and that it would not be done except for a friend.

2191. Have you any other case? Yes, I have the papers connected with another case of Mr. Bayly's. The Under Secretary permits a change of land selected under a Volunteer land order without authority, and quotes as a precedent Mr. Dangar's case, which is only an authority given by the Under Secretary himself; he also gives direction for the cancellation of part of a gold-field for the new application; and he says, “This may be approved as being in spirit a similar case to Mr. Dangar's. Inform.” The application when it comes to us should be declared void, as the parish of Birgledie, in which the land is described as situated, is in the Gulgong Gold-field, the northerly extension, proclaimed on 1st September, 1871. One of the clerks says, “So much of the Gulgong Gold-fields as is comprised within Bayly's selection having been revoked, it will not be necessary to declare this selection void; it may be transmitted to survey for measurement, as in other similar cases.”

2192. *Mr. Ranken.*] Whose was the first memorandum? Mr. Stephen's.

2193. *President.*] Do you know what case of Dangar's was referred to? That which I have referred to.

2194. In point of fact Mr. Stephen quotes as a precedent a decision of his own, which was made, as I understand, without authority—there was no opportunity of this being an accident? There was no opportunity of this being an accident.

2195. He quotes his own unauthorised decision as an authority for a similar course being taken again? And the first decision was based on a case wholly different. The case that he first quoted was a case where there was no land; of course where there is no land the applicant gets back his Volunteer land order. But the land was vacant, and was measured for Mr. Dangar.

2196. In Mr. Dangar's case the only reason he asked for a change was because he was sorry for his bargain? That is all.

FRIDAY, 17 JANUARY, 1879.

Present:—

MR. ABBOTT,

MR. RANKEN.

R. P. ABBOTT, ESQ., PRESIDENT, IN THE CHAIR.

R. D. Fitzgerald, Esq., was called in and examined:—

2197. *Witness.*] When I was last examined, you desired me to bring with me to day some papers to which reference was made. I now produce them. They are—Copeland's case: recommendation from the Mining Department, and dedications, to which a paper from the Council of Education has to be added. I have written to Mr. Lindsay Thompson for that, and the gentleman who is acting for him sends me this reply: "Mr. Thompson is away from the office to-day, but he left instructions with me to procure the paper. Search has been made in this Branch and at the Records, but without avail." Before you proceed to examine me further, I should like, if it be not out of order, to draw your attention to the minute written by Mr. Farnell, in the case of J. A. Brown's application for a lease near Lord Howe's Island—a minute to which you referred when I was last examined. It has occurred to me that that minute may be made much of, and therefore I wish to say a word in explanation about it. The minute first written by Mr. Farnell was in these terms: "The Deputy Surveyor General for any remarks that he may please to make.—J.S.F., 23/8/78." Mr. Farnell afterwards wrote the words which you see above, namely, "I think it is much to be regretted that statements such as occur in the Deputy Surveyor General's memo. should be made by one officer against another; refer, however, to." These words were afterwards written above the original minute, as you will see; and I believe that Mr. Farnell will tell you, if you care to ask him, that the words I have last quoted were written at the request of the Under Secretary; and I may say that Mr. Farnell told me personally, that what he meant by that minute was that he was sorry that it should be necessary for me to bring the matter forward.

R. D.
Fitzgerald,
Esq.

17 Jan., 1879.

2198. *President.*] He was sorry that it should be necessary? Yes, he regretted that I should be obliged to make such statements. I understood you to say when I was here the other day that you were only trying issues at present, and not examining into the department generally.

2199. You have not quite understood us. We said we were inquiring, in the first instance, into these papers which have been specially referred to us? Well, in this case I have, at any rate, two issues to prove: one is that the Under Secretary desires to prevent the Survey Office from reporting upon the merits of cases, and the other is that he specially pleads in certain cases. Now if you think at any stage of the inquiry that I have proved those two points, I should wish that my examination be discontinued, for I have no desire to produce a number of cases which may be detrimental to the Under Secretary, for my object is simply to prove that I was right, and not to make statements to the prejudice of Mr. Stephen.

2200. We shall receive any information which you can give us on the management of the department by the Under Secretary, or the conduct of the business generally.

2201. *Mr. Ranken.*] I also think that the matters have such an important bearing upon public interests that we are entitled to have all the information we can obtain.

2202. *President.*] The questions with which we are concerned go beyond any differences which may have occurred between you and Mr. Stephen, and the evidence you give us may have a wider application than that. *Witness:* Then I must go on with these cases. First, I will refer to Mr. Copeland's case, which you wanted information about. You will remember that this was referred to in Mr. Dangar's case, having been quoted by the Under Secretary as a precedent for allowing Mr. Dangar to get back his Volunteer land order. If I quote a passage out of this letter it will be sufficient to show that the case was not a precedent at all.

2203. Whose letter is that? The letter from Mr. Copeland.

2204. What is the date of it? The 7th March, 1876. In the first part of his letter he gives his reasons for thinking that the land was available, and then he goes on to say, "But I now find that nearly the whole of this land applied for by me in the middle of November last had already been applied for by other persons in the previous April, and in consequence the surveyor has only been able to survey one block in accordance with my application." There were three Volunteer land orders. For one land was available, and the other two for which no land was available were returned to Mr. Copeland.

2205. Returned because the land was not available? The land had been conditionally purchased before he applied for it. The next case to which reference was made was this application from the Mining Department to have a reserve made. You will see that it is marked "for approval," and under that Mr. Farnell has written "approved."

2206. By whom were these words "for approval" written? By Mr. Rich. That is an illustration of the new system of not sending papers on to us, but of dealing with them in the Lands Office without reference to the Surveyor General.

2207. That occurred in October last year? Yes; it arose from that direction in Brown's case.

2208. For what reserve did the Mining Department apply? For a mining reserve.

2209. Is there anything to show that these words "for approval" were written by Mr. Rich? The words are in Mr. Rich's handwriting, and Mr. Stephen initials the reference to the Minister. That was approved by Mr. Farnell; but afterwards Mr. Farnell wrote another minute upon my representing the case to him.

2210. What was the objection to it? You will see there that Mr. Farnell states: "This approval is revoked, because the reserve recommended embraces land that I previously decided should be included in a special Bill. This case shows the impropriety of dealing with these cases without reference to the Surveyor General. In future all cases of this kind should be referred to the Surveyor General before being submitted for approval."

2211. That minute was written by Mr. Farnell on the 19th of December, 1878? Yes.

2212. And it was in consequence of representations made by you to him? Yes; I showed him that it was land which he had directed should be included in a special Bill.

2213. How did these papers come to you? They were sent to me for the necessary descriptions to be prepared by description writer.

2214. Until then you had no opportunity of saying a word? It was subsequent to the approval by the Minister that the paper was sent to us for description for the Gazette notice of the reserve.

2215. Since Mr. Farnell wrote that minute, has it been acted upon in all cases? The case which I hold in

R. D.
Fitzgerald,
Esq.
17 Jan., 1879.

in my hand was, I believe, subsequent to that, but I cannot say whether Mr. Rich had seen the decision. This case I took to Mr. Hoskins, and he directed that the practice should not be continued. He sent for the Under Secretary, and directed him verbally. This is a recommendation for a large mining reserve to be thrown open to conditional purchase. We already had a report from the district surveyor to show that it was very necessary to make a reserve against conditional purchase around the town of Bingera. Bingera happened to be without a population area, because the population came to it after the last census. 2216. This appears to be another recommendation from the Department of Mines, and is dated the 20th December, 1878? Yes.

2217. Submitted for approval in the same way; and after it was approved, sent on to you for description? Yes; although we were actually making a reserve against conditional purchase at that place and time.

2218. Has that approval been reversed? Virtually it has, because Mr. Hoskins has given it to me to act upon.

2219. And at the same time instructed the Under Secretary to discontinue the practice of submitting cases in this way? Yes; I have here another case in which a reserve was made for mining; but the land was Church and School land and could not be made a reserve.

2220. This also is a recommendation from the Department of Mines, dated the 5th December? Yes; and approved by Mr. Farnell on the 11th.

2221. It was then sent on to you for description in the same way? Yes; but the land is not available, because it is Church and School land.

2222. The case, I see, was minuted by Mr. Farnell to the Surveyor General for report, on the 19th of December? Yes; if the recommendation had been carried out we should have been making a reserve of land which could not be reserved. With regard to the other matter which was referred to, I have asked for the letter from the Council of Education; but the clerk, who is acting for Mr. Thompson to-day, says that search has been made for it, and it cannot be found.

2223. What was the cause? It was a communication from the Department of Justice, &c., enclosing a letter from the Council of Education, stating that the conditional approvals of grants of public school sites were of no use. That was the note which the draughtsman took of the contents of that letter; but I cannot produce the letter as I promised for the reason I give.

2224. Had that letter reference to any particular case? The custom arose from the time of that memorandum to which you were referring of approving of these applications in this way. I have brought one case with me. It was submitted in this form: "This application is submitted for approval, subject to any objection which may be found to exist at the time of measurement." That was communicated to the applicants, and they said that was no use. This is one of the cases in which an application was made for a Roman Catholic Church, and it was found that the whole of the land had been sold, so that there was a delay from the 8th of September to the 17th October, when it came to us. That delay was unnecessary; and in other cases longer delays have occurred.

2225. In matters relating to the public departments as well as to private individuals? These are all dedications.

2226. But if the same course is pursued in regard to applications for the lease or purchase of land upon which the opinion of the Surveyor General should be obtained, delay is as likely to occur in the case of private individuals as of the public departments? Yes; I was thinking whether these particular cases affected any private persons; and at the moment I could not recollect any particular case; but there are cases in which it will affect individuals. Since the order of the Under Secretary, to which we have been referring, applications under the second clause in right of improvements have been acted upon in the Lands Office on the warden's reports, and they have not sent them to us.

2227. On the warden's reports, without reference to the Surveyor General's office? Yes; and the consequence is that if the land has been surveyed we remain in ignorance of what has been done in the case.

2228. You cannot tell whether the land is available afterwards? We cannot tell what has happened. There is this liability of hardship to individuals: The Minister gave a direction requiring a stricter reading of the law with reference to 2-acre improvement purchases on gold-fields; and he directed that it should not be referable to a date prior to the date of his minute, which was written on the 13th December, 1877. I believe they are not taking that into consideration. I do not know whether they are or not; if they are not they are doing the people interested an injury.

2229. What is the difference between the Minister's interpretation and the practice previously? The practice previously was to allow applicants to take up several lots in virtue of improvements on gold-fields, but the practice now is to allow them to take up only one, and not to allow such a thing as a fence round a paddock to be considered as an improvement. The Minister decided that the right should be exercised in virtue of legitimate improvements only; and he made his decision applicable to the future, not retrospective. If they are dealing with it retrospectively, and I think it likely they are, then they are doing the applicants an injury.

2230. But properly these matters should come through your department? Yes.

2231. And you would know the practice to be followed in regard to them? Yes; I do not consider that the Lands Office are in a position to deal with them without plans and without previous knowledge.

2232. That mode of dealing with these cases is likely to lead to disputes? Yes; in fact I do not know who deals with them now.

2233. You do not know who deals with them? No; but I believe they are cancelled if the report of the warden is against them, whether that report is correct or not.

2234. Without reference to the Survey Office? Without reference to the Survey Office.

2235. The warden is in no way responsible to the Lands Department? Quite so. He is not responsible, but at the same time his reports ought to come to us. An applicant to purchase in right of improvements has no right to apply unless he is in legal occupation. The warden has a right to state whether he is or not. He may state that it is prejudicial to mining interests that the application should be granted. On any report of the warden which is unfavourable they are, I believe, now cancelling the applications. One ground for cancellation would be that an applicant was making several improvements. That would be a good ground now that he is entitled to purchase in virtue of only one, but not in regard to improvements made before the Minister's decision. I think it is very probable that they are refusing those applications, and if the Minister's decision be not adhered to, injustice would be done to the parties concerned.

2236. *Mr. Ranken.* Is a warden in communication with the district or local surveyor? No; he does not in any way deal with the applications except from a mining point of view.

2237.

R. D.
Fitzgerald,
Esq.

17 Jan., 1879.

2237. He does not apply to the local surveyor for information? No; our surveyors have applied to him for information, but the warden does not apply to them.

2238. Could they not tell him whether the land was available? That question is not referred to the warden; the point referred to him is whether the applicant is in legal occupation, and whether the Mining Department have any objection to the sale.

2239. But the information of which the warden is deficient is such that a surveyor might supply? No, I do not think so. The maps in the office would have to be referred to.

2240. *President.*] The warden is asked for information to assist the Lands Department? Yes.

2241. And the Surveyor General gives an authoritative report when it is referred to him, with all the information which can be obtained? It is not the local surveyor's report that is so missed in these cases, as the reference to our own maps and the knowledge in the office of the state of the case.

2242. Do you deal with these cases without referring them to the district surveyor? If an application were on the face of it, a good one, we would send it to them for survey.

2243. That, as far as you know, is not now being done? No; not in such cases as have been referred to as probably improperly dealt with.

2244. The papers in which the Council of Education's letter was written was an application for some land at Mulwala? No; that was an application for some land for a Roman Catholic church. I do not think the Council of Education's letter had reference to any particular case, but was directed against the practice adopted in dealing with their applications. They ask for a particular piece of land, and when their application comes to the Lands Department they are told they can have it if there is no objection. The only effect of that is to keep the application back for at least a month.

2245. The Council of Education objected that their applications were no further forward? That was what they remarked. I have here a recent case in which Mr. Hoskins gave a decision. Mr. Jenkins made a conditional purchase, and it was forfeited. It came within a travelling stock reserve. The measurement was made, and the land had gone on for auction sale, but was withdrawn. Mr. Jenkins selected it as after auction, notwithstanding that withdrawal. A mistake having arisen owing to the subdivision of the district, the land agent was not aware of the withdrawal. At that stage of the case Mr. Edwards wrote this minute—

2246. Who is Mr. Edwards? Lands auction clerk. He wrote this minute:—"Refer in the first instance to the Surveyor General as to whether the travelling stock reserve should be interfered with." It was the practice to re-establish occasional selections after auction when it was found that the grounds of the original withdrawal had ceased to exist, and the selection remained strongly supported. In the Survey Office I looked upon that as an illegal course, and I wrote this minute on the papers on the 4th of March, 1878, in reply to the minute of Mr. Edwards of the 13th April:—"(1.) The question submitted to this office by memo. dated the 13th ultimo would not appear to affect the merits of the case, and should only have been raised with the ultimate view of having the land again offered at auction sale. Either the selection now under consideration is a legal one and must be maintained, or it is illegal and must be cancelled. (2.) The law provides, under the 25th section of the 'Crown Lands Alienation Act of 1861,' that certain lands having been 'put up for sale by public auction and not sold shall be open for sale' (selection), and also 'that the Minister may withdraw any such lands from selection.' Again, the 6th section provides that 'after any land shall have been temporarily reserved from sale the same shall not be sold or otherwise disposed of until such reservation shall be revoked.' (3.) The ground taken by applicants' agents in support of the application is that the land was withdrawn just before the division of the Wagga Wagga district, and through this cause the land agent at Narandera (in which district the land is now situate) was unaware of such withdrawal. These grounds it is submitted are not sufficient to warrant the acceptance of an application which is illegal if the withdrawal were otherwise correctly made. Apart from the 'withdrawal' the land having been reserved from sale under the 4th section of the Act of 1861 is not in view of the provisions of the 6th section previously referred to, open to sale by selection or otherwise.' (4.) As regards the manner in which the withdrawal from selection takes place it is questionable whether such withdrawals are legal. In the first place the withdrawals are not made by the 'Minister,' nor yet by any one deputed by him, nor are they in any way notified to the public.' (5.) From the manner in which some cases have been referred to this branch, as to the correctness of the grounds on which the withdrawal have been recommended, the impression appears to prevail that if the grounds of the withdrawal were incorrect, or were subsequently removed, the withdrawal could be cancelled. Such an impression is, I would submit, erroneous, as although the law gives the Minister the power to withdraw land from selection, it gives no power to annul a withdrawal when once it has taken place.' (6.) If the case immediately under consideration is considered one of hardship it might be met by special enactment, but while dealing with that case the question raised in the 4th paragraph of this memorandum should also be dealt with."

2247. What is the number of that case? 1865 Alienation of 1878. I direct your attention to the withdrawal. There are the draftsman's initials, and the signature of the chief draftsman, but they are merely to a recommendation that it should be withdrawn. The withdrawal itself is not signed by anybody; that is, the word "withdrawn" is not. I do not know who wrote that word, and there is nothing to show that any authority was given for writing it. I pointed out in my memorandum that that was a careless system, a bad system.

2248. In point of fact there is nothing to show that the paper was finally dealt with at all? There is nothing to show that the land agent was informed.

2249. Nor who withdrew it? No; nor by what authority; and if such a withdrawal came before a court it would not be looked upon as any withdrawal at all. It does not appear that the Minister has approved of it, or anybody authorized by him.

2250. You do not know whose writing that is? I do not.

2251. In point of fact the withdrawal is still unfinished? I considered it so, and pointed that out. The Under Secretary wrote upon my memorandum as follows:—"There can be no doubt in my opinion but that in the particular case now submitted the auction selection is invalid. The lot was withdrawn from selection in the usual way, being part of a travelling stock reserve, on the 7th May, 1877." That is the withdrawal the Under Secretary speaks of; "and the application to select was not made until the 29th August, 1877. And although it is a hard case for Mr. Jenkins, under the circumstances represented by Messrs. Phillips and Keighran, I hardly see how the fact of the land agent being ignorant of the withdrawal can be held to be a ground for sustaining the selection. If it is intended to bring in a special

R. D.
Fitzgerald,
Esq.

17 Jan., 1879.

Bill, perhaps the case might be included in it, as suggested by the Surveyor General, or possibly a clause in the new Land Bill might give the Government discretionary power to deal with such cases generally. With regard to the question raised by the Surveyor General, in paragraph 4 of his minute, as to the legality of the mode in which withdrawal takes place, on account of its not being made by the Minister, nor by any one deputed by him, I would observe that I have authority as Under Secretary to sign for the Minister (his name in fact) official documents, notices, &c., where the action taken is regular, or what the law plainly requires, and as they are generally required for the Gazette, and have to be signed at a minute's notice, the great delay and inconvenience which would result, were the practice otherwise, must be apparent. Acting on the above authority, I pass all withdrawals as soon as the necessity for the same has been notified to me by the Survey Department. If, however, this course is deemed illegal or insufficient the sooner of course it is rectified by a regulation or formal notice (perhaps deputing the Under Secretary to sign) the better. I quite concur with the Deputy Surveyor General as to the expediency of notifying withdrawals to the public, as well as to the land agents, and cannot quite understand why this course was never adopted. This does not, however, involve any question of legality, as the Act (section 25) does not provide any particular mode of withdrawal, but simply "that the Minister may withdraw, &c., &c." Upon that Mr. Farnell says:—"The auction system is undoubtedly invalid. In reference to the withdrawal of lands from sale by auction or otherwise, it is sufficient if the Under Secretary or any other officer authorized by the Minister notifies their withdrawal, and the withdrawal should be notified in the Gazette. I have given instruction for the withdrawal of all lands from auction selection." He also added:—"Jenkins' case will be considered in preparing special legalizing Bill." Then the Under Secretary notes the papers to the Surveyor General, and I wrote this minute on the case on the 29th of August:—"In view of the minute of the Secretary for Lands, dated 12th April, 1878, it is submitted that there do not appear to be any sufficient grounds for including in the Validating Bill shortly to be submitted to Parliament the case of F. Jenkins contained in these papers. F. Jenkins' purchase was found to be illegal, and was cancelled two months after date of application, and there is nothing to show that any exceptional hardship (unless the loss of improvement alleged to have been made on the land between the date of purchase and its voiding) has fallen upon applicant. It may be pointed out that in the minute of the 4th March, 1878, no suggestion was made to include this case in the special Bill. The last paragraph of that minute merely suggested that if the case was considered one of hardship it might be met by special enactment, and not by a cancellation of the withdrawal, as would appear was contemplated by the memo. of 13 February, '78, in 78-329 aln." You will see that I pass over the matter of the method of signing withdrawals. I did not consider that it had been what I should call fairly put to the Minister by the Under Secretary; but so long as the thing was done rightly that did not matter. I did not submit to the Minister that the Under Secretary should not sign; but I submitted that the withdrawal was not signed at all. The Under Secretary deals with it as if I questioned his right to sign, when in fact he has not signed at all, notwithstanding that he writes to the Minister as if he had signed. Upon my minute of the 29th August the Under Secretary says: "It will be seen that the decision that this case was to be considered in preparing a special Bill was given by the Secretary for Lands with all the facts of the case clearly put before him. Mr. Secretary Hoskins will perhaps now decide whether it shall be so included, or whether, under the circumstances, the land might be again offered to auction after withdrawal from the reserve. The whole question, I may observe, is one purely of departmental administration, and for the Ministerial department therefore to deal with, and I do not see how the matter has come to be again brought up by the Survey Office, unless it was the fault of the Auction Branch in not submitting it to me (as the proper person to deal with it) for final decision." With regard to Mr. Stephen's observation, that the decision that the case was to be considered in preparing a special bill, was given by the late Minister for Lands, I may direct your attention to the fact that my minute was written on the 29th of August, 1878, and that it was not brought before Mr. Farnell at all.

2252. Your minute was not? My minute was not. The minute I have just read was written on the 30th of December, and did not come to Mr. Hoskins before that date.

2253. The 30th December, 1878? Yes, and there is this postscript added by Mr. Stephen: "I notice, since writing the above, that the papers were sent by me to the Survey Department, for information as to the points raised in the minute of 4th March, 1878, not with any view of re-submitting the decision of the Minister upon a purely Ministerial question." Mr. Hoskins sent the papers to me with this note upon them: "I wish the Deputy Surveyor General would please state how much of the travelling stock reserve has been absorbed by this portion." I wrote in reply 245 acres. That is an answer to his question. Then I go on to say: "The Secretary for Lands having referred to me for information, has given me an opportunity of seeing a minute of the Under Secretary to which I must object, and on which I would request a decision of the Minister. I would wish to know, for my guidance in future cases, whether, acting as I do for the Surveyor General, I am solely to answer queries of the Under Secretary (of Mr. Edwards, as in this case), or other clerks; and am not to express an opinion on the merits of a case, or to point out any practice that appears to me illegal or objectionable. And whether when a construction, not intended by me, is put in the Lands Department on a minute of mine, I am not to point out what was intended, and to prevent action being taken, as upon my recommendation when such is not the case. If it be the desire of the Minister that I should not express any opinion, or make any suggestions on papers that may be sent to me, I would suggest that such directions may be given to me through the Surveyor General, and I shall then in future make no recommendations, as matters of pure survey will be reported upon by the Surveyor General." I wrote that on the 10th of January instant; and upon that Mr. Hoskins wrote: "I am of opinion that it is desirable that the Deputy Surveyor General should, acting as he does for the Surveyor General, give his opinion on cases submitted to him, because from his great experience in such matters as well as his technical knowledge, his opinion ought to have great weight in enabling the Minister to arrive at a correct decision upon the very complicated matters which are frequently submitted to him, and being in most cases a non-professional man, the advice given by the Department of the Surveyor General must of necessity be of great value and assistance to the Minister. I am also of opinion that when land is withdrawn from sale, the authority to withdraw should be always given in writing by a minute signed or initialled by the Under Secretary, to be kept in the department as a record." The Minister then says that he wishes to know if 100 acres could be measured for Jenkins without injuring the reserve; and the Under Secretary writes this minute, which I hand to you. I do not care about burdening the evidence, but if you think it is of any weight it can be added to what I have said.

2254. Does this minute of Mr. Stephen finish up this matter? It does.

2255.

2255. The minute dated on the 11th of the present month? Yes.

2256. It seems to me very like an assertion by the Under Secretary of the position he took up at first? Yes, very nearly, I think; and if there should happen to be a change of Government the next Minister will find the question arising again.

R. D.
Fitzgerald,
Esq.

17 Jan., 1879.

2257. In point of fact, notwithstanding the decisions by Mr. Farnell and Mr. Hoskins, the Under Secretary appears to still hold to the position he originally took up in regard to this question? I think so.

2258. Perhaps you will read it? "In forwarding the above decision for the information of the Deputy Surveyor General, I would simply repeat what I have said to the Minister, that any complaint I ever made had no reference to matters (as the Deputy Surveyor General must know) in which 'experience and technical knowledge' is required, as stated by Mr. Hoskins. I shall have the opportunity of showing to the Minister, beyond dispute, the justice of my complaint as to matters in which the time of the draftsmen are taken up in writing minutes of no possible use to the department."

2259. That you take to be an assertion of the position he took up in Brown's case? I think that both the first minute to Mr. Hoskins and this are assertions of the same thing. It is for you to judge whether I have raised any issue in that matter that I should not have raised. The Under Secretary objects to my line of conduct, and it is upon this line of conduct that the issue is raised. I will now pass on to another case. A Mr. Smith on one occasion came to me and stated his desire to obtain land on the mountains near Penrith. He said that he proposed to apply for a special lease for a quarry. I asked him where the land for a quarry was situated, and he told me. I told him that I thought he could not possibly expect to obtain a special lease for a quarry for Penrith on the top of a mountain, as there was plenty of stone much nearer at the bottom of the mountain. It was evident that the object stated as that for which the lease was required was not the real object. He then said that he would try in some other way, and he left me. In a day or two afterwards he applied through Mr. Pretious as officer in charge of Crown lands for a lease for the cultivation of silk.

2260. What is the date of Mr. Smith's application through Mr. Pretious? June 12, 1874. Some land was measured for auction on the mountains in 1875, and Mr. Smith claimed this land or some of it as being in his lease, and under these circumstances I wrote this minute: "It is recommended that rather than make any attempt at a survey—(there were great difficulties about the description of Mr. Smith's lease)—steps should be taken for its cancellation both on the grounds of inconsistent description and want of *bona-fides* as to the purpose for which the lease was obtained. That inconsistencies in a description should be taken advantage of by the Government for the cancellation of a lease is not a course that could be generally recommended; but where a lease has been granted to the public detriment and upon false grounds, such inconsistencies should I think be made the most of in the public interests. If this suggestion be adopted, so much of the land claimed by Mr. Smith, as is deemed necessary for public recreation should I think be dedicated for that purpose; and the remainder if any be subdivided in small lots and sold at public auction." The land was at Springwood. Mr. Garrett wrote this minute:—"This lease was granted by my predecessor, for that reason, inasmuch as the honor of the Crown has been thereby pledged,—and there is no proof before me of the want of *bona-fides* on the part of the lessee, I cannot see my way clear to take the very unusual course of cancelling the lease he holds. By a recent communication handed to me by the lessee, and which I handed on Monday last to the Deputy Surveyor General, with a sketch, it appears Smith is willing to accept his area exclusive of the portions sold to Reading. Under these circumstances the survey, as I have already directed, should be proceeded with, and the *bona-fides* of the lessee remain to be exhibited by his action when he is put into possession of his land within properly defined boundaries." That survey of the lease enabled the case to go on with hardly any reference to the Survey Office. It was referred to the Survey Office, but it was referred with just an urgent note to a draftsman to prepare the schedule, and he prepared it without submitting it to me. Being surveyed as a lease, it did not require any survey afterwards, and so it went on. It was only by accident that I found it was actually before the Executive Council for sale to Mr. Smith; and as Mr. Garrett had directed that the merits of the case should be brought forward at some stage, and as I did not believe at all in the *bona-fides* of the case, I thought it my duty to go to Mr. Farnell, and point out to him that the land in right of this lease was on the point of being sold. Mr. Farnell on that recommendation of mine withdrew the papers from the Executive Council, and desired me to report upon them. I wanted some information for the report, and consequently had to lend the papers to Mr. Thompson. I frequently asked for the papers from Mr. Thompson in order to make my report, and he told me from time to time that he could not give them to me.

2261. You refer to Mr. Lindsay Thompson? Yes; at length he told me that the papers were with the Under Secretary, and that he would not let me have them. I then went to the Under Secretary and asked him for them. He told me that the Minister had no right to give them to me, and he said that he would not give them. He said that it was only ministerial action that was required, and that I had no right to get the papers. I told the Minister what the Under Secretary said, as I now tell you, and Mr. Farnell directed that I should get the papers to report upon, and I did report upon them.

2262. What was the date of that direction? The Under Secretary wrote on the 15th July, 1878. The Under Secretary says: "The enclosed papers were withdrawn from the Executive Council for further consideration before final confirmation of the sale to Mr. T. Smith, in virtue of improvements. It will be seen that the granting of the special lease to Smith was originally approved by the present Minister for Lands, and that the application to purchase was directed to go on by Mr. Garrett. The Deputy Surveyor General having recently inspected the land and the improvements, the Minister has desired me to refer the papers to him for any observations he may have to make with regard to the same before deciding what course should be pursued." I wrote this: "I have no hesitation in recommending that the sale should not be carried out. It is obvious that there are no *bona-fides* in the case. Within a few days Mr. Smith altered his intention of applying for a lease from me for a quarry to one for the culture of silk. Mr. Smith has held the lease at a rent of £1 for nearly five years, and the only progress made in that time towards the production of silk is the erection of some fencing and the recent planting of a few apple trees and mulberry cuttings which I have no doubt would be found to be no bar to the immediate subdivision of the land into villa sites for sale, should it be granted to Mr. Smith. The so-called improvements I consider to be of no value, and that set upon the land to be grossly under estimated, being only 1s. above the lowest upset price per acre of ordinary country land. Judiciously subdivided it would fetch from £20 to £30 per acre."

2263. And the valuation was what? £1 6s., the upset price being 25s. There is then a long minute by the

R. D.
Fitzgerald,
Esq.
17 Jan., 1879.

the Under Secretary upon which the sale was finally carried out. That minute goes in great part to show that steps had gone too far for the Government to draw back. But I need not go further with that case than I have done for I have brought out the points I wanted, and those are,—first, the unwillingness of the Under Secretary that I or the Survey Department should give any opinion on such cases; and second, the evil which arises from cases being brought under submission to the Minister without all the facts. I have no hesitation in saying that if Mr. Farnell had known in time what I knew he would have cancelled the lease, and the sale would certainly not have been carried out. In consequence of the way in which this case has been carried through I estimate that there has been a loss to the Crown of £2,000.

2264. What is the area? 100 acres, and it is worth from £20 to £30 an acre if judiciously subdivided.

2265. And it was sold for 26s. per acre? The deed has not yet been issued, but it is being pressed for daily, and has all but issued.

2266. And you attribute the loss to what? To the way in which the case has been carried through the office, without the Minister at any time having an opportunity of knowing the nature of the case.

2267. This particular case was carried through, notwithstanding you brought it under the notice of the Minister, and he decided that it should be inquired into at some future time? Yes.

2268. And it is virtually an abuse of the intention of the Act? I think so. Mr. Smith has not a caterpillar in the world; he does not own a caterpillar; and if he did, I am sure he is not going to feed them on the suckers of apple-trees. I may pass on to another case: It is a case in which the Under Secretary saw the Minister for Lands and informed him that there was a number of free-selectors who had inadvertently selected land on portions that were measured for the lessee of the run, and that in consequence they would be deprived of all pre-emptive right. Upon those representations the Minister decided that the refund of their money should be granted as requested. To show that I state the reasons correctly, I will quote this memorandum written by the Under Secretary. His representations appear to have been made verbally to the Minister, and there is no other record:—"It has been represented that the conditional purchasers, whose applications are enclosed, as also W. Badham and Robert Simpson, who previously selected lots 13 and 14, have selected, by mistake, in the midst of surveyed blocks, for sale on the 26th instant, which will debar them from obtaining their pre-leases. They desire to select elsewhere, and are willing, it is alleged, to make written statements on applications to that effect to the land agent. The Minister for Lands has approved of this, and a telegram should be at once sent to the land agent as follows:—'With reference to conditional purchases made on 26th June and 11th September by (specify names), it is represented that they have been made in error in midst of surveyed blocks for sale on 26th instant. Minister approves of their being cancelled, and fresh selections being made, if the applicants state in writing their concurrence. The lots can then go on for auction sale as advertised.'"

2269. *Mr. Ranken.*] How can we identify that case? That minute was written by the Under Secretary on the 24th September, and was on paper 73-15997—"alienation." All the applications are here.

2270. *President.*] Will you tell us what they are? They are conditional purchase applications by Charles Goverd, John Blackwood, Frank McKenzie, John Smith, Robert Simpson, and William Badham; and they were all made by D. Aitken, who is the superintendent for the Deniliquin Run.

2271. And this land was on the Deniliquin Run? It was.

2272. Who is the lessee? The Messrs. Landale. I may here point out that they applied for the lots as measured portions, and that their agent in Sydney was Mr. Raymond. Under all the circumstances I do not think that the Under Secretary could possibly be ignorant of the fact that they were dummies, and that the money was being returned to the Messrs. Landale. This was the first case of the same kind which the Under Secretary submitted to Mr. Farnell in the same way.

2273. For the same lessees? No; in one case the lessees were Messrs. Shanahan and Jennings. It was upon the second set of applications being submitted to the Minister that he thought there was something wrong, and he wrote a minute which I will read to you.

2274. Do I understand you to say that Mr. Aitken was the agent for the Messrs. Landale, and that he was also the agent for the selectors in making their applications? Yes.

2275. *Mr. Ranken.*] The applications appear to be signed by D. Aitken, as the agent for the applicants? Yes.

2276. *President.*] They took up land which had been surveyed? Yes.

2277. They had no claim for compensation in any way? No.

2278. They simply looked to get the refund of their deposits? Yes; when the auction sale was imminent they applied for the refund of the money used in making the applications, under which applications the land was covered by false conditional purchases up to the day of sale. If, as I suppose, the men were dummies for their employers, and if their names were used with their knowledge, the lessees would get back all the money again. Mr. Raymond wrote:—"Seven men who selected measured portions of land advertised for sale on the 26th instant at Deniliquin, being lots noted in the margin, assert that they did so by gross mistake, the land being unsuitable for the purpose intended, and being in the centre of a surveyed block they cannot obtain any pre-lease land. They desire now to relinquish these selections and take up others elsewhere on the deposit paid, and are willing to make written statement to the land agent to the above effect. I am therefore to ask that a telegram may be sent to the land agent, instructing him that these men are to be allowed to make other conditional purchases, and that he is to submit the lots to auction as advertised." That letter was not put before the Minister.

2279. Was any decision arrived at in the case without the Minister having seen it? Yes; the Minister directed the refund.

2280. Is there anything to show that Mr. Aitken was connected with Messrs. Landale? No; but I believe that he is the Superintendent of Deniliquin Station.

2281. They asked to be allowed to select again, and to use these deposits in taking up fresh selections? Yes.

2282. Is there anything very unusual in that—has it not been done before? Never before to my knowledge. Money is never returned to conditional purchasers unless there are legal grounds for it.

2283. Have you heard of Fisher's case? I have, but I do not think I ever officially dealt with it. There is a second case in which this was done in these papers.

2284. Have you given us the decision of the Minister in the case already referred to? It never came before the Minister except as a conversation with the Under Secretary.

2285. Is there any record to show that the Minister sanctioned the refund? I do not think there is. If I read Mr. Farnell's minute on a subsequent paper you will see exactly how the matter stands. Mr.

Farnell

R. D.
Fitzgerald,
Esq.
17 Jan., 1879.

Farnell wrote this on a minute by the Chief Commissioner, in which he goes thoroughly into the case:—
“With the facts of this case now before me, I must say that I concur generally with this report, and had I known these facts at the time that application was made to withdraw the selections, and had I known the parties who were principals and agent in this transaction, namely, Messrs. Landale and Raymond, I would most certainly not have assented to the withdrawal of the selections. It must be borne in mind that I dealt with this matter solely upon a verbal statement of the case, and as coming from the selectors themselves. It is now obvious from the facts disclosed that the selections were taken up by the respective selectors ostensibly for themselves, but in reality for the Messrs. Landale; and that the department was misled and deceived by the selectors or their agent, in order that the land selected might be offered at auction, and that the Messrs. Landale might be afforded an opportunity of bidding for it.” Here is a similar case, in which Messrs. Shanahan and Jennings’ names occur. With respect to it Mr. Farnell wrote this minute: “The same remarks apply to a considerable extent to this case. When Mr. Fitzpatrick called upon me, I believe he stated that several lots of land applied to be brought to auction sale, and which had been measured on Mr. Jennings’ application, had been selected, and that the selectors were desirous of withdrawing their selections, they having selected them in error. I think I then said, ‘the thing has been done already,’ being at that time under the impression that it was the same case. The following day my suspicions were aroused; and upon further inquiry I found that we had been imposed upon, but too late to take action to prevent the sale by auction going on.”

2286. That you say was Mr. Farnell’s minute? Yes; in one of the cases, I think, he made the conditional purchasers adhere to their bargain; but it was too late in the other. The land had already been sold by auction.

2287. To what do you attribute that improper administration of the law? I attribute it to the agent being Mr. Raymond, and to the influence which he has over the Under Secretary, which influence induced the Under Secretary to put that case to the Minister, leaving him in ignorance of the fact that Mr. Raymond and the Messrs. Landale were parties to it; and that it was not, as the Minister supposed it to be, a *bonâ fide* application to the Minister in the interest solely of some poor selectors who had made a mistake.

2288. The Under Secretary obtained that decision from the Minister without informing him fully of the facts? He obtained it contrary to the facts.

2289. By misleading him? The Minister was decidedly misled. The Under Secretary had plenty of information to show what were the facts. The fact that the applications were for portions as measured, must show that Mr. Raymond’s statement could not be true—I mean the statement that they took up the land in ignorance that it was measured. Then, again, by looking at the applications he could have seen that they were all made out under the agency of one person, who, I believe, is the superintendent of the run. With all these circumstances combined, it was impossible that the Under Secretary could not but know that he was getting money back for the Messrs. Landale.

2290. If he had looked at the applications he would have seen that Mr. Raymond’s statement was not correct? He would have seen that it was not true. It was a most unusual thing to go before the Minister with a verbal statement of that kind, in place of producing the papers and letting the Minister see with whom he was dealing. The Minister believed, as he said in his minute, that the application came from the poor selectors themselves.

2291. Is there anything to show when the auction sale took place? The whole thing is gone into in the report of the Commissioner, which you will find among the papers.

2292. Mr. Moriarty’s minute deals fully with the whole matter? Yes.

2293. Is there anything to show when Landale’s land was sold at auction? I think so.

2294. Was the same reason put forward in the other case as in Landale’s case? The same reasons; so much so that Mr. Farnell thought at first that he was dealing with the same case.

2295. The applications show that the selections were for measured portions, the numbers of the lots being given? Yes. The Under Secretary says in his letter from Mr. Fitzpatrick: “Conditional purchases to be at once cancelled, and necessary notation made in register, &c. Deeds to issue now to Messrs. Shanahan and Jennings.” And the Minister also writes in this paper, “There appears to me to be no other legal course than to allow the auction sales to stand in both Jennings’ and Landale’s purchases.” There are several other important memoranda in this paper by Mr. Farnell. In one place he says:—“I was under the impression that we were dealing with *bonâ fide* selectors who desired to withdraw their selections; but subsequent facts have shown that they were acting in the matter in order to allow Messrs. Landale and Jennings an opportunity of bidding for the land at auction. At this interview I was not aware that there were two sets of cases, but thought that it was one and the same case. I cannot hold myself responsible for conversations at personal interviews.” These are Mr. Farnell’s notes, written on a letter of Mr. Fitzpatrick’s, in the interest of Shanahan and Jennings. In another place the Minister says, “No representation was made to me by that gentleman or his agent, neither did I know that they had anything to do with the matter until after the transaction was complete.”

2296. Whom does he refer to there? Mr. Jennings. He saw nobody in these transactions.

2297. Mr. Farnell did not? No.

2298. Then, as I understand it, the auction sales were allowed to stand? Yes.

2299. Was the refund made in both cases? I believe in each case the land was sold and the refund made.

Witness: I have no desire to proceed further with these cases, if the Commissioners think I have made good my position; but before I have done with this matter I wish that the Surveyor General may be called, and that I may be allowed to ask him a few questions.

President: That would be a very inconvenient course of procedure, and I am afraid we cannot allow it?

Witness: Then I request that the Surveyor General may be called, and that you will put certain questions to him which if there be no objection the shorthand-writer can now take down.

President: We see no objection to that.

Witness: I shall be glad if you will ask Mr. Adams these questions:—

“Did the Under Secretary write to some of your surveyors in cases in which friends of his were interested?”

In the event of that question being answered in the affirmative, I request that you will ask further:—

“Did you require him to apologise for having done so?”

“Did he apologise?”

“Did

R. D.
Fitzgerald,
Esq.
17 Jan., 1879.

- "Did he again write to the surveyors?
"Did he again apologise upon your threatening to bring the matter before the Minister?
"Did you keep those papers as a protection?
"Did you at any time send for any of the draftsmen, and tell them that in any case where Mr. Stephen, the Under Secretary, took an interest, they were to be particularly careful, or that they would be led into difficulties?"

MONDAY, 20 JANUARY, 1879.

Present:—

MR. ABBOTT,

MR. RANKEN.

R. P. ABBOTT, ESQ., PRESIDENT, IN THE CHAIR.

R. D. Fitzgerald, Esq., was called in and further examined:—

R. D.
Fitzgerald,
Esq.
20 Jan., 1879.

*Witness:—*When I was last examined there was a paper from the Council of Education which I could not produce. Search had been made for it, and it could not be found. To-day I learn that it is with the Under Secretary, and he declines to give it me. He says that it is a Ministerial paper, and that if you want it you must ask for it.

2300. What do you say was the paper? A letter from the Council of Education, in which they said the method of dealing with their cases by granting their applications conditionally was useless.

2301. Is the Under Secretary aware that you wish to produce the paper to the Commission? Yes, I told Mr. Thompson. To-day, when Mr. Thompson was in the Under Secretary's room, I sent a messenger in to him for it. While I waited outside I heard the Under Secretary say, "It is a Ministerial paper, and I will not entrust it to him. If the Commission want it they must ask for it, and I will put it in writing if he likes."

2302. Did he send you that answer by the messenger? Yes.

2303. And Mr. Thompson was there at the time? He may have gone downstairs, but I think he was in the room.

2304. *Mr. Ranken.* Did you apply at the Records Branch for the papers? I applied to Mr. Thompson, who has charge of the Miscellaneous Branch.

2305. *President.* And when you were here last you wrote for it? Yes. They could not find it then, but Mr. Thompson has told me since that it had been found in one of the pigeon-holes, and that how it got there they could not tell. He took it to the Under Secretary, and he told me that it was with the Under Secretary. I asked him to get it for me, and I waited at the office to-day until I thought I should be late. While waiting I heard the Under Secretary say that he would not give it to me; that it was a Ministerial paper, and he would keep it; that if the Commission wanted it they could send for it; and that he would put it in writing if I liked. The messenger was going to give me the message, but as I had heard what Mr. Stephen had said I said it was not necessary for him to tell me as I had heard the Under Secretary. [*Written application was here made by the President to the Minister for Lands for the papers.*] When the Mining Department was established in 1875 it was proposed that an increase should be made to my salary for the new appointment of chief mining surveyor. It was then determined that I should not receive that increase of salary on the ground that it would be a cumulative one. I mentioned to Mr. Farnell that I thought it was hardly fair that my duties should be increased without any increase of salary, and mentioned to him that I had had charge of the Church and School estate for five years without any salary. Mr. Farnell then said that I ought to apply for a salary. I am inclined to think that Mr. Abbott was present at the time. However that may be, the Minister for Lands directed me to apply for a salary for the work I did in connection with the Church and School Estate. I did apply, and I got a salary of £100 a year. Some time after that, when Mr. Garrett was Minister, Mr. Pretious applied for a salary out of the Church and School estate. I was not aware until some considerable time afterwards that he was in receipt of a salary from the estate. I did not think he ought to have received it, because he did nothing for it, except to send a few instructions to the Crown bailiffs, and to issue I think about thirty timber licenses; but as the matter was never referred to me, and was done without my knowledge, I did not think it was my province to interfere. The fact was never communicated to me in any way. Shortly after that the Under Secretary also applied for a salary from the Church and School estate.

2306. This was after a salary had been granted to you? Yes.

2307. And to Mr. Pretious? Yes; the Governor refused Mr. Stephen's application, and he added that he did not think that any officer who was in receipt of a salary voted by Parliament should receive any addition to that salary without Parliament being made aware of it. He also asked for a report relative to the future management of the estate. The Under Secretary maintained his right to be paid a salary from the Church and School estate, and he sent in some two or three cases on which he had written minutes, and also a further recommendation from the Minister in support of his claim.

2308. A recommendation of his own application? Yes; the Governor still declined to give him any salary. I may here mention that during the five or six years that I had charge of the estate I do not think the Under Secretary made a dozen suggestions or took action in a dozen cases, more than to simply submit my minutes to the Minister, and to sign the letters which were written by the two clerks in the office on those minutes; as I mentioned, Mr. Garrett wrote a further recommendation in support of the Under Secretary's claim. Subsequently Mr. Garrett withdrew his recommendation, and upon that the Governor wrote:—"I entirely concur in the view now taken by the Minister for Lands upon this subject. The Minister will be good enough to suggest what he would consider a reasonable notice of withdrawal to be given to the three officers named in the last paragraph. Perhaps three months would be sufficient." A re-adjustment of the Church and School estate was gone into, and the Minister wrote thus:—"Refer to the Deputy Surveyor General for any remarks which he may wish to make upon the proposed re-arrangements, and also as to the recent change as it affects himself." Until this time I knew nothing at all about this correspondence. My salary had been stopped without my knowledge, and I had not received any notice whatever. I then wrote this upon that paper:—"During this long correspondence (seriously affecting

affecting my position not only as regards future payment but the propriety of my ever having received any) no reference of these papers has ever been made to me, though in charge of the Church and School estate, and no notice has been given me of the intention to discontinue my salary. Under such circumstances no course appears to be open to me but to resign my connection with the estate, and I have accordingly now the honor of resigning all control into the hands of the Minister for Lands. Mr. Brownrigg, the draftsman to the estate, then took the case to the Minister, who became aware that he required my services; and he issued an order that I should resume the duties.

R. D.
Fitzgerald,
Esq.
20 Jan., 1879.

2309. Mr. Garrett issued an order? Yes; and he added that he would make inquiry into the whole case immediately. No action was taken, however, although the Surveyor General wrote twice at least, and I wrote once, drawing attention to the matter, and requesting a decision. And no report was given to the Governor, as he had required, until Mr. Farnell came into office, when I brought the matter before him.

2310. What date was that? That would be in 1878. Mr. Farnell made a recommendation to the Governor, who approved of the old system being re-established, and he gave me, the ranger, and the two clerks in the Lands Department a salary. I may mention that during the period the Lands Office clerks received a salary as usual, although they were in exactly the same category as myself, having salaries voted by Parliament.

2311. They received their salary without interruption? Yes; when it was decided that I was to receive pay I saw the Under Secretary, and he said that I had better withdraw a minute of mine, which I will read to you:—"As the Under Secretary objects to the control and direction of the clerks connected with the Lands Department being given to me as regards Church and School work, I would recommend that schedule B (which I only recommended in order not to deprive the clerks referred to of their pay) be set aside, and schedule C be adopted, on which there is a saving of £130, and which provides for clerical assistance outside the Lands Department, or that the charge of the estate be given to some one else other than myself." He suggested that I should withdraw this minute, and I said, "I cannot do it; I would not consent to withdraw any paper I have once written. This paper was written for the Governor, and submitted to the Governor, and I could not possibly think of withdrawing it." The Under Secretary said, "It never was submitted to the Governor." I said, "How is that—do you mean to say that that minute never was submitted to the Governor?" He said, "No, it was not. Mr. Farnell thought it was an inconvenient minute, and he directed me not to submit it."

2312. Were the other papers submitted without reference to that—the papers which were written after that? Yes. I took the first opportunity of asking Mr. Farnell if he had given instructions that my minute should be withdrawn from the papers when they were sent to the Governor, and he said that he never gave any such instructions at any time. From these papers you will observe that the original application by the Under Secretary for salary has been withdrawn or taken away, and the Under Secretary says that it was with the permission of Mr. Garrett.

2313. Did Mr. Stephen acknowledge that he withdrew it? Yes. Mr. Garrett's minute is also gone, and the Governor's minute, which was I believe written on Mr. Garrett's, is not there. The Under Secretary says that that minute never existed, but I have a perfect recollection of it, and so has Mr. Brownrigg. You will notice from the wording of my resignation that it is based on such a minute, or otherwise it is based upon nothing. The Minister's direction, absolute direction, that I should resume charge is gone, and my reply to it is also gone.

2314. You have seen the Minister's direction? Yes; it was on that that I wrote. The Minister for Lands directed me to resume charge; and I said that I would as he had directed me to do so, but that I hoped there would be an investigation into the case as soon as possible. All those papers are gone. I also said that I would take no salary till the Governor had decided the case.

2315. When did these papers come last into your possession? For the Commission.

2316. How long was it before that you had seen them when you remember that these missing documents were with them? I cannot say. I saw them from time to time.

2317. When you got these papers to bring here, was that the first time you knew that these documents were missing? No; I knew they were gone before that.

2318. Were you aware of that from your own inspection of the documents? Yes.

2319. They had been in your hands previously? Yes. I found they were gone. After the Under Secretary wanted me to withdraw a minute from them, I looked as to how much remained. I found that all these papers were gone. The Under Secretary stated that, as far as his own application was concerned, he had withdrawn it with the Minister's permission.

2320. And you found that everything having reference to that or consequent upon it was gone? Yes, and the Governor's remarks on Mr. Stephen's application, written on Mr. Garrett's original recommendation, were gone.

2321. Did you speak to Mr. Stephen, or to any one else about the loss of these papers? I think I pointed it out to Mr. Brownrigg.

2322. You made no complaint to Mr. Stephen? No; I told him, and he said he took his own application by permission.

2323. *Mr. Ranken.*] If the papers are in existence they ought to be with these papers? Yes.

2324. *President.*] Do you still hold the same position with regard to the Church and School estate? I do.

2325. What are your duties in connection with it? I have the management of the estate altogether. I make all recommendations as to what rates shall be adopted, what land shall go on, what land shall be kept back, terms of leases, &c. The whole administration of the estate rests with me, through the draftsman, Mr. Brownrigg.

2326. What had Mr. Stephen to do with it? He submitted my recommendations to the Minister. There are a few cases in which he acted, but they are, I think, almost entirely such cases as I can show you a sample of in the case of Mr. Bowman, which I have here—cases where some one wished him to act.

2327. If you had complete control, what necessity was there for Mr. Stephen to act? He lies between me and the Minister in all transactions; but he has done nothing else than submit the cases, except in a very few instances. He has put one of those instances in these papers, in which he made remarks on suggestions of mine.

2328. What were the duties for which Mr. Pretious was paid? He issued a few instructions to the Crown bailiff to turn trespassers off the estate. They had to go through him, as the Crown bailiff was under him.

2329. And for carrying out your directions he required payment? Yes.

2330.

R. D.
Fitzgerald,
Esq.
20 Jan., 1879.

2330. *Mr. Ranken.*] He received £100 a year? Yes.

2331. *President.*] Which was all you got? Yes; all these proposals about re-arrangement were carried on without my knowledge.

2332. Although [the whole management of the estate was vested in your hands? Yes; and I was a year and a half without any pay in consequence.

2333. *Mr. Ranken.*] You did the duties during that year and a half? Yes.

2334. *President.*] In fact the management remained continuously in your hands? Yes, with the exception of a short time between my resignation and the direction of Mr. Garrett that I should resume charge. I have here Mr. Garrett's minute, in which he concurs with the Governor in discontinuing payment.

2335. What is the date of it? The 24th December, 1875. It is as follows:—"Memo.: Allowance to the Under Secretary for Lands in connection with the Church and School lands." With reference to the application for the above extra allowance forwarded to the Governor, endorsed with my approval, upon further consideration I desire to withdraw the same. I am induced to take this course by reason of the consideration which has struck me since the approval referred to was given that these lands are (excepting that they are not open to conditional purchase, and the money received from them is not conveyed to the Consolidated Revenue Fund) dealt with in the same way as ordinary Crown lands. Therefore, officers of the Crown Lands Department are not entitled to claim payment for services rendered in connection with them as special services, or services rendered outside their ordinary or proper sphere of duty, and for which their respective salaries are allowed to them. This reason might, I may suggest, guide the action of the Governor as trustee of the funds derived from these lands with reference to the allowances made to other officers of the Lands Department. Should His Excellency take this view I might be allowed further to suggest that reasonable notice should be given to the officers drawing such allowances of the intention to withdraw them." That was the minute upon which His Excellency's concurrence was written, and, as I mentioned before, I found that my salary was discontinued, but I never got any notice of the intention to withdraw it.

2336. It was withdrawn, and you were not informed? Yes.

2337. You continued to do the duty for eighteen months? But I resigned when the papers were sent to me for the first time on the 6th of July, 1876.

2338. That was the first time you heard of this action? Yes.

2339. Who were the two clerks of whom you spoke as having been paid? Mr. Edwards and Mr. Brown.

2340. They have received their salaries all along? They have.

2341. During the time you were not paid? Yes; they were never included by the Under Secretary in his minutes.

2342. *Mr. Ranken.*] The duties were done by you as formerly? Yes.

2343. *President.*] So that you had all the responsibility without pay? Yes.

2344. Did not the same objection to paying them a salary exist in their case as in yours, inasmuch as they were in the receipt of a salary voted by Parliament? Exactly the same.

2345. They have acted under your instructions with regard to these Church and School lands? They act as officers of the Under Secretary, but they act upon my minutes. The suggestion that I made in that schedule was that we should have one clerk for the Church and School lands estate, and so do the thing from beginning to end. I believe that arrangement would have saved a great deal of time, and it would have saved £130 a year.

2346. Did you make that suggestion officially? Yes; that was the suggestion to which I have referred as having been taken out of the papers.

2347. *Mr. Ranken.*] When did Mr. Pretious's remuneration cease? When mine did. He received notice, and the ranger received notice, but I did not.

2348. *President.*] That was immediately after the application of the Under Secretary? Yes.

2349. You then suggested that there should be one clerk appointed specially to perform these duties, and it has disappeared? No; it has not disappeared, but that was the recommendation which the Under Secretary wanted me to withdraw, and which he told me had never gone to the Governor. It was an alternative view of managing the estate, but it did not go to the Governor at all.

2350. You thought it would have saved £130 a year? Yes, and that it would have been very much better than the present system.

2351. It would place one clerk under your control? One clerk and one draftsman. The public would be instantly informed with regard to their business, instead of the delay which results from the work going into the general business of the office.

2352. That plan was suggested by you to the Governor, as trustee of the estate, and it never reached him? Yes, and it never reached him. I have brought with me some Church and School lands cases, which I may refer to. The first is a case in which Mr. Alexander Bowman made an application to have a road sold to him, as an unnecessary road, under the 10th clause of the Act.

2353. *President.*] What is the date of that application? December 11, 1876. It was recommended that the application be refused on this minute: "It is considered that the provisions of the 10th section do not properly apply to the roads herein applied for. It is therefore recommended that the application be not entertained."

2354. Whose minute is that? Mine.

2355. Where was this road? It was a road running down to the Hunter River, between purchased land belonging to Mr. Bowman. Mr. Bowman wrote into the office remonstrating against this refusal; and the Under Secretary then wrote this minute upon his letter: "The application of Mr. Bowman has been dealt with so far as under the 10th clause, which appears to be a mistake, as the land is Church and School. Mr. Bowman states that he has become the owner of all the allotments to which the two roads he applies for were intended to afford access, and I see no objection to the land embraced by them being put up to auction to give him the opportunity of securing it. As bearing upon the latter question, see enclosed opinion of the Crown Solicitor, of December 8th, 1873." That was not submitted to the Minister, but it was sent to Mr. Edwards to send on to auction, which is quite an unusual course to take, especially with Church and School lands. Mr. Brownrigg happened to see the papers in Mr. Edwards' room. He drew attention to the matter, and it was stopped by this note: "Action in this case has been delayed, pending decision as to the management of the Church and School estate. It is now recommended, in accordance with the Crown Law Officer's opinion, that Mr. Bowman's application be not entertained. Part of one of the roads applied for affords access to portion 15, sold to Mr. W. B. Christian." 2356.

R. D.
Fitzgerald,
Esq.
20 Jan., 1879.

2356. Whose memorandum is that? Mine to the Minister. The Under Secretary in his minute says that the application by Mr. Bowman was dealt with under the 10th clause of the Act by mistake, when, on the contrary, the 10th clause was said not to apply to it. It was dealt with under an opinion of the Crown Law Officers that we could not sell roads which had been dedicated in a subdivision of the Church and School estate; it being a private estate, the 10th clause of the Act consequently did not apply to it.

2357. *Mr. Ranken.*] The roads were surveyed on the estate? Yes; and they were dedicated. The Church and School lands are not Crown lands, and therefore the Crown Lands Act does not apply. The Crown Solicitor said it was possible that such roads might be sold by the consent of all the parties who had bought under the plan, but then even in that case he was doubtful of the legality of the course.

2358. It appears that Mr. Bowman has not bought all the land? No. Another point to which I refer in this minute, to which I wish to draw attention, is that the Under Secretary quotes, as supporting his action, the very opinion of the Crown Law Officers, which says that it could not be done.

2359. *President.*] Is that opinion with the papers? Yes. Then no reference was made to the Minister but the papers were sent direct to Mr. Edwards, and it would have been sent on to sale by Mr. Edwards without my knowledge—although I have charge of the estate—if it had not been that the draftsman to the estate saw the papers in Mr. Edwards's office.

2360. And all that action was based on an opinion which was contrary to the view which Mr. Stephen wished it to establish? Directly contrary.

2361. Is that opinion there? Yes. We submitted a case for the opinion of the Crown Law Officers. That case was submitted in the following memorandum:—"It is recommended that the following be submitted to the Crown Law Officers for their opinion thereon:—Firstly: Whether the Crown can sell any roads shown in a plan of subdivision of Church and School estate, the allotments of which have been bought at auction in accordance with such plan publicly exhibited? Secondly: Whether the consent of purchasers of allotments in the subdivision must be obtained to the alienation of such road or roads? Thirdly: Whether it is necessary to obtain the consent of all the purchasers of allotments in the subdivision?" The Crown Law Officer replied:—"I have the honor to return minute paper No. 3004, and, in reply to the questions thereby submitted, to state—First: That the Crown has no legal right to sell any roads shown on a plan of subdivision of the Church and School estates, the allotments in which have been bought at auction in accordance with such plan publicly exhibited. The effect of selling by a plan showing a subdivision of the roads separating the allotments is to give to the buyers of such allotments a right-of-way over the roads so shown. This right is clearly one of the inducements to persons to purchase the lands so offered for sale. Second: It follows, therefore, that the consent of purchasers of allotments in the subdivision must be obtained to the alienation or closing of such road or roads, and that it is necessary to obtain the consent of all the purchasers of allotments in the subdivision. Strictly speaking, the fee-simple of the land over which the roads pass may be sold; but as such sale will not bar the right of the purchasers of the allotments at sales upon the subdivision to use the land shown in the plan as roads, a sale of the land so shown as roads would not pass any beneficial interest to the purchaser; and it may therefore be considered that practically such lands cannot be sold." It will be seen that the case for opinion was noted by the department of the Under Secretary to the Crown Solicitor, and that when the Crown Solicitor's opinion was received it was noted to the Surveyor General, and that may be taken as an illustration of the amount and kind of action taken by the Under Secretary in regard to Church and School lands cases, excepting where, as in this case of Mr. Bowman's, he takes extraordinary action, and extremely incorrect action from beginning to end, based on an opinion which is at variance to it. On the Crown Solicitor's opinion I wrote this minute: "This is understood to be an opinion to the effect that roads forming part of the Crown subdivision of Church and School estate cannot be alienated, and action will be taken consistent with this opinion if approved of by the Honorable the Minister for Lands." I wrote that because this opinion was sent to me direct without its having been shown to the Minister, and I wanted the Minister's approval of the Crown Solicitor's opinion and action upon it.

2362. Who sent to you? It came back to me through Mr. Rich. I required that the Minister should have seen it and agreed to it before I took action upon it. The Minister wrote: "Approved;" and then Mr. Rich noted it: "Surveyor General." That was all the action they had to take in the case.

2363. All these opinions are actually taken for the guidance of the Minister? Yes. Mr. Bowman wrote to the department again on the 11th July, 1878, and upon his letter the Under Secretary wrote: "Mr. Bowman disputes the statement that the road or one of the roads applied for by him affords access to portion 15, and as this is the ground upon which his application was recommended for refusal, he suggests that the matter may be further considered." Now it was not based upon any such reason but upon the illegality of the sale of roads in the Church and School estate at all. And at the same time it may be pointed out that this statement is not correct. This is Mr. Bowman's original application in which the road is shown, and I think it is plain that it shows access to portion 15 as applied for; but in the tracing sent in at the later date he leaves so much of the road as shows—includes access to 15 out.

2364. Both these tracings are Mr. Bowman's? Yes; Mr. Christian still retains his right to object to the sale. I point your attention to these plans to show that there is a further error in Mr. Stephen's last statement. He says distinctly that he never applied for portion of the road giving access to Mr. Christian's lot 15, but there is the original tracing showing that he did apply for it.

2365. *Mr. Ranken.*] The roads he applied for are marked red? Yes; we did not go into the merits of the application at all, because it was clear that we could not sell the land. However, on Mr. Stephen's last minute, which I have read, the Minister approved of the matter being reconsidered, and nothing further has been done in it.

2366. It remains in abeyance now? It does. I drew attention to this last minute as it re-opens the case, but still upon false grounds.

2367. The opinion which the Under Secretary cites in support of his view goes directly against his interpretation? Yes. He says: "See enclosed opinion of Crown Solicitor," and that opinion is against him. I have here another Church and School lands case. A sale of leases in the Church and School lands estate was about to take place at Gloucester, when some of the tenants waited upon Sir John Robertson, and he wrote this minute on their application: "The application appears reasonable, and is only intended to relate to land now under maize or potatoes. The matter must have immediate attention. I am under the impression that His Excellency the Governor should be asked to assent to the condition. Have an official

R. D.
Fitzgerald,
Esq.
20 Jan., 1879.

official letter written intimating that the lease will be sold during January, 1877." This was a condition giving them permission to remove crops after the sale of the leases.

2368. *President.*] How were they in possession? They were the outgoing tenants. Mr. Brownrigg saw these papers in Mr. Brown's room, Mr. Brown being one of the clerks I have referred to.

2369. Mr. Brown is in charge of the Lease Branch? Yes. The Under Secretary had written this note on the paper: "Mr. Brown, speak to me. Perhaps the best plan will be to withdraw the lots altogether for a time." Mr. Brown spoke to me about this and told me that in place of carrying out the Minister's decision, that special conditions should be put into the sale, the sale was going to be stopped altogether. I got the paper and went to the Under Secretary. I asked him if he really meant to withdraw the sale, although Sir John Robertson had directed that it should go on, only with special conditions. He said he did mean to do it. I said, "That will be a loss of £500 to the estate." He said, "The estate is rich enough; it can afford the loss of £500; what do I care?" I said, "Do you seriously intend to withdraw that sale?" And he said, "Yes."

2370. *Mr. Ranken.*] When was that? About the 11th January.

2371. *President.*] Was Sir John Robertson then Minister? I think he was acting as Minister for Lands at that time. I continued to remonstrate with Mr. Stephen, asking him not to withdraw it; but he said he would withdraw it, and so I had no other course open to me but to go to Sir John Robertson. I did go to him, and explained the case to him; and in a subsequent minute Sir John Robertson adopted my view of the case on my representation, and he directed that the sale should go on in accordance with his own minute, and he added:—"This paper should in the first place, I think, have come through the Under Secretary." As that was not very definite and no very great imputation on me in the matter, and as my object was gained by having the correct course taken, I took no further notice of it. The sale went on, and it proved exactly the truth of what I had said, that the estate would have lost £500 if it had not gone on. The difference between the rent the tenants would have paid for the six months would have amounted exactly to £500. We got over £1,000, and the rent before was £500.

2372. That was saved by your breaking through the departmental rule? Yes; and even more than that would have been lost to the estate, because one of the reasons why I pressed that the sale should go on was that there was a drought at the time, and there was good grass and water on this land at that time so that it had an exceptional value. By deferring the sale, rain would have fallen before the time it would take place, and we should have got less in consequence.

2373. *Mr. Ranken.*] How was the question of the outgoing tenants' crops disposed of? It was sold with conditions as the Minister had directed. The Under Secretary's direction was in contradiction to that of the Minister.

2374. *President.*] Can you account for the action of the Under Secretary in that matter? I cannot account for it unless somebody saw him.

2375. You do not know that any person connected with it saw him? I believe some of them waited upon him, but I do not wish to say more about it. I know they were in the office and saw the Minister, and had the Minister's decision explained to them by Mr. Brownrigg. He explained to them the Minister's decision, and it was only by accident that he saw the minute of the Under Secretary in Mr. Brown's room. His seeing them prevented the sale from being withdrawn.

2376. You cannot explain any motives for the Under Secretary's action in the matter? I do not know what his motives were. When I brought the matter before him, and pointed out that his intended action would result in a loss of £500 to the estate, he still told me that he would withdraw the sale. But for that there would have been no necessity for me to have gone to Sir John Robertson.

2377. You cannot understand what his reasons were? He may have promised somebody that he would withdraw the sale, but I cannot say.

2378. Withdrawing the sale would have been equivalent to the remission of so much rent to them? They would have continued in possession at the low rent. The rent was doubled by the sale.

2379. The lease had not terminated? It would have terminated before the day of sale; and if the sale had not taken place they would have had the lease for another six months at the low rent, the difference between the old and the new rental being £500. This land was exceptionally valuable, and I knew there would be great competition for it, because persons were sending their stock from other parts of the country to this place on the Barrington. The next case I have here is that of a Volunteer order selection, made by the New Zealand and Australian Land Co. (limited), through R. Garland, their agent. The surveyor made this report: "Herewith is returned an application as above. The land applied for is described as having its depth extending from the Downfall Creek in a westerly direction. The creek at this point runs nearly east and west, and therefore the depth of the portion should extend in a south direction. The Company's resident superintendent objects to the land being surveyed in any way but that applied for, and requested me to stay the survey in order to give him an opportunity of endeavouring to get the application cancelled. I understand that Mr. R. P. Raymond will communicate with the Under Secretary for Lands on this matter. Enclosed is a letter I have received from the applicants' superintendent."

2380. Who wrote that letter? Mr. Macpherson, the licensed surveyor. My minute upon it was this: "It is submitted whether application made under Volunteer land orders are to be declared void for errors of description, such as that reported by the surveyor, or survey be made in accordance with the regulations, and as far as possible in accordance with the description. The cancellation for such reasons would have the effect of enabling the holder of a Volunteer land order to bar land for a period to suit his own objects, and to put it into his power to adopt the same course with the same Volunteer land order from time to time." Upon that the Under Secretary wrote: "I see no reason why, in a case like this, the Volunteer land order selection should not be cancelled as requested. I do not think a general rule can be applied." To have measured the land proposed to be taken up under the Volunteer order in the way desired would have had this effect, that it would have alienated to the applicant the land on both sides of the creek along its length. The surveyor, however, said that he could not do that, and that he could only measure the land according to the regulations, which gives a proportionate amount of frontage to each block. In this case they wanted all frontage. When they required the application to be returned, I submitted that they should be compelled to take the land under the Volunteer order in the same way as regards measurement, as they would have to take it under conditional purchase. Although I gave a reason why the land should be measured according to the regulations, or for the non-cancelling of the Volunteer order, namely, that the order should not be made a means of blocking other land from settlement,

ment, the Under Secretary still wrote that he saw no reason why that Volunteer land order selection should not be cancelled. The Minister said, "The land should be measured in accordance with the description, provided that the measurement can be made in conformity with the practice and regulations of the Survey Department."

R. D.
Fitzgerald,
Esq.

20 Jan., 1879.

2381. How was that dealt with finally? The surveyor has been instructed to measure it.

2382. In accordance with your views? Yes; in accordance with the regulations.

2383. Is that a case of recent date? It is minuted 23/4/78.

2384. The effect of the Minister's decision was to over-rule Mr. Stephen's views in that particular case? Yes.

2385. With regard to Mr. Bowman's case, to which you have referred, did you produce it as showing that Mr. Bowman was dealt with as a friend, or had he an agent? He was dealt with as a friend, and special pleading was gone into for him, precedents being quoted which were not applicable, and statements made which were not correct. In order to get that land to auction at Mr. Bowman's desire, I have made this note upon: "Mis. 77-4238, Mr. Bowman's application to purchase unnecessary roads was on my recommendation, with the approval of the Minister for Lands, disallowed in accordance with the opinion of the Crown Solicitor. The Under Secretary, against this decision, and without Ministerial approval, directs the roads to be sent on for auction sale, stating that my action had by mistake been taken under the 10th clause, though inapplicable to Church and School lands. Such was not the case, and he then quotes the very opinion of the Crown Law Officer as authorizing his action, though it is in direct opposition. Mr. Brownrigg, draughtsman to the Church and School estate, happened to see the papers in the Lands Auction Branch and stopped the sale, when the case was again brought before the Minister by the Under Secretary on another mis-statement, though the direction of the Church and School Lands Estate is not in his charge." Passing on to another matter, I have here a letter by Mr. R. Peel Raymond, as the agent of a conditional purchaser, which I may read. It is dated 23 February, 1878, and is as follows:—"I have the honor to inform you that I find that my selection of 640 acres in the parish of Paika, county Cairn, on Paika Run, made by me on the 19th of April, 1877, is illegal, and cannot be held by me in consequence of improvements erected by the lessee worth over forty pounds sterling (£40) prior to date of my selection. I now beg that you will sanction the refund of my deposit, and have my selection notified forfeited in the *Gazette*, in order to allow me to select elsewhere.—EDWARD SHEARN. R. Peel Raymond, agent." Mr. Loxton, the surveyor, reported:—"The only improvement on the land consisted of a part of a tank being formed by the lessees of the run, on which about £20 had been expended at the date of inspection." I will read the lessee's letter:—"I have the honor to address you in reference to my application under the 31st clause of the 'Lands Act Amendment Act of 1875' as described in the margin. The land in question was selected by one Edward Shearn, as per margin, after I had expended over £20 in the construction of a tank, this being a portion of my intended outlay to fully improve the portion, a contract for which I had entered into under shelter of my 31st clause application. At the date of his selection there was over £30 worth of posts and rails on the ground, which were to be erected thereon without delay. When I explained the case to Shearn he immediately consented to withdraw his application, and apply for a refund of his conditional purchase deposit, and after satisfying himself that I had a prior claim to the land he addressed you, requesting cancellation of his selection and refund of his deposit by letter dated about the 25th of February, 1878. By your notice, dated 29 September, 1877, my 31st clause application was disallowed, owing to the land not being within 5 miles square of Crown lands. At that date the portion was fully improved, and I accordingly applied under clause 2, as per margin, for 640 acres in virtue of improvements. I now beg to request, on behalf of Edward Shearn, that you will sanction the cancellation of this selection and refund of deposit £160, in terms of his letter to you, to admit of my application under clause 2 being approved of, and allowed to be gazetted as open to purchase by me.

2386. *Mr. Ranken.*] Who is the lessee? Peter Macpherson. The Under Secretary says:—"There appears to be no reason why, under the circumstances stated, the application of Mr. Macpherson under the 2nd clause should not be allowed to go on on its merits of course. The selector himself has applied for the refund of his deposit on the ground that the land is improved. A similar course has been taken in other cases of the same nature." That was approved by the Minister. In my opinion there was no ground for cancellation whatever. The land was not improved beyond £20 upon the statement of the surveyor and the lessee himself; and either this man was a dummy taking charge of the land for the lessee, or he was a conditional purchaser who may have been misled as to his rights.

2387. *President.*] Misled in the interests of the lessee? Yes.

2388. *Mr. Ranken.*] There is a mention of £30 worth of fencing material? That is not an improvement. It could be removed and used elsewhere. The Under Secretary obtained the refund of a deposit of £160 for a conditional purchase on application of his agent, Mr. Raymond, on the ground that the land was improved to the value of £40 at date of application, and the letter of the lessee stating that they were worth £20 (corroborated as to value by the surveyor), but that he had been refused (on 5 miles square reason) permission to purchase under the 31st clause. The conditional purchaser would appear to be from such facts either a dummy, a bought off selector, or one misled as to his rights. I have here a case in which Mr. Raymond acted for Mr. Officer.

2389. Agent for whom? Mr. William Officer. Mr. Officer had measurements made for him about ten years ago under his pre-emptive right, and he completed the purchase of several of them; but one, about 400 acres, he failed to complete the purchase of, and the right lapsed. He subsequently took up the land as an after auction selection, and in 1874, nine years after the right had ceased to exist, he applied to revive it, and he applied it to land conditionally purchased by himself since, and thus escape from the conditions of the purchase. (See papers Ministerial, 74/5,697.) He tried to convert one of his pre-emptive purchases into an improvement purchase, and thus renew a right which he had already acted on. Both proposals were specially supported by the Under Secretary, and the first referred to obtained.

2390. In what way was that application specially supported by Mr. Stephen? In arguing for claims which were untenable, and which in my opinion should never have been granted. Mr. Stephen's minutes are long, and here is the Minister's decision.

2391. Who was the Minister? Mr. Garrett. He wrote:—"Under the circumstances of this case, which cannot possibly occur again, and with the express direction that it should not form a precedent, I decline to disturb my former decision." He allowed Mr. Officer to obtain a defunct right.

2392. *Mr. Ranken.*] A right which had been utilised? It had expired. Mr. Officer did not purchase when

R. D.
Fitzgerald,
Esq.
20 Jan., 1879.

when he might have purchased, and he fell back upon that to get rid of his conditions as a conditional purchaser. As it may be too late to go into this case to-day—I would like to have one or two more questions put to the Surveyor General other than those I gave the other day, when he comes to be examined. I would like you to ask him whether I did not suggest to him as a friend of the Under Secretary to point out to Mr. Stephen the seriousness of the evidence that I should be compelled to give, and to try and persuade the Under Secretary not to press the matter to an issue. Whether I did not show him one or two of the cases in order that he might be in a position to speak to the Under Secretary. Whether when he informed me that the Under Secretary required to see the papers I did not tell him that he could have the papers, and could show them to the Under Secretary, but that he must retain them in his own keeping. I may also state that I saw the Minister for Lands, and pressed upon him to try and prevent the case from going on.

2393. What Minister was that? Mr. Farnell.

2394. That was before these papers were referred to us? Yes.

2395. Did this conversation between you and the Surveyor General take place before the papers came to us? I think so; before the case was put into your hands. My object was to point out that I had no desire to press the case against the Under Secretary, and it is only in self defence that I feel compelled to bring forward these proofs.

2396. Do you not think that information such as that in your possession ought to be given to the Commission? Certainly, if required.

2397. Although we might not be in possession of the facts leading up to it? At the time I speak of the matters were with the Minister.

2398. Mr. Ranken.] Is it not for the public interest that this information should not be suppressed? I consider them so serious that I would not have produced them to the detriment of Mr. Stephen if I could possibly have helped it. This is a minute which I wrote when I thought the case would fall into abeyance, and I bring it forward to show that I was acting in a friendly spirit:—"It is not from any drawing back or admitted inability that Mr. Fitzgerald has not brought forward any evidence he may have in proof of statements made by him on papers, Occ. 78/2,516, but because he has not been required to do so." I intended to take this to the Minister, and ask him to sign it as a protection to myself for not going forward with the case; and you will see in the reading of it that I have refrained from saying what the merits were, or saying anything disagreeable. I intended to ask the Minister to sign that minute as a protection to me, but then the case came to you.

2399. At whose suggestion did it come to us? The Minister's own suggestion. There was some considerable period between the date of Mr. Harriott's letter and the date of placing it in your hands, and it was during that interval that I intended to protect myself by getting the signature of the Minister to this minute.

WEDNESDAY, 22 JANUARY, 1879.

Present:—

MR. ABBOTT,

MR. RANKEN.

R. P. ABBOTT, ESQ., PRESIDENT, IN THE CHAIR.

Mr. R. D. Fitzgerald recalled and examined:—

R. D.
Fitzgerald,
Esq.
22 Jan., 1879.

2400. President.] Have you any papers you wish to lay before the Commission? I have a letter written by the Commission to the Minister for Lands, requesting that certain papers might be sent to the Commission. One is a letter of the Council of Education, dated January 20, 1879.

2401. On that, I understand, the Under Secretary for Lands has written a minute, which has been forwarded to you? Yes. Mr. Gerrard was in the room at the time I received them.

2402. Who is Mr. Gerrard? He is one of the draftsmen in charge of the road work. 'On receipt of the letter I sent for the messenger, who had gone to the Under Secretary's room for the papers. I asked the messenger what the Under Secretary had said to him. He said that Mr. Stephen said the paper was a Ministerial one, and that he would not give it up to the Deputy Surveyor General—that the Commission, if they wanted it, must write for it; and that he added that if I wanted that in writing he would give it me. I then asked the messenger if the Under Secretary said anything about writing a minute upon the papers, and the messenger replied, "No, sir, not one word about that." I may add that I heard the whole conversation myself, and not one word about writing the minute was in it.

2403. Nothing at all said about the minute? Nothing; what he did say was what the messenger said. The messenger's name is Shepherd.

2404. In this minute or letter of the 20th I see Mr. Stephen says, "I said I could not give them up until I had written a memo. which I wished to have endorsed upon them"? He said nothing of the kind, not until after the messenger left, at all events. He may have said it to Mr. Thompson after the messenger left; but those words were not included in the message to me. In fact an inconsistency would be plainly involved, because the reason assigned for not giving them up was that they were Ministerial papers.*

2405. What is the practice of the department with regard to getting papers;—have you not a right, as Deputy Surveyor General, to ask for and receive any papers you desire to have, no matter from what branch? I have always been in the habit of asking for papers, and getting any papers I required.

2406. Without any question? I think there have been some objections raised by the Under Secretary recently.

2407. But not previously? Not previously.

2408. The rule has always been that you could get the papers you desired? Yes.

2409. Mr. Ranken.] These papers would pass through the records in the usual way—that is, they would be entered by the record clerk? In this case I was myself asking Mr. Thompson and the Under Secretary for them. They were actually with Mr. Stephen, and it was to him I applied.

2410. According to the routine of the department the papers would be entered by the record clerk? Yes; if I got them from the Under Secretary, and he took proper precautions, he would have it noted in the records.

2411.

* NOTE (on revision):—I would point out the fact that no such minute has been written.

R. D.
Fitzgerald,
Esq.
22 Jan., 1879.

2411. *President.*] The papers you refer to are those before the Commission? Yes. In sending the papers to the Commission the Under Secretary has appended this minute:—"They have, it appears, been detained somewhere." According to "Record" they were with Mr. Lindsay Thompson; Mr. Thompson found them in a pigeon-hole in his own room.

2412. In the papers there is something said about there being something mysterious connected with their reappearance? The papers, as shown by the records, were with Mr. Thompson. If I had had the papers in the first instance I should have brought them.

2413. Whose is the first memorandum? I think it is Mr. Thompson's.

2414. What is the effect of it? Mr. Stephen wrote, "Where was the paper found?—full explanation wanted;" and the answer is: "In Mr. Donovan's pigeon-hole, this morning." It most certainly was not there, or in the Miscellaneous Branch, before that, as it had been repeatedly searched for, and was so well known both to Mr. Donovan and myself that it would have been noticed immediately if it had been in that branch.

2415. There is another minute upon it [*pointing to minute*];—whose is that? Mr. Donovan's: "The paper was with cases coming to me"; that is from Donovan, too, I suppose. "A careful search was made at Records on Friday and Saturday last, but without success, and the papers have not been seen since until now."

2416. Whose minute is that which you last read? I do not know.

2417. Are there any initials attached? "E.P." I think they are.

2418. *Mr. Ranken.*] But the statement made to you was not that the paper was lost, but that you could not have it? Yes, but when I first wanted them they could not be found.

2419. But I see another minute on the inside of the memo. you have just read? Yes, by the Under Secretary: "This paper was required by the Deputy Surveyor General, and I believe by the Commission, but could not be found, though strict search was made for it; to-day it has turned up most mysteriously."

2420. And as I understand it, your reference to these papers in your evidence was to show the opinion of the Council of Education on the delay by the department with matters referred to them? Their opinion upon the new system that had originated on that minute of the Under Secretary's, to which the Commission drew my attention, as to stopping papers coming to the Survey Office, and the Lands Department acting upon them themselves. I had better perhaps read the letter which was received from the Under Secretary of Justice and Public Instruction. It reads thus:—"Sir,—Referring to your letter of the 17th ultimo (78/9021, 78/9024, 78/9437, 78/10272, 78/1129—'Miscellaneous'), I am directed by the Minister of Justice and Public Instruction to forward for the information of the Secretary for Lands the accompanying communication received from the Council of Education having reference to an absolute grant of land at places mentioned in the margin." The letter here referred to reads as follows:—"I am directed by the Council of Education to acknowledge receipt of your letter dated 22nd instant, and numbered from 78/9614 to 78/9619 inclusive, notifying that the Minister for Lands has approved of the appropriation for Public School purposes certain portions of land at Fern Hill, Rowan, Waterview, Bargo West, Eatonsville, and Gobang respectively, subject however to any objections that may be found to exist at the time of survey." The Secretary to the Council of Education's letter then continues:—"In reply I am to state for the information of the Minister of Justice and Public Instruction that, as pointed out in my letter of the 16th instant (78/19151), referring to the cases of Major's Plains, Perricoota, and Inglewood Forest, land granted conditionally upon any objections that may be found hereafter is of no use to the Council in view of the provisions of section 23 of the Public Schools Act—cannot build thereon without an absolute grant. The Council would therefore be glad if the Minister would have the goodness to obtain such a grant as early as possible in each of the cases brought under notice; the usual formal approval of appropriation without any proviso would be sufficient." They did not need any communication of the kind at all, for they could not use the land with a proviso.

2421. Is there any minute by the Under Secretary upon that? There is a minute to this effect: "It has been the practice for some time past to approve of applications for Public School sites, subject to any objections which may be found to exist at the time of measurement; the Council now states that such conditional approvals are of no use to it, as by section 23 of the Public Schools Act, buildings cannot be erected without an absolute grant."

2422. Whose minute is that? I do not know. I see there is another minute to this effect: "Submitted; pending a report from the Surveyor General it would not be safe to give unconditional approval."

2423. Whose minute is that? Mr. Lindsay Thompson's, I think. They sent the paper to me, and I "observed" it on the 10th of January. This "observed" by me is, I should remark, after the Minister's decision. The Under Secretary says, "I concur; the only thing that can be done is to endeavour to obtain more expeditious action in the Survey Department"; and the Minister says: "I concur; it appears to me these applications must be dealt with by the Surveyor General's Department as to more certainty of site, and they should be dealt with as expeditiously as possible." It was then that I wrote "observed" on the paper.

2424. I think you have said that the course of action objected to by the Council of Education was led up to by Mr. Stephen's determination on Brown's case? It originated in that case altogether. The previous practice was to send the papers to the Survey Department for report. As the Minister said they must come to the Survey Department for the future, I simply wrote upon the paper in question "observed." I may state that it was Mr. Payton, one of the draftsmen, who ascertained for me that the papers were with Mr. Thompson, and afterwards it was found in Mr. Donovan's room, and Mr. Donovan is one of Mr. Thompson's clerks.

2425. And it was not there the day previous? I should say that the simple solution of the whole thing is that one of the clerks found it where it ought to be. I think, as the Under Secretary implies in his minute that I acted improperly in bringing papers to the Commission, I should be permitted to say something in explanation.

2426. If you wish to do so? I was called upon to prove issues before this Commission; the Under Secretary himself demanded that I should prove them. To prove them it was absolutely necessary that I should have the papers on which those issues were based; and I obtained these papers at Records, with the intention of producing them at the Board, as I have done. I do not see that there was any other course open to me to pursue. If I had applied to the Under Secretary for these papers the Commission would never have seen them.

2427. What is your reason for saying that? My opinion is that you never would have received them.

2428.

R. D.
Fitzgerald,
Esq.
22 Jan., 1879.

2428. That the Under Secretary would not have given them to you? That the papers would never have been found if I had not looked at Records for them myself, independently of the Under Secretary.

2429. The papers would never have been found? The Under Secretary, knowing for what purpose the papers were required, the papers would never have been found. I think the obstacles thrown in the way of getting the few papers that have been got from Records through the Under Secretary are quite sufficient to prove the truth of what I say. I could not have depended upon these papers being found, or found in a perfect state, if I had not obtained them myself from Records, and there was nothing unusual in my doing so.

2430. In point of fact they would have been made away with? In point of fact they would never have been forthcoming, or some part of them would never have been forthcoming. That is my belief. It is only a matter of belief, of course.

2431. Have you anything further to bring before the Commission? When last before the Commission the case of Mr. Officer was referred to. I have brought a letter received from Mr. Officer regarding the case referred to, and which reads as follows:—"Deniliquin, July 3, 1874. Sir,—In 1866, portion 4 of the 640 acres on which my head station stands, was taken up by me as pre-emptive purchase. I have since found out what a mistake I made, and that if I had taken it up as an improvement purchase I should still have been able to get the 640 acres on another part of the run. Mr. Lucas has surveyed two portions of 320 acres each, November 7th and 5th, which have been selected by me and one of my children; and I should feel much obliged if you would permit me to have my pre-emptive purchase subdivided into two portions of 320 acres each, for which there are ample improvements, and allow me to take them up under the 8th clause on surrendering my deed. The cost of subdivision I am willing to pay, and to have my pre-emptive purchase divided into two selections. I would then pay the appraised value of the same, including my head station, requesting a refund of the 5s. per acre paid on the two selections, which I ask to be granted to me as a pre-emptive purchase. I have the honour, &c.—W. OFFICER." The Under Secretary wrote upon that, "There does not appear to me to be any legal objection to a compliance with Mr. Officer's request, neither does it involve any loss on the part of the Government, but in point of revenue is an advantage. If allowed, applicant must pay all expenses attendant upon the subdivision, surrender the deed of grant, &c., especially as the request is rather an unusual one." Upon that Mr. Farnell wrote:—"To comply with the applicant's request would be to establish an inconvenient precedent, and I think the prudent course is to refuse the request." I have a letter from Mr. Raymond, who acted for Mr. Officer.

2432. *Mr. Ranken*] The effect of granting the application would be to establish a precedent to allow a lessee to pick the eyes out of a run, by substituting one selection for another? He wanted to surrender his deed under the pre-emptive right and take up under the 8th clause, and use his pre-emption, which expired in 1861, to cover his conditional purchase.

2433. *President*] That is to say, under the new law he wanted to have all the advantages of the old law? He had already obtained a portion of land in right of pre-emption; but he could have applied, he says, under another clause, and retained his pre-emptive right for some other place. He did not do so, and his pre-emption was satisfied by the measurement of the land. He now wishes to surrender that deed, and go back to an application under the 8th clause, and revive his pre-emptive right, which he had exhausted in the purchase of the land, and apply that to a conditional purchase.

2434. Under the law of 1861? Yes.

2435. *Mr. Ranken*] If he held a pre-emptive right on each block of his station, he would spot the whole of his station? He could renew his whole pre-emptive right.

2436. *President*] What was the extent of pre-emptive right to which each squatter was entitled? 1 mile to every 16,000 acres. He had several pre-emptive applications at the time; several portions of land were measured for him, and one, at least, he forfeited.

2437. You mentioned just now that you had a letter from Mr. Raymond? Yes; Mr. Raymond, who acted for Mr. Officer, wrote as follows: "With reference to an application sent in by Mr. William Officer for an exchange of one of his pre-emptive purchases, taken up by mistake, so as to include his homestead improvements, which should have been applied for under the 8th clause of the Act, I have the honor, at his request, to send you an extract from a letter I have lately received from him on the subject, and hope that his representations will carry due weight. I have the honor to be," &c. This is the extract referred to by Mr. Raymond: "Perhaps the fact that the head station portion was measured as a pre-emptive purchase, contrary to my instructions, may have some influence with Mr. Farnell, and induce him to allow my present application. I was away from home when Mr. Roland, the surveyor, measured these portions of pre-emptive purchase. But previous to survey I had left instructions with my overseer what parts of the run were to be measured as pre-emptive purchases, and the portion on which the head station stands was certainly not one of the places I indicated. From some cause or other Roland would not measure them in the places I had pointed out. I think he did one, and then pulled the pegs up, and my overseer, not knowing any better, allowed him to measure one of the sections on which the head station stands. I knew at the time that a great mistake had been made, but in those days it did not matter so much as it does now; but I know this very well, that if I had been on the station at the time, the land would not have been measured as it was. There was no reason, as I could learn, why Roland measured the head station as a pre-emptive purchase, as of course there was plenty of country elsewhere; and if I remember right, the place I had instructed to have measured, was the Billabong. I hope you will be able to make out a good case for me. I think you will agree with me that as a fair matter of right I am entitled to have the purchase I ask. It is a pity I did not think of giving you these particulars before, but I trust they will yet be of service."

2438. *Mr. Ranken*] To whom is that letter addressed? To Mr. Raymond. I have a minute of Mr. Moriarty's, which reads thus: "That the papers relating to the pre-emptive purchase of the head station are now enclosed, and it does not appear that any mistake was made in the measurement of the land applied for; but even had there been, the land having been measured over seven years ago and paid for, and the deed granted over six years ago, it is obviously now out of the question to revise the measurement. The proposal to surrender the deed, with a view to the land being re-granted, that is applied for under the improvement clause, which it was not, and to exercise now the right of pre-emption in another place, would be, I must submit, equally out of the question, even if it would not require, as there can be but little doubt that it would, an Act of Parliament to legalise it." On that the Under Secretary writes, "Submitted for decision." Then upon that Mr. Farnell writes: "Approved; former decision to stand."

Mr.

R. D.
Fitzgerald,
Esq.
22 Jan., 1879.

Mr. Raymond then wrote this letter: "Sydney, 21st December, 1874. Sir,—Adverting to my letter addressed to the Crown Lands Office in reference to the claim of Mr. W. Officer for 444 acres of pre-emptive land, to which he considers himself entitled, over the quantity measured for him in accordance with the regulations as to the proportionate area of pre-emptive right land to the total area of his Zara run; also to my application on his behalf for the exchange of one pre-emptive right measured for him, including the head station improvements, for two selections taken up by two of his children close to the head station, and which he explains was refused by the honorable the Minister for Lands, I have now the honor to request that the two selections referred to may be cancelled, and the 444 acres measured as pre-emptive right land in lieu thereof, the balance of land in the two selections being measured and put up to auction sale. To avoid any question on the score of expense, Mr. Officer is willing to pay the survey fees necessary; and as I submit no other steps could be taken, it being at the same time a pecuniary advantage to the Government, I trust the honorable the Minister will see fit to approve of this application, and that steps may be taken to carry the same out without delay.—R. P. RAYMOND." Upon this the Under Secretary wrote as follows: "This case was withdrawn from consideration in order to obtain further particulars. It appears on reference to the Survey Office that Mr. Officer,"—I may here mention that the gentleman who dealt with pre-emptive rights in the Survey Office was Mr. Finch. He wrote a full minute of all the particulars and the objections which Mr. Moriarty subsequently raised, and the report was sent to the Under Secretary. That is the information which the Under Secretary refers to in that part of the minute I have just read. That report is not here.

2439. That is Mr. Finch's report? Yes; a report in which the objections infrequently raised in Mr. Moriarty's minute were stated is not with the papers. But this is Mr. Stephen's minute: "This case was withdrawn from consideration in order to obtain further particulars. It appears from reference to the Survey Office, that Mr. Officer failed for some reason to complete the purchase of 420 acres (Mr. Raymond states 444 acres), to which he was entitled under pre-emptive right, and that his claim to that portion has now lapsed. He now requests that the two conditional purchase applications enclosed, of 320 acres each, made in the names of his sons, may be cancelled with a view to the area above referred to being now allowed to him as pre-emptive purchase; he also requests that the remainder of the land embraced by such conditional purchase may be brought to auction sale on payment by him of the cost of remeasurement." The Minister, Mr. Garrett, approves. Then Mr. Moriarty wrote as follows: "The papers in this matter not having passed into his office since the date of receipt of Mr. Raymond's letter, except on the 12th February, when they were sent to me by mistake of the Under Secretary instead of to the Minister, and immediately returned to him—there has been until now no opportunity afforded to the subordinate officers of submitting the case in a complete state to the Under Secretary for the Minister's decision.* This has led to the facts being imperfectly known and to the documents being in an incomplete state when submitted—in particular the enclosed recent correspondence with Mr. Officer and Mr. Raymond in the same matter. Miscellaneous, 74/5,696, and Miscellaneous, 74/7,956, were not submitted, neither was the date of the forfeiture of the pre-emptive purchase early in 1868 shown, nor the fact that the land was therefore withdrawn from the lease of the Zara Run, offered to sale at Deniliquin after remeasurement into two portions of 210 acres each, and ultimately, that is on the 12th August, 1873, selected after auction by Mr. William Officer." Perhaps I may explain this:—The first application was to have a pre-emptive purchase, and to allow Mr. Officer to use his "pre" right again; the second suggestion was that a measurement in another place for him should be made in right of a pre-emption which he forfeited and did not pay for, but selected the land after auction, and that he should apply his renewed right to the same conditional purchase that he proposed to apply the pre-emptive right which he would recover if a measurement had been made under the 8th clause.

2440. *Mr. Ranken.*] Then the pre-emptive right had lapsed? The second pre-emptive right at least had lapsed.

2441. How did it lapse? He did not pay up. He took the land after it had been offered at auction, and by that means escaped the forfeit. He should have paid 25 per cent. forfeit. But taking it after it had been offered at auction he did not pay that forfeit, and at the same time got the very land that was measured for him. Mr. Moriarty's letter which I have just been reading from goes on to say:—"I think it will be apparent that these facts alter the whole complexion of the matter. It might perhaps have been possible to comply with the request of Mr. Raymond as to the pre-emptive purchase had the land been still available by the remission of the forfeiture that occurred in 1868 and cancelling the second reservation from lease, though I hardly think this would have been recommended or authorised had the matter been known, but it is now obvious that the object is that which was before attempted and refused to be sustained by the late Minister, namely, to use again now for other land the pre-emptive right already used in 1865 for the land forfeited in 1868; in other words to exercise again now a right which, even if it had not been satisfied already, expired over nine years ago with the lease under the orders in Council which were repealed in 1861. In the face of the foregoing it seems almost superfluous to advert to the minor difficulty, that the land conditionally selected appears to have been open to conditional purchase, and that therefore no grounds exist for the cancellation of the selections. Of course the minors can neither transfer nor surrender?" That is Mr. Moriarty's letter.

2442. *President.*] What is the date of that letter? 15/4/75.

2443. *Mr. Ranken.*] I suppose, on the rights under the Orders in Council being cancelled in 1861, all rights accruing would subsist until the leases expired; that would be in 1869;—would it not? He says the lease expired in 1861. I think Mr. Moriarty means that Mr. Officer had forfeited his right by non-purchase. The rights could not be renewed under an Act that had ceased to operate. The Under Secretary then wrote as follows:—"I had a perfect recollection of the existence of the previous papers now submitted, and I cannot understand why, after having repeatedly endeavoured to obtain them, they are only at this stage of the case brought under notice." There is a note of Mr. Moriarty's here, in which he says they were never asked for. Mr. Stephen's minute continues:—"It will be perceived, however, that Mr. Officer's former application was quite of a different nature to that now made by him; it was to be allowed to surrender the deeds of grant of land obtained by him under pre-emptive purchase with a view to its being taken up under the 8th clause, and to take the area, the purchase of which he failed to complete, out of the two conditional purchases made by him and one of his sons. The circumstances set forth

* NOTE (on revision):—Mr. Moriarty was not aware of Mr. Finch's report.

R. D.
Fitzgerald,
Esq.
22 Jan., 1879.

forth in his letter of the 28th August seem to justify to some extent this concession; but the late Minister decided that it would establish an inconvenient precedent, and therefore refused it. The present application is only for the concession last referred to—that is, in respect to the two conditional purchases, the cancellation of which for the objects specified has been approved by the Minister; and I still do not see that there is any legal objection to this decision being carried out. The withdrawal from lease of the particular portion of which Mr. Officer failed to complete the purchase for the reasons stated—no reasons have ever been given, I may mention—“was the natural or usual result of such failure; but the fact of the same having been taken up by selection after auction seems to me to be beside the question, as it was a different mode of sale, open to any one who wished to take advantage of it. The question is simply now, therefore, whether, notwithstanding the time that has elapsed, Mr. Officer will be allowed to give up the conditional purchases which are on the Zara run to enable him to obtain out of them, or, rather, to make up the full area to which he was entitled under pre-emptive purchase at the date of application—an application which, by the purchase, now stands approved by the Minister. I admit that even in this shape a compliance with the request would be undesirable if it could be established as a precedent (the reason given by the late Minister for his refusal of the application as previously submitted), but of this there is no likelihood as this class of cases has run out, and the 7th clause of the Crown Lands Alienation Act is now virtually a dead letter.” I may mention that that clause had no more run out in any other case than in this case; and if it were known that such a right existed, every other applicant who had forfeited was equally entitled to take up land at that date, nine years after.

2444. No matter how many years previously he had forfeited? No. The Minister says, “Under the special circumstances of this case, the like of which cannot possibly occur again, and with the express direction that it should not form a precedent, I decline to disturb my former decision.” That is Mr. Garrett’s minute.

2445. What is the date of it? 21/4/75.

2446. That was after Mr. Moriarty had called attention to the fact that the selectors were minors? It was Mr. Garrett’s decision upon the Under Secretary’s reply to Mr. Moriarty’s minute.

2447. I should like to ask you a question or two with regard to Landale’s case, to which you referred when last before the Commission: With reference to the cases of Mr. Landale and Mr. Jennings, the plan suggested by the papers now before the Commission was to have lands advertised for sale by auction as the first step? Yes.

2448. Then to have them selected by agents of their own? Yes.

2449. Then immediately before the day of sale to have the selections abandoned, and forfeited immediately before the day fixed for auction sale? I do not think you use the word “forfeited” aright.

2450. The word “withdrawal” I think is used; immediately before the day fixed for auction sale the selections would be withdrawn by the applicants, and cancelled by the department? Yes.

2451. The object would be to ensure success, and the plan was to keep the selections alive as long as possible, and to keep the fact of their withdrawal secret for fear other people would select? To cover the land measured by conditional purchase up to the day of sale, or as near it as possible, and then to have the money returned for those conditional purchases on some false grounds.

2452. *Mr. Ranken.*] Those who tendered fictitious purchases? They were real purchases; but, I do not think any one could doubt the object on looking at the papers.

2453. *President.*] Will you be able to tell us, in looking at the papers, the day the sale by auction of Mr. Landale’s lots was advertised for? The 26th September, 1873.

2454. That is the date of Mr. Raymond’s first letter—that is, his first application? That was the 24th September.

2455. That is the application for the withdrawal or cancellation of the conditional purchases? Yes.

2456. Is Mr. Stephen’s minute with that? Yes, it is the same day, the 24th September.

2457. Is there anything either on the minute or letter to show that either one or the other was ever submitted to the Minister? They were not submitted to the Minister; the Minister says himself that he saw no papers, nor anybody but the Under Secretary in the matter.

2458. Then he had nothing to guide him in coming to a decision with regard to the case, except what the Under Secretary told him? Nothing.

2459. I think you said that no one but the Under Secretary saw him on the subject? No, the Minister says so in his minute.

2460. His minute dealing with the matter bears the same date as Mr. Raymond’s application? The same date.

2461. And that was in 1873? The 24th September, 1873.

2462. What was the action taken, or the next step, with regard to that application of Mr. Raymond’s;—was it dealt with immediately? I can only speak from recollection. I do not know whether there is anything in the papers that directly shows it. My impression is that the Minister tried to stop the sale and re-establish the conditional purchases.

2463. But what action was taken by the Under Secretary on Mr. Raymond’s letter;—did he not write a minute? The minute he wrote was the result of a conversation with the Minister.

2464. Written after the conversation? I think it was, because he speaks of the Minister’s approval. He says the Minister approves of their being cancelled; that is the minute of the 24th.

2465. But there is no memorandum of any kind of Mr. Farnell’s on any of the papers previous to the sale by auction? No; the Under Secretary, in his minute of the 24th, refers to a verbal decision of the Minister on his submitting the case to him.

2466. In point of fact it was an imaginary case that was submitted to the Minister, without giving the names of any parties—the names of the agent or the lessee? So the Minister states.

2467. I think Mr. Moriarty was at Deniliquin at or about that time? Yes.

2468. And he was asked for a report? Yes.

2469. I do not think you have spoken of his report? I simply stated that it was on Mr. Moriarty’s report of the facts that the Minister wrote the minute which I have read to the Commission. I did not read Mr. Moriarty’s report, because it embodies the facts which I have given you.

2470. I think you have read Mr. Farnell’s minute on Mr. Moriarty’s report? Yes.

2471. Did not Mr. Landale write some explanation of the matter? Yes, there is a letter from Mr. Landale.

2472.

R. D.
Fitzgerald,
Esq.

22 Jan., 1879.

2472. Will you just look at that letter, and tell us what he said in explanation of the matter? He says they were genuine selectors, and were induced to throw up their selections upon representations of his to them.

2473. Does he make any statement with regard to any misrepresentations? Yes; he says they have been misrepresented as being dummies of his, and as being men who have had no existence. He says they had existence, and were not dummies.

2474. *Mr. Ranken.*] What is the date of that letter? 10th November, 1873.

2475. *President.*] Does he make reference to the fact of Mr. Moriarty being in the neighbourhood? Yes; he says, "We do ourselves the honor of addressing you on a subject that may be brought under your notice by Mr. Moriarty, who has returned from the district, namely, the cancelling of the selections of Robert Simpson and John Blackwood," and so on.

2476. *Mr. Ranken.*] He represents them to be real selectors? Yes.

2477. *President.*] Did you see the withdrawals of the selections? Yes.

2478. Will you please to refer to them? Yes, I have them here.

2479. Do you not think there is a great similarity in the handwriting of the withdrawals and Landale's letter? Yes, they are the same writing; but that would not disagree with Mr. Landale's letter, because he says he had induced them to withdraw.

2480. Nor with the view taken of the position of affairs by yourself? No.

2481. In reading through these papers did you notice that the applications of, I think, four or five of the conditional purchasers, were stated in the applications to be those of minors? I did not notice it.

2482. Has it been the practice in the Lands Department to acknowledge the acts of minors alienating or giving up their rights to land? I think not; the minute which I read, of Mr. Moriarty's, on the case of Mr. Officer's points distinctly to its not being so; he there distinctly shows the Minister that they cannot part with their selections.

2483. Do you know whether that practice is allowed now in the department;—whether the acts of minors are recognized? No, I think not; they have not the power to transfer.

2484. And never had? No; they do not ask for any alienation, they asked for cancellation. A minor's application could be cancelled.

2485. Does not the law as it stands now give minors or any other conditional purchasers an absolute title so long as they fulfil the conditions? Certainly.

2486. Having so far fulfilled the conditions the minor is the owner of the land? Certainly.

2487. Would any act of a minor affect his title? They did not claim cancellation on the ground of any act or non-act of theirs, but on the grounds that the adjoining lands would be bought by the squatter.

2488. But their reasons might not be recognised except in so far as they justified them in withdrawing— withdrawing by them would be giving up their rights to the land? I do not think the Minister has any power to cancel them.

2489. It would be illegal? Yes. I think the Minister has no right to cancel a conditional purchase except on legal grounds.

2490. The cancellation of these conditional purchases did not affect the interests of these infants? I do not think it affected their rights even if it were true. A person not having the power to take a pre-emptive right cannot in any sense cancel his conditional purchase.

2491. I think there is a long letter of Mr. Farnell's to Mr. Fitzpatrick, which you have not yet read to us? I only brought forward Mr. Landale's case. I may mention that the only connection I had with these cases, the only way which I knew of their existence, was through Mr. Farnell sending for me to show him the plan of the measurements, and I then learnt that the grounds put forward for cancellation were that the applicants did not know they were measured although they applied for them as measured portions. That was the only way in which I knew of the existence of the cases.

2492. Mr. Jennings' case was decided on the same ground as Mr. Landale's, except that there was no authority given to the land agent to sell—he sold, as I understand it, because of the withdrawal, which was said to be sufficient? Shall I read the minute?

2493. Please? This is Mr. Farnell's minute:—"I had no written documents before me when dealing with this matter in the first instance; but I was verbally informed, as on an urgent case, that certain selectors named Blackwood, Gerrard, Smith, McLeod, and Mackenzie, had selected land that had been measured for auction sale, and that as the land adjoining had also been measured for auction sale, they would, in the event of the adjoining land being sold, be deprived of their pre-emptive leases, and that in such case their selections would be valueless to them. I upon these grounds consented to their withdrawing their selections in order that they might be able to select land in such places where they might be able to secure to themselves their grazing right, being assured that a selection in that part of the country was absolutely valueless without such. I at the time thought I was furthering the interests of these selectors, they being persons in poor circumstances, and that to refuse to allow them to change their selections would be almost ruin to them. The land agent was instructed that if the selectors were to make applications in writing to withdraw their selections he was to receive them. They respectively made application in writing to be allowed to withdraw their applications, and the withdrawal was permitted, the land having been advertised at auction sale prior to the selections having been made. Then upon their withdrawal these lots, together with others, were offered at auction, and Messrs. Landale became the purchasers. I know that Mr. Fitzpatrick had no interview with me, and I cannot recall to my memory several of the matters referred to by me, because it is not possible I can remember conversations that take place with the numerous persons that call upon me day by day and myself. But I think I was under the impression at that time that it was a matter already dealt with, and I believe I said that the thing had already been done. However, several lots referred to by Mr. Fitzpatrick were offered at auction on the day notified, and Mr. Jennings became the purchaser of them. I may say in passing that the land agent did not receive instructions in reference to these lots. Subsequent to the sale by auction I received certain information, not officially, that the selections were not *bonâ fide*, and that the lands purchased by Mr. Jennings had been selected by the Murrys, and that there were no persons in the district of the name of Murray. This was the first time I heard of the Murrys selections; and I subsequently ascertained that the Murrys had taken up nine selections, and that they had applied respectively to the land agent to be allowed to withdraw the selections, which was allowed. I had a strong impression that the selections were not *bonâ fide*, and that deception had been practised on the department.

R. D.
Fitzgerald,
Esq.
22 Jan., 1879.

I accordingly gave instructions that the selectors should be held to their respective selections and that the sale by auction should be annulled. It appears that a Mr. Freeman from Victoria with a number of employes intended to select certain portions and that the Murrays had selected the lots he required, and that the said lots he selected were subsequently offered at auction, and the latter protested against the said sale. Subsequently a letter was received from Mr. Freeman withdrawing his opposition to the completion of the purchase by Mr. Jennings. In so far it appears that no private person has suffered in the transaction, Mr. Freeman being the only person who was desirous of selecting; but as it appears to me his intention was obviously to make a number of dummy selections on the selected portions. I think myself a deceit has been practised in this matter in order that the selected lots might be offered at auction. In reference to a remark made by Mr. Fitzpatrick, I may state that neither Mr. Landale nor his agent made any representation to me. The representations made were those of the selectors; and until a recent period I did not know either Mr. Jennings or Mr. Landale in the matter. The selectors at their own request have been allowed to withdraw their selections respectively, and they have been cancelled. Had I the power I should certainly hold them to their respective selections, but not having the power I must revert to the auction sale. The sale of the selected lots, together with other lots, took place in accordance with the Gazette notice, and were purchased by Mr. Landale and Mr. Jennings. I am of opinion—such opinion being in concurrence with the Crown Law Officer, that the Government are legally bound to complete the purchase of the lands in question, and as sold at auction sale. I agree with Mr. Fitzpatrick that the public interests have not suffered, but I must say that the sale of the lots in question was brought about in a manner not at all creditable or satisfactory. I am of opinion that in every case in future where parties apply to withdraw their selections, it should not under any circumstances be allowed."

2494. That is Mr. Farnell's minute? Yes; I never saw it before.

2495. And that is written on a letter of Mr. Fitzpatrick's? Yes. There is another minute, I see, with no date: "There appears to me to be no other legal course than to allow the auction sales to stand in both Jennings' and Landale's purchases." I read that before; I did not go into Jennings' case at all.

2496. But does it not appear to you to be rather worse than Landale's—in this way, that it was carried through because of Landale's case, and with no apparent authority than the case of Landale's? Yes, it followed suit of Landale's.

2497. There does not appear with the papers any application either by an agent, by Jennings, or by the selectors themselves, with reference to these Murray selections, asking to be allowed to withdraw? I do not think there is.

2498. But Mr. Fitzpatrick writes to protest against the cancellation of the auction purchases? Yes.

2499. At the time Mr. Farnell had decided to cancel them? It went through on the precedent of the Landale case.

2500. Can you say whether that same course has been pursued in any other case within your knowledge? Not that I know of; I do not think it has been done since.

2501. A case has been referred to, having reference to an application by Mr. Watt, and a letter written by Messrs. Wilson and Ranken on the 7th July, 1878, which letter reads thus: "On behalf of the hon. J. B. Watt, lessee of the Goonal Run, in the Gwydir District, we beg to state that having, on the 8th August, 1877, inadvertently taken up 50 acres partly on Meroe; the neighbouring run, we respectfully request that you will be pleased to cancel the selection, and return the certificate; No. of certificate, 2571; registered No., 77-104; issued to Private Isaac Downe; the land selected is thus described: 50 acres, county Benaba, parish of Meroe, on the north side of the Big River, on west side of and fronting Curraganda Road, being nearly opposite to the south-west corner of portion No. 13 of 50 acres." The letter is numbered "49-55, Alienation." That letter is dated the 8th July; there is a minute of the same date, signed by the Under Secretary, as follows:—"Approved under the circumstances explained,"—and then there are some other minutes, bringing the matter at last up to you? Yes; and there is also a minute to Mr. Rutter, who is the draughtsman in charge of the issue of Volunteer land orders, to withdraw it, and Mr. Rutter brought it to me in consequence—a minute to withdraw the instructions from the surveyor.

2502. With a view to return the land order? Yes, and with a view to withdraw the instructions to the surveyor to survey. I thought it was palpably objectionable. In the first place I did not think the Under Secretary had the right to return a Volunteer land order, after it had once been applied, without the approval of the Minister; and in the second place, I thought the grounds for the withdrawal were not satisfactory, it being very evident that a bad precedent might arise out of it—in this way: If A has a Volunteer land order, and B has a Volunteer land order, and A exercises his order over B's run, and B exercises his order over A's run, they can both get them back and apply them again. I therefore went to the Minister, Mr. Farnell, and asked him whether he had given instructions or authority to the Under Secretary to return Volunteer land orders, because if he had done so it only remained for him to withdraw the instructions from the surveyor, and he said, "Certainly not." I then asked him whether I should withdraw the instructions from the surveyor, and he said, "Certainly not." I declined to withdraw the instructions from the surveyor without the approval of the Minister. That is the whole case.

2503. And you wrote a minute upon that? Yes, as follows:—"I cannot return instructions to survey, by right of the Volunteer land order, without the authority of the Secretary for Lands." I did that with the Secretary for Lands' knowledge. I ascertained his opinion before I did it. But I may mention that the surveyor was in some way made acquainted with the fact of the Under Secretary's decision, and he returned the Volunteer land order, and it was then used again elsewhere.

2504. *Mr. Ranken.*] Then action was taken? It was taken because Mr. Christie was actually informed.

2505. *President.*] Have you the surveyor's minute? Yes.

2506. What is the date of it? 31st July, 1878. I wrote to the surveyor, Mr. Christie, to know how it was that he returned the Volunteer land order without instructions to do so; and he replied that Mr. Watt informed him that he had been allowed to withdraw his selection, and he returned the paper; and the Volunteer order was issued again.

2507. *Mr. Ranken.*] That was clearly against the opinion of the Minister? The opinion which the Minister expressed to me.

2508. And in violation of the rule of the department? I can hardly say a rule. The Under Secretary, I suppose, claims the right to do it; I think he ought not to do it.

2509. Is it not the rule that the district surveyors shall take their instructions from you. They receive their instructions from me.

2510. *President.*] There is a minute signed by Mr. Christy on the back of the application, dated 31st July, 1878, which reads thus: "This application is now returned to head quarters, Mr. Watt having informed me that the department has allowed the application to be withdrawn, and has been returned the certificate, in consequence of the land having been erroneously described"? "Yes, the error was that the land described was in another run."

R. D.
Fitzgerald,
Esq.
22 Jan., 1879.

2511. Where was Mr. Christie at that time? At Warialda.

2512. Then, on the first application by Messrs. Wilson and Ranken, on the 8th August, he writes on the 31st from Warialda, returning the papers? Yes, without instructions from the Survey Office.

2513. There is another minute, I see, as follows: "Declared void, certificate of the 9/7/78 returned to J. B. Watt, and land agent informed? That action would be in the Lands Office. The papers coming back from the surveyor would pass through the Lands. These papers did pass through the Lands, and they retained the Volunteer land order and sent it back to Mr. Watt."

2514. Mr. Christie's minute, which states that the Volunteer land order had been returned to Mr. Watt, is dated 9th July; Mr. Watt must therefore have got the order on the very next day? It appears so.

2515. Then, in point of fact, Mr. Watt had his Volunteer land order back before the papers reached you? Yes.

2516. The matter had been completed by giving him back the order before the papers reached you? Yes, the Volunteer land order did not come to the Survey Office.

2517. There is a minute by Mr. Stephen in reference to that—will you please read it? "The return of the instructions by the surveyor is of course a matter of no concern to this department; it was only referred to as the action which would naturally follow the cancellation of the Volunteer land order selection. The real purport of the Deputy Surveyor General's memo. is evidently that the action taken is incorrect, or perhaps unauthorized. I can only state as to the first, that Dr. Wilson, in leaving his letter with me, personally explained to me the facts, and that they appeared to me to be sufficient for a compliance with his request. I did not think it necessary to write them down; but in consequence of the unexpected action now taken, I have since asked him to repeat his statements in writing, which he has done. I beg also to submit that in taking the above course in a matter resting with the Ministerial department, I acted as I do in many like cases as head of this department, and therefore for the Minister, and I trust that the Minister will uphold my authority to deal with those cases. It is rather an unusual thing for an officer of another department to call in question the action of the head of the Minister's department on matters coming within the province of the latter to deal with. The necessary action in the case should be completed, I think." He further writes: "If there were any conflicting interests, either existing or anticipated, or any other objection appeared to the Survey department, and the same had been submitted, it would be a different matter. Nothing, however, of the sort is urged. The object, therefore, of the Deputy Surveyor General's minute can hardly be mistaken." I simply declined to withdraw the instructions given to the surveyor.

2518. Your minute on these papers is dated 26th July, 1878;—was that immediately after the conversation with Mr. Farnell? Yes, I think it was the same day.

2519. At the time you had the conversation with Mr. Farnell and obtained his opinion on the matter, and subsequently when you wrote the minute, there was nothing you could do, the Volunteer land order having been returned—in fact the thing had been done before Mr. Farnell had a chance of giving an opinion upon it? So it appears.

2520. With regard to Mr. Wilson's reasons referred to by Mr. Stephen—they were given verbally first, and then in a letter. The letter is as follows:—"I had been assured by Mr. W. Watt, brother of the Hon. J. B. Watt, that the selections had been inadvertently made on his neighbours's run through the manager of the station not being aware of the true position of the run boundary, and to prevent disagreeableness on the part of the lessee of the neighbouring run it was requested that the selection be cancelled, an act of grace by which no one could possibly be injured, and which no reasonable person would possibly object to." Although no inconvenience might arise to any one it might be a great convenience to the holder of the land order? Yes.

2521. *Mr. Ranken.*] And as a matter of public policy there is an objection? I think it a bad precedent, because I think these Volunteer land orders are used in every way they possibly can be used in an unsatisfactory way to defeat the intended action of the Land Act; and therefore I think it is quite possible—I do not say Mr. Watt did so—that one run-holder may use his Volunteer land orders over another's run, and *vice versa*, and by that means change them about.

2522. And use them several times? Yes; and on any grounds that could be put forward the Under Secretary is not the authority to return a Volunteer land order after it has been used without the Minister's authority, or unless the Minister agrees with him.

2523. *Chairman.*] At the time referred to neither you nor the Minister knew that the Volunteer land order had been returned? No; for, like that case of Mr. Landale's, once it became known that such a thing could be done, although in the first instance it might have been done innocently enough, it would then be done improperly, I mean as to the precedent of Landale's, which was followed by Shanahan and Jennings.

2524. I think I understood you to say you have no other matters to bring before the Commission? No.

2525. In the questions which you desire to be put to the Surveyor General you speak of letters written by the Under Secretary to the surveyors, controlling their action? Yes.

2526. Do you know of any case in which a telegram had been sent to a surveyor in the Mudgee district? I do not remember one.

2527. Giving him instructions with regard to the survey of lands for a gentleman in that neighbourhood? I do not remember; I think the Surveyor General will be able to tell you. I think there was some difference of opinion between the Under Secretary and the Surveyor General with regard to some cases of Mr. Bayly's.

2528. That is the same N. P. Bayly who had so many cases of which we have been speaking? I know there were others, and I think it was probably a case of Bayly's on which they originated. But it happened at least twice with the Surveyor General, because the Under Secretary apologised to the Surveyor General twice for doing it.

2529. You do not recollect the circumstances yourself? No, I think it was on Bayly's cases.

FRIDAY,

FRIDAY, 24 JANUARY, 1879.

Present:—

MR. ABBOTT, | MR. RANKEN.

R. P. ABBOTT, ESQ., PRESIDENT, IN THE CHAIR.

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

P. F. Adams, Esq. 2530. *President.* You are aware that the Deputy Surveyor General has been examined by the Commission? Yes.

24 Jan., 1879. 2531. In the course of Mr. Fitzgerald's examination he desired that we should put certain questions to you with reference to matters upon which he was examined, and those questions I now propose to put to you as he desired? Very good.

2532. The first question is: Did the Under Secretary write to some of your surveyors in cases in which friends of his were interested? He wrote to my surveyors, and that I objected to.

2533. Can you tell us the name of the person whose business was the subject of Mr. Stephen's letter? Mr. Bayly.

2534. Mr. N. P. Bayly, of Mudgee? Yes.

2535. Did you require the Under Secretary to apologise for having done so? Not exactly to apologise; but he made the necessary *amende* which was due to me. I can hardly call it an apology.

2536. The next question is: Did the Under Secretary apologise? I do not know that it could be called an apology. Well, perhaps you may call it an apology. We will say he did apologise. You will please bear in mind that I did not ask him for an apology; but he replied to my representations in a satisfactory way. I did not ask Mr. Stephen to apologise, and therefore I do not wish that word to appear if you can help it.

2537. I use the word because I find it in the question which Mr. Fitzgerald desired we should put to you. You can, of course, state the matter in any way you please? Mr. Stephen made an explanation to me which I considered satisfactory. He made the necessary *amende*, and satisfied me that he would not do what I objected to again.

2538. After that did Mr. Stephen again write to your surveyors? I think he did on one occasion, but he did not do it in the same spirit which he wrote on the first occasion, and I took no notice of it more than just to remind him that he had done it. Mr. Stephen immediately said, "I am sorry; I did not think of it," or something of that sort, and I adopted that explanation directly.

2539. Do you recollect the name of the person on whose business he wrote the second time? I do not recollect. I think the surveyor was Mr. Deering, but I am not sure.

2540. You do not recollect the name of the person whose land Mr. Deering was surveying? No; I do not.

2541. Mr. Fitzgerald's next question is:—Did the Under Secretary again apologise on your threatening to bring the matter before the Minister? No; he did not apologise, because I did not request him to do so; but in calling him to account for it the second time I told him to recollect what had been said before, and he admitted that he was wrong, and that it should not have been done. I believe his action on the second occasion was merely an oversight.

2542. Mr. Fitzgerald's next question is:—Did you keep those papers as a protection? I have the papers, I believe; I think I put them by; but I have not seen them for years.

2543. You put them by as a protection? I kept them for that purpose. I never destroy papers, especially papers of that character.

2544. Mr. Fitzgerald's next question is:—Did you at any time send for any of the draughtsmen and tell them that in any case where Mr. Stephen, the Under Secretary, took an interest they were to be particularly careful as they would be led into difficulties? That refers to the case in which I brought him to account. The second case I think nothing of, but on the first occasion I was very much annoyed by the action which the Under Secretary had taken, and I sent for the draftsman who was in charge of the branch at the time—a junior, I believe he was.

2545. Do you recollect what his name was? No, I do not; but my impression is that he was a young man, a junior acting for his senior, because subsequently to that I made inquiries from the senior and he could not recollect anything which had occurred. That confirms my impression that it was one of the juniors who was acting at the time. I pointed out to him that if, as I expressed it, he saw anything being pushed with improper haste from the Lands Department, without the Minister's direct orders, he was not to take the responsibility of acting himself, but he was to let me know. I was very much annoyed at the time, in consequence of the action the Under Secretary had taken, and I said that which I should not have written, and would not have said had I known that the matter was to have been brought up in this way. But at the same time what I have said I cannot deny.

2546. And what you have just repeated is the effect of what you have said? Yes.

2547. The next question is whether Mr. Fitzgerald did not suggest to you, as a friend of the Under Secretary, that you should point out to him the seriousness of the evidence he (Mr. Fitzgerald) would be compelled to give; and to try and persuade the Under Secretary not to press the matter to an issue? To what period do you refer?

2548. The question appears to have reference to the matters referred to this Commission by the Minister for Lands, to an assertion made by the Deputy Surveyor General in regard to the Under Secretary which he was called upon to substantiate. The question is whether Mr. Fitzgerald did not suggest to you, as a friend of the Under Secretary, to point out to him the seriousness of the evidence he would be compelled to give, and to try and persuade the Under Secretary not to press the matter to an issue? Mr. Fitzgerald certainly did tell me of the importance, of the serious character of the complaint that he was making, and I told the Under Secretary that I considered it a very serious thing. The Under Secretary was perfectly aware of the serious character of it, and I wished if possible to prevent it from coming to such an issue as it has come to; but at no time did I ever expect that it would have gone beyond the Minister.

2549. Mr. Fitzgerald's next question was whether he did not show you one or two of the cases, in order that you might be in a position to state the matter to the Under Secretary? Mr. Fitzgerald did so.

2550. Do you recollect what cases they were? One was a case in regard to the leasing of a guano island, near Lord Howe's Island. I do not now recollect what the other case was; but he did show me another.

2551. The next question is whether, when you informed him that the Under Secretary required to obtain the

the papers, Mr. Fitzgerald did not tell you that you could have the papers and show them to the Under Secretary, but that you must retain them in your keeping? Yes; decidedly.

2552. How long ago is that? That occurred after the Minister for Lands had decided to send the case to this Commission, but the precise time I could not say.

2553. Do you desire to say anything further about the matter? No; except perhaps this, that in the conversations I had with the Under Secretary as to the charges made by Mr. Fitzgerald, he appeared to consider that he had not done anything which he ought not to have done. He justified himself to his own satisfaction throughout as never having done anything that he might not have done.

2554. Mr. Stephen considered that he had not gone beyond his authority,—that he had not exceeded his functions? No; that he had not gone beyond his province in any way.

2555. Nor that he had not gone out of his usual course? I could not say as to that. Whatever may have been the result of his action, my opinion is that he never for a moment considered that he was doing anything wrong.

2556. You do not think that Mr. Stephen thought that he was doing anything wrong? I do not think he did.

2557. Have you formed any opinion on the subject yourself? Yes; that he acted very foolishly.

2558. In this particular case that you know of? In any case in which he allowed himself to be led into giving precedence to anyone. That is a thing I have been very careful not to do.

2559. *Mr. Ranken.*] Do you refer to Lord Howe's Island case, or to other matters? To the case in which Mr. Fitzgerald objects to his action and charges him with favouritism.

2560. *President.*] With taking an interest in the cases of his friends, and in this case acting as a special pleader? Precisely. In this case—although I cannot in any way defend the Under Secretary—I do not believe that he did anything dishonorable in his own opinion; that he did not do anything with an evil or improper intention; that he did not act with any corrupt intention.

2561. I do not know that Mr. Fitzgerald ever suggested any corrupt action? Mr. Fitzgerald certainly never suggested anything of that sort to me, and I do not believe that he ever attributed anything more to the Under Secretary than exceptional good nature.

2562. Than exceptional dealing with the business of Mr. Stephen's friends? Yes.

2563. And with pressing on such cases; with having things done under these circumstances that would not be done otherwise than in the ordinary course of procedure? It was with giving precedence to his friends' business. The only misunderstanding I ever had with the Under Secretary on business resulted from what I considered this giving precedence to his friends' cases.

2564. In point of fact, allowing himself to be made use of? If you like to put it so.

2565. Is not that the mildest way to put it? I suppose it amounts to that.

2566. Do you recollect what was the nature of Mr. Stephen's interference in Mr. Bayly's case? The surveyor in question, Mr. John Mann, made a complaint to me. I cannot exactly give you the particulars. You would get the information better from him.

2567. Made a complaint to what effect? I cannot now exactly recollect what the effect of the complaint was; but he felt very seriously on the subject.

2568. Was it in writing, or was it verbal? Verbal.

2569. Was it because of the Under Secretary's interference that Mr. Mann felt sore, or was it because of any consequences to himself? Mr. Mann complained of the unpleasant position in which he found himself on a certain occasion where instructions had been suddenly transferred or taken away from him. I cannot remember the exact cause of the complaint.

2570. Was it in that way that it first came to your knowledge? No. I cannot precisely say whether Mr. Mann came to me direct or some time afterwards; but it came to my knowledge very nearly about the same time that Mr. Mann made the complaint.

2571. Was that immediately after Mr. Stephen's communication to him? It was after Mr. Stephen communicated with him.

2572. Can you say, speaking from memory, what direction it was that Mr. Stephen gave? No.

2573. Do you believe that the purport of it was to go on with Mr. Bayly's work, to pay special attention to it; or what was the effect of it? I should not like to risk an answer, simply because the fact occurred so long ago, and I might mislead you.

2574. You say you have the papers in both these cases. Would there be any difficulty in producing them to the Commission? In both cases?

2575. Yes; the other being Mr. Deering's case? I do not think I could find the papers in that case. The paper that I referred to as having put away, I could find that.

2576. *Mr. Ranken.*] Does that embrace the correspondence with the surveyor? I do not think so. As far as I recollect, the only paper I kept was the non-official paper. I do not know where the official papers in the case are. I suppose they at Records, or Mr. Fitzgerald may have them.

2577. *President.*] I understood from Mr. Fitzgerald that he thought you had them? I do not think so. It is not at all likely that I should have recorded papers in the place where I keep semi-official documents. I am certain almost that I have no recorded papers put away. But in this case the important paper for me was not an official paper, and I know I put it away.

2578. Would the paper you have give us sufficient information to enable a search for the official papers connected with the case? I think so.

2579. Will you try and obtain the paper? Yes; if you will suspend the examination for a few minutes I can go and get it. (*Witness fetched the paper from his office.*)

2580. You produce the paper referring to the case of Mr. Bayly, in which Mr. Stephen interfered? Yes.

2581. Will you be good enough to state the contents of it? Yes; the Under Secretary wrote this minute on the 7th of October, 1874, in reference to papers registered under the head, "Alienation," and numbered 74/12,075. He says, "The enclosed papers were borrowed by me a few days ago from the Surveyor General. I much regret that my telegram to Mr. District-Surveyor Bolton, of 15th April last, requesting that he would instruct Mr. L.-S. Mann to measure at once certain lands applied for, Mr. N. P. Bayly has been the cause of some misunderstanding as well as inconvenience. I am unable to call to mind the exact circumstances under which this telegram was sent by me direct to the district surveyor instead of referring the matter in the usual course to the Surveyor General. My belief is that Mr. Adams happened to be away at the time, and that, under the impression that Mr. Mann was in the locality, and willing to expedite the survey for Mr. Bayly, I sent the telegram off, and forgot, in the

press

- P. F. Adams, Esq.
24 Jan., 1879.
- press of business, to communicate what I had done to the Survey Department. If this action on my part bears the semblance of a wish to interfere with the officers under the supervision and control of the Surveyor General, I can only accept my regret for it, and feel sure that he will accept my assurance that the mistake, which I freely admit I have made, was simply the result of precipitate action, arising out of a natural desire to oblige a friend who represented to me through his agent that the early sale of the land was of great importance to him. Of course I need not say that such a mistake is not likely to happen again." My reply to that was, I find, as follows:—"I can only accept this explanation on the understanding that the Under Secretary for Lands gives me his assurance that he will refrain in future from interference with my officers, unless by the direct authority of the Minister. Since remonstrating with him, previously, another instance of interference has come under my notice—(74-6,961, Miscellaneous)—in which case my surveyor, Mr. Anderson, has been telegraphed to to return papers in an arbitration case, and my chief draftsman requested to issue them to another surveyor. The Under Secretary having the records of both departments under his control, has the power of directing action without any knowledge, and I am at a loss to know to what extent the interference complained of may have obtained. I am, however, determined to stop it, and unless I receive the necessary assurance, I shall bring the matter under the notice of the honorable the Minister for Lands.—P.F.A., 8th October." In reply to that Mr. Stephen wrote next day as follows: "I willingly give the Surveyor General my assurance that no instructions will in future be issued by me to his officers, unless by the express authority of the Minister.—W.W.S." Below that again, on the same day, Mr. Stephen also added this memorandum: "The further case alluded to by the Surveyor General, I have a distinct recollection of. The papers were not before me, and I was under the impression that the usual steps for appraisal had been initiated, and that it was in Mr. L.-S. Anderson's capacity, as appraiser, the telegram was being sent. I now find it was not so. The request to the chief draftsman I certainly never saw. It appears to have been sent irregularly to him, direct from the Miscellaneous Branch." I think I have said that Mr. Bayly's was the first case. On the perusal of these minutes, however, I find that it was not the first case. It appears the first case was that numbered 74-6,961, Miscellaneous Branch, in which Mr. Licensed-Surveyor Anderson had been referred to. Having read over the papers now, the first time for many years, if any discrepancies in my previous evidence occur they have arisen from defect of memory.
2582. There was another case, in which Mr. Deering's name occurred? Yes.
2583. Do you recollect the date of that? No, I could not trust my memory as to when that occurred.
2584. Nor as to the circumstances? Nor as to the circumstances.
2585. Do you recollect whether anything of a similar nature has occurred since? Nothing of any importance that I can recollect.
2586. Your position in the department necessarily prevents you from coming into collision with the Under Secretary? Certainly. Either he or I must step very much out of our line to interfere with each other.
2587. How is it with Mr. Fitzgerald? Everything that Mr. Fitzgerald writes goes to the Under Secretary, who can please himself whether he refers it back or not. He has command of the papers.
2588. Although the papers involve professional questions the Under Secretary can still deal with them? Yes. The professional matter in most cases is simply routine work, and does not affect the administrative character of the questions at issue.
2589. *Mr. Ranken.*] Has he to determine what lands are to be sold, and what not? That, I take it, is an administrative question.
2590. Is that a question on which collision is likely to occur? Not so much as upon the administration of the land law.
2591. *President.*] Do you consider that it comes within Mr. Fitzgerald's province to give his opinion upon points of the land law? Most decidedly.
2592. And to interfere if he believes wrong is being done? Not to interfere more than to place his opinion upon record. Having done that, I consider he is absolved from all further responsibility. I hold that no public officer, in whatever capacity he may be placed, should allow wrong action to pass on the papers without remonstrating.
2593. How long has Mr. Fitzgerald occupied his present appointment? The date of his present appointment was January 1, 1873.
2594. You have been in the department since 1858? Yes.
2595. *Mr. Ranken.*] Was Mr. Fitzgerald in the department previous to his appointment as Deputy Surveyor General? Yes; the date of his first appointment was 1856. He is one year my senior. My appointment was in 1857, and my first appointment to the salaried staff was in 1857.
2596. *President.*] During all that time you have necessarily been in almost daily communication with Mr. Fitzgerald, more especially since you have been Surveyor General? Yes.
2597. Do you think, judging from his acts, that Mr. Fitzgerald's inclinations lead him to interfere where he did not consider his duty? I do not; on the contrary, Mr. Fitzgerald is a man who minds his own business as well as any man could do.
2598. *Mr. Ranken.*] You consider that it is clearly within Mr. Fitzgerald's regular duty to make such suggestions as he thinks fit upon the administration of the Land law as it comes before him in the cases which pass through his hands? Certainly I do.
2599. *President.*] And his opinion on such subjects you would consider valuable? Very valuable.
2600. On all points connected with the administration of the Land law? Yes; I will say the most valuable in the department. I have the very highest opinion of Mr. Fitzgerald as an administrator.
2601. His experience and knowledge of the working of the law is great? Yes.
2602. You think that if Mr. Fitzgerald gave an opinion in that department the following of it would be to the interest of the public? Certainly; and in accordance with my desire as head of the department.
2603. You would attach as much importance to Mr. Fitzgerald's opinion as to that of any man in the Lands and Survey Departments? Quite as much.
2604. There is a case here into which we have been inquiring. It has reference to a Volunteer land order, which was tendered by Mr. J. B. Watt, and afterwards application was made that it should be returned for reasons stated in these papers. The application for the return of the order is dated 8th July, 1878, and on the 31st of July there is a memorandum signed by W. H. Christie, who, I presume, is one of your surveyors? He is a licensed surveyor.

2605. He states here—this application is now returned to head-quarters, Mr. Watt having informed me that the department has allowed the application to be withdrawn, and has returned the certificate in consequence of the land having been erroneously described? I do not recollect the case.
2606. Here also is the application upon which you will see a minute by Mr. Fitzgerald? Yes.
2607. Was it regular that Mr. Licensed-Surveyor Christie should send the papers back for the reasons stated there? It was not strictly regular; but if he derived his information from a trustworthy source I should not complain of him for taking that course, because unless the paper was returned on good grounds it would not be received.
2608. But it was not regular? It was not strictly regular to do it, except upon the authority of the office.
2609. *Mr. Ranken.*] In this case he took Mr. Watt's letter as a sufficient warrant for his action? My confidence in Mr. Christie is such as leads me to believe that he would never return an application except on good grounds.
2610. *President.*] If the Under Secretary had made the representation to Mr. Christie that Mr. Watt is supposed to have made, would you not have found fault with him for setting your surveyor in motion? Certainly.
2611. But not with your surveyor for acting on it? No, if Mr. Stephen did it with Ministerial authority, the Minister's authority overrides my instructions and everything else.
2612. Do you see this notation on the papers—"Declared void 9/7/78. Returned to Mr. J. B. Watt, and land agent informed"? Yes.
2613. The instructions for the survey of the land taken up under that Volunteer order, do you think that the return of that certificate was a matter upon which Mr. Fitzgerald might properly express an opinion as to the propriety of the action taken? Do you mean to ask if I would uphold Mr. Fitzgerald in criticising the action taken upon that paper?
2614. Yes? Certainly I would.
2615. The Under Secretary had directed the return of the land order, but Mr. Fitzgerald declined to withdraw the instructions to survey unless upon the authority of the Minister? If Mr. Fitzgerald saw that an error had been committed, or that an irregularity had taken place, he did right to draw attention to it.
2616. It came within the legitimate scope of his duties to do that? I think so; but I may add that I do not think his duties have ever been thoroughly defined; or, if they have, I do not recollect it.
2617. You use your own judgment? We interpret our own duty, and use our own judgment in the public interest. We act on precedents, and Ministerial authority where specially necessary.
2618. In the absence of precedent you act upon your own judgment? Yes, or obtain Ministerial authority if circumstances appear to render that course desirable.
2619. *Mr. Ranken.*] Do you think that Mr. Fitzgerald had good grounds for making this remark: "I cannot direct the return of the instructions"? Certainly I do.
2620. It does not strike you as having been done from mere caprice or from a spirit of opposition to Mr. Stephen? No.
2621. *President.*] You think that Mr. Fitzgerald had a right to suggest that the return of the certificate should have been made by the Minister and not by the Under Secretary? As I read Mr. Fitzgerald's minute, he considered that something irregular had been done which he would not be a party to without the Minister's authority.
2622. The application for the return of the land order was dated the 8th of July, but the matter does not come under Mr. Fitzgerald's notice until the 26th of July? That is rather quick.
2623. The certificate, it appears, was returned to Mr. Watt on the 9th, the day after the date of the application, and when the papers reached Mr. Fitzgerald on the 26th the whole business was in point of fact complete. Do you consider that a proper way in dealing with the matter? —
2624. The land order was returned the day after it was applied for;—was not that prompt action as compared with the usual routine? It was very prompt indeed.
2625. It was a promptness not usual? Very unusual; it was unusually quick.
2626. What is your opinion of the quickness of it as compared with other cases? I cannot account for the extraordinary haste in which the case was dealt with.
2627. *Mr. Ranken.*] Is it your opinion that the action taken in this case might produce a crop of abuses? I am hardly in a position to answer such an important question as that. It is out of my province.
2628. *President.*] Have you not thought about the propriety or otherwise of returning these land orders and stopping surveys without reference to the Minister? I would not allow a Volunteer land order to be returned, if I knew it, without strong ground shown, any more than I would think of allowing a conditional purchaser to change his selection without strong reasons. My opinion is that Volunteer land orders and conditional purchases are very similar under the law. No case, however, has come under my particular province, and I therefore feel some difficulty about giving you a direct answer.
2629. Having in view the present state of arrears in the business of the department, does it not strike you as extraordinary that this matter should be dealt with pretty well on the very day it was received? Yes; it is unusual haste.
2630. And the course you think would be objectionable? If it has had undue preference. I do not say that it has, but the dates lead to the supposition that it has.
2631. The reason the return of this order was asked for was the fact that the description included land comprised in two runs. If two run-holders were provided with Volunteer land orders, and if the course of allowing them to be returned as was done here, would they not be able to peacock their runs? Certainly.
2632. *Mr. Ranken.*] To pick out all the frontages? Yes.
2633. *President.*] In view of the precedent afforded by this case, would it not be very difficult to prevent such a course from being pursued? I do not think this case would be likely to become a precedent. Such a case of returning a Volunteer order might be allowed under exceptional circumstances, but this is not a case which could possibly pass into a precedent.
2634. Why not? As it appears to me it is an irregular case.
2635. Can you say whether Mr. Stephen had the power to act for the Minister in returning a Volunteer land order? He might assume that power, but I think it would be most injudicious if he did.
2636. You do not think he has the power to do so? I doubt it very much, but it entirely depends upon what his instructions from the Minister are. The Minister may delegate very large powers to him.
2637. This case does not appear to have been submitted to the Minister at all? Indeed.

TUESDAY, 28 JANUARY, 1879.

Present:—

MR. ABBOTT,

MR. RANKEN.

R. P. ABBOTT, ESQ., PRESIDENT, IN THE CHAIR.

W. W. Stephen, Esq., was called in and examined:—

- W. W. Stephen, Esq. 2638. *President.*] You have applied to be further examined, and we desire now to give you the opportunity of supplementing the evidence you have already given as you desire? I cannot but be aware from letters which I have seen written, and what I have heard, that there have been statements made to the Commission about me which are not at all complimentary, and I thought I should in all fairness have an opportunity of being heard in regard to them. I believe some cases have been brought before the Commission, but, with one or two exceptions, I do not know what they are.
2639. We have every desire to give you an opportunity of stating your view of the matter? There were one or two papers I should like to have brought with me bearing upon the relations which exist between me and the Deputy Surveyor General, but as I did not expect to be called to-day, having read your summons to attend as for to-morrow, I have not brought them, and in fact up to the present moment I have been too busy to look them out. I may mention that there was a matter laid before the Commission—a copy of an application by Mr. Biggs for employment—and there was a further memo. which I wished to put with the correspondence, but I could not do so because it was kept by Mr. Moriarty, to whom I sent it.
2640. We have had certain cases put before us, and the papers are now in our possession. If you desire it you can have an opportunity of looking into these papers before you give any further evidence? I am quite prepared to answer any questions now if I can only see the papers.
2641. Before going into these papers I may remind you that it was at your own request we summoned you to-day, under the impression that you desired to give further evidence? I should have been glad to have given further evidence, but I have not been able to collect the papers I wanted to refer to, but I thought I might be asked some questions with regard to the matters which have recently been brought before you.
2642. You yourself asked to be examined again, and I took it for granted that you would have come prepared with the additional evidence you desired to give? The chief object I had in making the application was to be in a position to give my version in the matters brought before you by the Deputy Surveyor General.
2643. The first case I put into your hands is that of a Volunteer land order selection by Mr. N. P. Bayly, registered 77/1,820 alienation? I remember this case.
2644. The point in that case was the application of a Volunteer land order to a proclaimed gold-field? Yes. The question is simply this: I saw Mr. Fitzgerald's minute originally, and I am aware that he wishes to make out that it is a case which I specially advocated. I certainly went into the case very carefully and very fully, because I wished to see what I considered justice done to Mr. Bayly. There was first the technical difficulty, that he selected the land under the fourteenth section, and the selection was passed by the Survey Department as by everyone else, until Mr. Farnell raised the point that the Volunteer Act required that the land should be taken up under the 13th section. It was that technical difficulty which deprived Mr. Bayly from getting the land, notwithstanding that all the conditions of the 13th section are similar to those of the 14th. I regarded the objection as a technical one, and knowing that the Survey Department were against my views in the matter I wrote this special minute. I see no harm in it, and should probably do the same thing again if I had the same case to-morrow.
2645. You saw nothing contrary to the law in the matter? I state in my memo.: "If the strict letter of the law is carried out in this case, the selection under the Volunteer land order should be declared void, but there are features in connection with this matter which I feel it right to bring under the notice of the Minister." Everything I did was plain and straightforward, and is committed to paper. I mention that simply because I am aware there was a paper by Mr. Fitzgerald to the effect that I specially advocated the cases of some persons—cases where I took a personal interest. What I did is shown by the papers, and is to be seen by the Survey Department, or anybody else who likes to read them.
2646. Is there any minute on these papers by Mr. Fitzgerald? No; but the papers went to him as a matter of course. I know that they went to him, because I wrote: "Cancel the Volunteer land order selection as directed; then send to Surveyor General for promulgation of the decision of the Minister." I do not see what the Survey Department or the Deputy Surveyor General has got to do with my action.
2647. *Mr. Ranken.*] Did the Minister overrule your recommendation? I do not know that I made a distinct recommendation. I pointed out that conditional purchasers had taken up land illegally, and had been allowed to remain in occupation for years, until the necessary legal action could be taken to remedy the defect; and I stated that if that had been done in the case of conditional purchasers, where an Act of Parliament was required, the same principle of action might be applied to cases like Mr. Bayly's, where it only required a legal notice to remedy the defect. Mr. Garrett had told Mr. Bayly that all these Volunteer order selections were to stand, and I knew that Mr. Edward Allan, who is Mr. Bayly's agent and a relative, knew all about it also; and I did take up the case specially, as I often do.
2648. The difficulty was about taking up land under a Volunteer order on a gold-field? The Volunteer Act states that land open for selection under the 13th section were open to be taken up under Volunteer land orders; and I am certain that this matter of land being within a gold-field was never thought of. I considered that Mr. Bayly had a fair claim to consideration, but I was overruled. This is one of the cases which Mr. Fitzgerald says I specially pleaded for my friends, and I say his assertion is perfectly untrue on the face of it.
2649. *President.*] Did Mr. Bayly finally get the land? No; Mr. Farnell decided that the conditional purchase of Mr. Dives, which conflicted with Mr. Bayly's Volunteer order selection, must stand because Mr. Dives's application was legal, while Mr. Bayly's Volunteer land order selection was not legal, on the technical ground I have stated. Mr. Bayly had a great many Volunteer order selections. He got some, but he did not get others.
2650. *Mr. Ranken.*] There is some reference to a promise given by Mr. Garrett in regard to the partial cancellation of this gold-field reserve, as far as these Volunteer order selections were concerned;—do you know anything of it? There was some such promise. 2651.

2651. Was it in writing? I cannot say; but if I recollect rightly, it was contained in a postscript to an official letter written by me to Mr. Bayly.

W. W.
Stephen, Esq.
28 Jan., 1879.

2652. Did that amount to an admission of the full right of Mr. Bayly to use these Volunteer land orders in future on that reserve? I should not say for the future.

2653. It was meant to confirm something which had taken place? Yes; Mr. Bayly had taken up a lot of Volunteer order selections.

2654. Could that letter be produced? Yes; I will send for a copy of it now. Mr. Garrett told Mr. Bayly, as far as I can recollect, in my presence, that the point was so very technical that it should not apply in any case, or that he would make them all right for him, or some words to that effect. There was another ground why Mr. Bayly's purchases should stand, because the Minister had approved of action being taken to admit of Mr. Bayly's selection standing before the conditional purchase was made. I think it had reference to selections made antecedent to the date of that selection, not that the Minister would condone every subsequent irregularity, although I think Mr. Bayly thought the thing was such a trifling matter that it would be allowed.

2655. Will you now look at these papers which have reference to another Volunteer land order selection made by Mr. Bayly, and are registered 76-10,455 Miscellaneous? This, as far as I can recollect, seems to me to be about the same sort of case.

2656. Are you aware what Mr. Bayly's object was in making these small purchases all over this gold-field reserve? I suppose he wanted to secure as much land as he could, in the same way as other improvers on gold-fields, who, in virtue of miners' rights and improvements, purchase as many 2-acre lots as they can.

2657. Did it never occur to you to inquire whether it was not to thwart conditional purchase? No.

2658. Were these selections made on Mr. Bayly's run? I think it was on his run.

2659. It would not be within a pastoral lease? I think it was.

2660. A yearly holding? I think it was within land held on a five years' lease. It was on a part of the Gulgong Gold-field reserve.

2661. Does a proclaimed gold-field ever form portion of a pastoral lease? Yes, it often does. There is some regulation to the effect that so much of the pastoral lease may be suspended as may be required for use by the miners.

2662. *President.*] Do you see any decision by the Minister on these papers? I see a request by me to the Surveyor General that to save delay the papers might go at once to the surveyor for measurement, instead of incurring the delay of returning them to the department after notation in the books at Mudgee and then again sending them to the surveyor. To which the Surveyor General said there was no objection, except that Volunteer land orders are not dated, or selection made at the local office. I see there is here the minute of the Executive Council revoking the reserve to admit of the selections standing—the course which I proposed to take in the other case—revoking so much as would exclude the 50-acre portions applied for. There is Mr. Garrett's approval to a minute of mine; and it was sent directly afterwards to the Surveyor General. Mr. Garrett's minute is dated the 17th October, 1876, and I marked it to the Surveyor General next day.

2663. *Mr. Ranken.*] That is not an approval of what had been done? It is an approval of a memo. of mine.

2664. *President.*] What was your memo? My memo. was: "Mr. Bayly's Volunteer land orders were located at a time when applications used (erroneously as it afterwards appeared) to be received for lands within gold-fields, open only to conditional purchase under the fourteenth clause. As Mr. Bayly had, after his applications were passed, commenced to improve the portions taken up by him, it was arranged as above stated, that a sufficient area of the Gulgong gold-field northerly extension should, if possible, be revoked. This does not, however, appear to have been done, although from Mr. Rutter's memo., on enclosed paper, I was under the impression that it had. Submitted that the above course should be now taken with as little further delay as possible." That was approved by the Minister, and sent by me to the Surveyor General the next day.

2665. Has the Minister written any minute himself? No; he has written "approved," which signifies general concurrence with the minute of the Under Secretary.

2666. *Mr. Ranken.*] It did not occur to you that Mr. Bayly's applications were made for any other purpose than to consolidate his property—that they were made for the purpose of spoiling the country for conditional purchases? I simply thought that he was taking as much advantage as the law allowed him. If he chose to buy Volunteer land orders he was entitled to get the same advantage out of them as other people. I thought he was getting a good deal.

2667. In violation of the 13th clause? That point was not raised until numbers of previous applications had been passed.

2668. As there had been former abuses did you consider that further encroachments in the law should be condoned? Not condoned; that they should be legalized by revoking the proclamation creating the reserve, which has been done. It had been done in dozens of other cases, and I saw no particular objection in my recommending that it should be done for Mr. Bayly.

2669. *President.*] Do you see any minute among the papers directing that any letter should be written to Mr. Bayly on the subject? No, I cannot say that I do; but if you write a minute and it is approved by the Minister, the natural consequence is that the parties concerned are written to and informed of the decision. Here is a minute of mine, upon which Mr. Bayly was written to, approved by Mr. Farnell.

2670. What is the date of that? The 16th of September, I think; and here I see is a copy of the letter to which I referred, and which I sent for a little while ago. I see there is a copy with the papers.

2671. This is the letter you spoke of in referring to the other papers? Yes, it bears date the 16th of September, 1874.

2672. Whom was it written to? To Mr. N. P. Bayly. It is in these words: "With reference to my interview with you a few days since, on the subject of certain selections made by you in virtue of several Volunteer land orders, I am directed to apprise you that under the report of Mr. Warden Johnston the Minister for Lands has approved of that portion of the Gulgong gold-field reserve which embraced the land applied for by you being revoked with a view to the selections referred to being allowed to stand. (2.) I am to add, that the local Crown Lands Agent has been apprised to the foregoing effect." Then there is this postscript: "P.S.—I am to add that all other selections made by you in virtue of Volunteer land orders, situated within the said gold-field, will also be accepted." That is the postscript I alluded to; and Mr. Bayly has made a great point of it. I have frequently referred to it.

- W. W. Stephen, Esq.
28 Jan., 1879.
2673. Mr. Bayly has based subsequent applications on that? I think he did; I cannot be certain.
2674. You have yourself referred to it in other cases? I do not know that I have referred to it for subsequent action.
2675. You have referred to it as a precedent? Yes; as a precedent in one sort of way. Some of the selections taken up were re-taken up, the first applications having been illegal at the time they were made.
2676. Had anything been done to make them legal in the meantime? They were made legal after the revocation of the gold-fields reserve.
2677. *Mr. Ranken.*] The conditional acceptance of all future selections seems to have been provided for in that postscript, whether they were in the resumed portion of the reserve or not? —
2678. *President.*] What was the date of the decision of the Minister in consequence of which this letter was written? I do not know. The papers in the other cases appear to have got mixed up. There may have been no written decision; but I distinctly recollect Mr. Garrett telling Mr. Bayly what I have stated in my presence.
2679. *Mr. Ranken.*] Is there any tracing which would show the way in which these Volunteer selections were used on the reserve? No; I have nothing to do with tracings. Here is a description, and the proclamation revoking different portions of the reserve.
2680. You have no idea of the relative positions of the land? No; I have nothing to do with that at all. I only deal with the administrative part of the question.
2681. *President.*] If you will turn to the Blue Book, you will see that at the time that letter was written, in September, 1874, Mr. Garrett had never been a Minister of the Crown? No.
2682. Then his dealing with the case must have been subsequent to that? I cannot recollect the name of the Minister; I thought it was Mr. Garrett.
2683. What was the decision upon which that letter was written? I cannot find it in these papers. It does not appear to be here.
2684. There is no decision authorizing the writing of that letter? The letter must have been written to carry out the decision; but I cannot find the decision here. Here is a minute of mine on the subject: "Under the recommendation of Mr. Warden Johnson, the portion of the Gulgong Gold-field Reserve, herein described, may be revoked. This will enable the selections made by Mr. Bayly, under Volunteer orders to stand, and prevent any necessity for special legislation as proposed in the first instance by the Minister, with a view to remedy the error committed in passing these selections."
2685. What is the date of that? 16th September, 1874. Upon that there is this minute by Mr. Farnell, "In order to deal satisfactorily with this matter, the report of the district surveyor had better be obtained." The report of the district surveyor was obtained, and he says here: "As there are now no diggers working in the locality, and having in view the large amount of contiguous land that has been alienated by auction, I cannot see any objection to the revocation of the land referred to." I cannot find the exact minute upon which that letter was written. There is no doubt it was written by authority, because all the previous action shows that it was authorised. These papers in coming to the Commission have not passed through me. They have been brought here without reference to me at all. The Commission never applied to me for them. They were asked for and obtained by Mr. Fitzgerald, at Records, without my authority.
2686. The Commission have not applied for the papers to anybody? These papers were taken away from Records by Mr. Fitzgerald, without asking me for them. You agreed at the first day of meeting that any papers required by the Commission should be obtained from me by letter; but instead of that the Deputy Surveyor, without any reference to me, got the papers from Records and brought them here.
2687. Do you think that the Commission have in any way departed from any arrangement made with you? I am not complaining of the action of the Commission at all.
2688. You do not consider that there is any breach of arrangement on the part of the Commission? I say there has been a breach of etiquette and custom on the part of Mr. Fitzgerald; and you accepted them from him instead of from me.
2689. Would you expect us to refuse to receive any papers from the Deputy Surveyor General which he considered important; would you have us refuse such information? I say it is a piece of great impertinence on Mr. Fitzgerald's part. It is a most cowardly proceeding on the part of a brother officer.
2690. Mr. Fitzgerald has been called upon by you to substantiate certain statements made by him with reference to you? Yes; but he might have let me know what he was bringing, and not have brought these old cases without letting me know.
2691. There is no difficulty on the part of the Commission about your having the papers, if you wish to examine them more closely. They are quite at your disposal? No; I am quite content to take them as I find them.
2692. The next papers to which we ask your attention are registered 78-7,444 Alienation—papers in which Mr. White is concerned? I think I know this case very well, by the look of it. I do not see anything particular in it myself.
2693. What is the case? It is an application on the part of Mr. James White by Messrs. J. F. and H. White, under the 31st clause, in virtue of intended improvements. It was made on the 2nd of October, 1875, and he made his declaration, saying that the improvements had been effected under the regulations as to the 31st clause.
2694. Of the Act of 1875? Yes.
2695. How was that case dealt with? In a very irregular way, I consider, by the Survey Department, for this reason, for it took the Survey Department from October 2, 1875, until the 19th of January, 1877, to say that the 5-mile square test did not apply. Mr. White made his declaration after the land had been improved, and upon his declaration there is this recommendation, signed by R.G.P. for the Surveyor General:—"Applicant having improved the land to the extent of £1 per acre, might he not be informed that he can apply for it under 2nd clause?" Mr. White was informed of that in November, 1877, and in three months after that, because he did not take advantage of this option of purchasing under the second clause, a draftsman in the Survey Office, without any reference to me or to the Minister, sends on the land for sale by auction. On the 29th of June, 1878, Mr. White wrote in to the department to say that he saw the land was advertised for sale by auction, which he had applied for under the 31st clause, and upon which he had made improvements to the full extent required. Mr. White represented that it was unfair that the land with his improvements should be put up for auction sale because he was not compelled to buy. It took fifteen or eighteen months for the Survey Department to find out that the 5-mile square test

test did not apply. On Mr. White's letter I wrote:—"May be withdrawn from sale according to decision upon papers, 78/3,032. The land should not have been advertised for sale at all, and all cases as to lands of this sort going on to auction are to be submitted to the Ministerial Branch, and not dealt with by the Survey Department." I wrote that according to Ministerial precedent, and this is the case to which Mr. White referred as being exactly similar. The law says that conditional purchases shall go on to auction sale when forfeited, but there is nothing about selections under the 31st clause going on to auction. After a man has improved the land it would be very unfair that the improvements should be bought over his head. I wrote a minute on the subject, and Mr. Farnell agreed with me. He said that land ought not to be sent on for auction sale. Mr. White put the case very fairly in the letter which he wrote on the 15th of April, 1878, upon which I wrote this minute:—"I certainly think that some different course should be adopted than that taken in this and I suppose other similar cases before sending on land for auction sale, and that they should be submitted to this department for decision instead of being dealt with in the off-hand way that this has been by the draftsmen in the Survey Office. The facts are briefly these:—Mr. White applied for in April, 1876, under the 31st clause, for 320 acres. It was not until June, 1877, that the Survey Department reported the application to be invalid, the cancellation being approved by the Minister in September following. But within the prescribed time and two months previously to the application being reported illegal, Mr. White sent in the required declaration as to the completion of the improvements. Then, in a little more than two months, after Mr. White was informed of the refusal of his application, the land is directed by an officer of the Survey Department to go on for auction, improvements and all; and it is advertised accordingly, and at £1 per acre. Mr. White is not bound to purchase under the 2nd clause after being allowed to retain on for over fifteen months under the 31st clause. Neither is it a case of forfeiture for non-compliance with conditions; neither again, if it was, is there any provision in the 31st clause or the regulations for sending the land on to auction, as in the case of conditional and other purchases, &c. The action taken certainly appears to me arbitrary, as it was also without proper authority, and I have, in anticipation of the approval of the Minister, and acting on his behalf, had the lot withdrawn from sale, pending decision on Mr. White's protest. Mr. Farnell approved of that. If that is a case which has been brought against me I am quite prepared to leave it to any man to say which action was right. Here is a draftsman in the Survey Department sending on land for auction sale on his own authority, without any sanction of the law or the Minister, land which has been improved by Mr. White to the extent of £320, but which is still only offered at £1 per acre. I think it is a very good thing that I stand in the position I do, or the injustice which would have been perpetrated in the department would be a perfect scandal. If that action had not been arrested, Mr. White would, in all probability, have brought an action against the department in the Supreme Court.

W. W.
Stephen, Esq.
28 Jan., 1879.

2696. Has Mr. White got the land? It has been withdrawn from auction sale.

2697. *Mr. Ranken.*] As improved land it cannot be selected? No, it cannot. It took the Survey Department sixteen months to apply the 5 miles square test. If the papers had been returned to me at once action could have been taken upon them, and would have been if they had not been detained by the Survey Department to write minutes upon them.

2698. *President.*] Is it not the practice of the Survey Department to send land on to auction? Where it is provided in the law.

2699. Without any special action on the part of the Minister? Yes; but in this case it was perfectly unauthorized,—a case in which land which had been improved to the extent of £320 was sent on for auction at the upset price of £1 per acre. Mr. Farnell said that I was certainly right in the objection which I took, and that he wondered at its being done. I wish to repeat, as emphatically as I can, that if I had not taken that action in preventing that land from going on to auction sale, it would have been a lasting disgrace to the department.

2700. *Mr. Ranken.*] The licensed surveyor says that the improvements were worth about £53? That was at the date of his report on the 30th September, 1876. Mr. White's declaration was made after the expiration of the time.

2701. *President.*] Is there not a decision in the department by some Minister to the effect that unless land taken up under the 31st clause be improved within twelve months, there is no option but that it must be forfeited? There is a regulation to that effect, but the fact of the declaration not having been received until after twelve months, does not cause forfeiture. Mr. Farnell often allowed the declarations to be received after the prescribed time; but suppose the land is forfeited that does not make the case any better, for there is nothing to authorize it being sent on to auction.

2702. But it takes away from the improver all his rights? I believe there is a decision to that effect—that the fact of the improvements not being there within twelve months ensures the forfeiture of the 25 per cent. deposit. But the fact that the declaration is not received within twelve months does not involve forfeiture.

2703. *Mr. Ranken.*] The only statement which I can see here is the surveyor's report that the improvements were not worth more than £53 altogether? But Mr. White's declaration was dated some months after the surveyor's report, which was in September, 1876.

2704. What is the date of Mr. White's declaration? August, 1877.

2705. Does Mr. White say the time within which the improvements had been made? Yes; he solemnly declared that they were completed within twelve months from the date of application. Many people do not know when the declarations have to be sent in. There was nothing in the Act requiring them to be sent in. This declaration states that the improvements were duly made within twelve months of the date of application.

2706. Was there not some decision as to the necessity of having the improvements completed? Yes; it was of rather late date. As Under Secretary, I may mention that I hold a commission to do things for the Minister, and I consider the things which I do in his name I am entitled to do. I take these cases in hand, and I say that Mr. White was right. If that land had been sold at auction we should never have heard the end of it. It is for the Minister to say what land is to go on to auction, not the Survey Department.

2707. Was this the first case of the kind? I believe so; the first case which came under my notice. There is another which followed this as a precedent.

2708. Both Mr. White's cases? Yes.

2709. Applications made at different times? Yes; I refer to the Minister's decision given in the other case.

2710.

- W. W. Stephen, Esq.
28 Jan., 1879.
2710. Is there any minute upon this case, 78-7,444? Yes; this: "May be withdrawn from sale. According to decision upon papers 78-3,032 the land should not have been advertised at all; and all cases as to lands of this sort going on to auction are to be submitted to the Ministerial Branch, and not dealt with by the Survey Department."
2711. Is there any minute by you to the effect that similar papers are not to be sent on to the Survey Department? Yes, this minute embodying the Minister's decision.
2712. That is your minute? Yes; in accordance with the Minister's decision on my minute in which I suggested it.
2713. You say there is nothing in the law which makes it imperative that the declaration as to improvements under the 31st clause should be made within twelve months? I think there is a regulation, but there is nothing in the Act about it.
2714. But the regulation is within the scope of the Act? It ought to be. Mr. Farnell has held contrary opinions two or three times.
2715. In point of fact that regulation, the eleventh, is in force now? Yes. That regulation is clear enough, that within one year from the date of application the applicant will be required to make and transmit a statement as to his improvements, verified by statutory declaration; and so with regard to conditional purchases, a similar declaration is required as to the improvements within three years and three months, but the absence of those declarations has been condoned over and over again.
2716. Will you find the date upon which the selection was reported by the Surveyor General's Department as illegal? June, 1877.
2717. What is the date of Mr. White's declaration? August, 1877.
2718. Two months after the Survey Department has declared it void? Yes; that is what I have stated in my memo. The application of Mr. White is dated April, 1876; therefore it took from April, 1876, to June, 1877, for the Survey Department to say that the 5 miles square test did not apply. As Mr. White very justly states, that had the application been refused within a reasonable time, the lessee would not have made the improvements, but he was allowed to go on and make the necessary improvements.
2719. Although he had not taken the steps to put him in a position to enable him to ask for them? The improvements were actually effected within the twelve months before the Surveyor General reported that the application was illegal.
2720. But the declaration was not made until after the twelve months? It was not known that the declaration was needed. There were several other cases in which it was not known to be needed.
2721. The recommendation of the Survey Office was made in June, 1877, and the land was not sent on for auction until May, 1878? It was ordered to go on for auction on the 11th of January, 1878, and in April it was advertised for sale in May. That is much quicker than lands usually go on.
2722. Was there no communication sent to Mr. White between June, 1877, and the date on which the auction sale was first advertised? The applicants are always told.
2723. In that case was Mr. White informed? I think he was, because he draws attention to the sale. There is generally a printed slip sent out to this effect:—"The land originally purchased by you will be offered at auction." Whether he got that or not I could not tell, but he got to know of the fact.
2724. You approved of the land being withdrawn from sale in anticipation of the approval of the Minister? Yes; I have frequently to act for the Minister.
2725. And he approved of your action? Yes.
2726. The next question to which we ask your attention is contained in these papers registered 77-2,029 alienation? Yes. I do not see anything in this case one way or the other.
2727. It is a case in which a change of land taken up under a Volunteer order is asked for? Yes.
2728. Have you got your minute deciding that case? Yes. I say:—"This case appears to have been re-submitted to the Minister on the ground that the decision disposes of only one point, and that there is yet another difficulty at present in the way, namely, that the travelling stock route embraces the land applied for. I conclude that the recommendation of the surveyor as to the revocation of a portion of the reserve taking in the land applied for may be approved also, and the case be now allowed to go on." That was marked approved, and it went on to the surveyor for auction.
2729. Is that the only minute you have written in this case? There is the first minute, submitting the case—77-2,029 alienation: "In reference to the memo. of the Deputy Surveyor General of 21st ultimo, I would invite his attention to the decision which has now been given upon 78-1,820 alienation, which disposes of the question alluded to by him. The Mining Department will be duly apprised of the above decision." I have some recollection of Mr. Farnell keeping this case on his table. He said there seemed to be another question connected with it, and then I wrote the memo. I have just read. My first memo. is dated the 5th April and the second the 13th of June.
2730. Was that a decision of your own without the authority of the Minister? There is no decision at all there. I say, I conclude that the recommendation of the surveyor may be approved. I do not see how that is going away from the Minister's decision.
2731. How was the question disposed of? There does not appear to have been anything done with it. I do not know how that got to the Surveyor General; but when he wants the papers he can get them. I do not see that any action has been taken on that. The surveyor does recommend the travelling stock reserve to be revoked in part in his memo., and I concluded that the Minister's approval was meant to embrace the two points. There were six or seven sets of papers connected with Mr. Bayly's cases, and I have sometimes been puzzled to know which was which.
2732. What minute is this? It is a minute by Mr. Fitzgerald on the 15th of May, 1876:—"This application should be declared void, as the parish of Bogledie, in which this land is described as situate, is within the Gulgong Gold-field, northerly extension, proclaimed on the 1st of September, 1871." Then there follows this: "So much of the Gulgong Gold-field as was comprised within Mr. Bayly's selections having been revoked it will not be necessary to declare this selection void; it may be transmitted to the surveyor for measurement as in other cases." To which I wrote this reply, "Yes, as in other similar cases." I can hardly call to mind the facts of that case.
2733. You say there was a great many of Mr. Bayly's cases? Yes; and they all hinged pretty much on the same question. In connection with a great many of his cases there was some dispute between the Mining Department and our Department as to whether land in a gold-field should be put up to auction.
2734. This application had reference to the Gulgong Gold-field apparently? Yes. 2735.

2735. *Mr. Ranken.*] But it also included portion of a travelling stock reserve? Yes, and the surveyor recommended that the travelling stock reserve was not required, and might be revoked.

W. W.
Stephen, Esq.
28 Jan., 1879.

2736. *President.*] As you are aware, we have been asked by the Minister to send in a Progress Report? Yes.

2737. And we have asked for some returns which we think necessary for that report. One consists of papers respecting a collision between your division of the department and Mr. Moriarty's in reference to promotions, and the other relates to the appointment of conditional purchase inspectors and Commissioners and to their removal from office? I am waiting for the latter return, which is in course of preparation; but with regard to the former I submitted the application of the Commissioners to Mr. Hoskins, who stated that he did not see that the question of increases and promotions was a matter coming within the scope of the Commissioner's inquiry at all.

2738. Was Mr. Hoskins made aware of the question which also arose on the papers as between your department and Mr. Moriarty's? Yes; Mr. Hoskins has asked me my reasons for not recommending certain promotions, and as your letter shows that the matter has been brought before the Commission, it was my intention to refer to Mr. Hoskins again.

2739. The Minister does not absolutely refuse to send them? I asked him whether I should send them or not, and he wrote "No."

2740. *Mr. Ranken.*] I suppose the Minister understands that we are not interested in the question of promotions, but of collision between the branches? I understand the question, and I should like much if I could get the Minister's permission to submit the papers.

2741. *President.*] With regard to the other return? I wonder it is not ready.

2742. Is it in hand? Yes; I gave it out at once.

WEDNESDAY, 29 JANUARY, 1879.

Present:—

MR. ABBOTT,

MR. RANKEN.

R. P. ABBOTT, ESQ., PRESIDENT, IN THE CHAIR.

Mr. W. W. Stephen called in and further examined:—

2743. *Chairman.*] I think yesterday we were last speaking about this case of Mr. White? No, that was not the last case. You had put that away—we had got to Baylis's case.

W. W.
Stephen, Esq.
29 Jan., 1879.

2744. There are just one or two more questions about that case. In your minute of the 19th April, 1878, there is one paragraph, "Within the prescribed time, and two months previously to the application being reported illegal, Mr. White sent in the required declaration as to the completion of the improvements." The date of the application was on the 15th April, 1876. The declaration ought to have been in before the 15th April, 1877, should it not (*shows papers to witness*)? There is some mistake there. Might I look at the papers in Mr. White's case. Of course I ought to have had more time to look into these things. That seems to me a mistake on the face of it. I believed I looked at that (*pointing to writing on the papers*); it looks like "April."

2745. The declaration should properly have been made before the 15th April, 1877, and actually it was not made until the 28th August, was it? It is one of those cases in which the improvements were there. I mean to say that within the prescribed time, twelve months from the date of application, it is quite possible that the improvements were there.

2746. Not that the declaration was within the prescribed time. There is another discrepancy. "The declaration was made two months before the selection was declared illegal," it says. It is just the contrary; it is two months afterwards? I took that as April. I looked at that writing; I did not look at this thing at all. It looks like "Al." to me, as much as "Aug." Of course it is a mistake. The application was reported illegal in June, 1877. That is two months before instead of two months after. It is very likely a mistake. My minute is dated the 19th April.

2747. In what year? The same year, 1878. That may be a mistake; perhaps it is, but it does not affect the principle of the case in the slightest degree.

2748. There is another point or two in reference to this case. It has been stated that the Messrs. White did apply for the land under the 2nd clause. They would be in the same condition as if the application under the 31st clause had been approved. They would be in the same position if they had applied for it under the 2nd clause, as if the application under the 31st clause had been held good? It is simply this: In the case of applying under the 31st clause they have to pay the whole of the money down; therefore, till the application is declared illegal, they are out of the interest of their money; it is in the Treasury, to the credit of the public revenue. In an application under the 31st clause, when it is declared illegal, they are told, "Your application to purchase by virtue of intended improvements is illegal, but you can purchase under the 2nd clause, because the improvements are there, on your run." Mr. White was told he could do that; but he said he did not see the force of that, and did not see that he was compelled to buy under the 2nd clause. Therefore the land went on to auction in January, 1878. That is the date it was sent on to auction. That is the date of the instructions to go on to sale, the 11th January, 1878. Signed, "R.G.S.B."

2749. When was it to be sold? It was simply sent on to sale, and the schedule was prepared and advertised to be sold in May. As I have stated before, this is the case:—It was not a forfeited purchase, it was cancelled, simply on account of the 5 miles square test.

2750. You held there was not any forfeiture incurred for want of the declaration? No; even if there had been there was no right for a draftsman to do this. The act of sending on for sale is for the Minister to determine; but here is a draftsman from the Survey Office sends land to auction sale without the lessee having a word to say at all.

2751. And if the sale had taken place in May, 1878, that would have been thirteen months after the time when the improvements should be made, and the declaration made in respect to them? Yes.

2752.

- W. W. Stephen, Esq. 2752. But the declaration was not made until four months after the time in which it ought to have been made? No, most of them have not been.
- 29 Jan., 1879. 2753. You say you did not think Mr. White was bound to take up the land under the 2nd clause, being in possession? Exactly. I think there was a great deal in this statement of Mr. White's letter:—"The lessees are aware they might have applied under the 2nd clause, but they did not believe it was incumbent to do so under penalty of the forfeiture of their land, and they failed to see the justice of such a proceeding."
2754. What was the position for which they contended—that they were to remain in possession for an indefinite period? No; his objection was that after his improvements had been made with the approval of the department, that his land was to be sent up to auction at £1 per acre with all the improvements upon it. As he said, if anybody chose to oppose him he would have to pay for his own improvements erected at his own cost.
2755. Would there be any other way of disposing of this land, except under the 2nd clause, or by auction? No; he could free-select if he had chosen.
2756. When it was improved he could not select, could he? If they were his own improvements. It has always been so held. That point has been often raised. It has been held that a man can select his own improvements, but nobody else's.
2757. And is that ruling acted upon? I believe it has; it used to be the rule.
2758. In this case of Mr. White's he could not be forced to take it under the 2nd clause, and it would not be fair to put it up by auction, and he actually remains in possession? As long as the improvements are there it is barred from free selection.
2759. And he could not be interfered with in any way? The Government advertise the land, and add the value of the improvements at the upset price. If anybody else purchases it he has to pay the full value; if the person buys it himself the value of the improvements is remitted to him.
2760. Is not that the course pursued in all cases of improved land by the Government; are not the improvements always paid for when it is anything over £40? No; that is quite a recent regulation introduced by Mr. Garrett to prevent dummyism. Squatters used to get men to select for them, and put up improvements meaning to forfeit, and get the land put up by auction at the upset price, which it paid them to do. Then a regulation was made during the last few years that the value of the improvements at the date of forfeiture is to be added to the upset price, so that if the lessee wanted to buy them he would have to pay for them. That is the only rule I know of.
2761. Was that rule established within the last two or three years only? Yes, with regard to improvements, and to prevent dummyism, if the lessee put up improvements without residence, that they should pay for them twice over.
2762. That is only the discovery of the last two or three years? I think about three years.
2763. Has anything been done towards dealing with this particular case? No, it seems to me to stand in abeyance. It would rest with the Survey Branch whether it should go on to auction or not. Mr. White was informed of that decision, approved of by Mr. Farnell. It went to the Survey Branch on the 20th May, 1878. There it has been ever since, and no further action recommended; it rests with them.
2764. Did you not find fault with their bringing the case to auction previously. I understood you to find fault with them for not consulting you? Most decidedly I found fault with their sending it on without submitting it to the Minister. His was a cancelled not a forfeited case. It was not forfeited, it was only cancelled because it was illegal on account of the 5 miles square test not applying; and there was nothing in the law to prescribe that this purchase should go on to sale. There was evidence in the department to show that the land was improved to the extent of £320. What I complained of was that a draftsman of the Survey Department marked it to the head of the drafting branch to go on to auction at the minimum upset price of £1 per acre.
2765. What course should they take now to move in the matter, as it stands at this moment? I sent it to the Survey Office. They simply put on it, "Put away with records." Of course I never saw it since till I saw it here yesterday.
2766. What course should be taken with it now? I cannot say.
2767. Is it not a matter with which you are authorised to deal? If it came to me I should think what to do with it. It is a rather novel case. It is put away in the Record Branch.
2768. Without you or any one having authority to deal with it? If the Surveyor General thought any further action was necessary he would have submitted it to me.
2769. It might have remained there for an indefinite time, and left Mr. White in possession? Yes, unless the improvements deteriorated, which would put it in the power of anybody to free select. It was the first case of the sort that happened, and that was the reason why I went particularly into it. I thought the Survey Department was acting wrongly, and I pointed it out.
2770. And the effect of the whole dealing was to leave it in Mr. White's possession, as if his first application had been successful? The effect of this decision is that he is not in legal possession at all; but I do not see that anybody can take it from him.
2771. A good holding title? Yes.
2772. *Mr. Ranken.*] Without paying for it? He offered to pay for it, and put down the money in full; but it took the Surveyor General sixteen months to tell him his application was illegal.
2773. *Chairman.*] Where is the money that he paid? That was authorised to be refunded to him eighteen months after he paid it.
2774. *Mr. Ranken.*] Most of these 31st clause cases were left for a year? Most of them.
2775. *Chairman.*] Did Mr. White get the money back? I imagine he did. Here is the authority of the Treasurer to pay it back to him. I just wanted to point out one thing here. This report on Mr. White's application went to the Charting Branch in November, 1876.
2776. Is that from your department? No, that is a memo. from the Survey Office. It went in October, 1876, to the Survey Department. It was not recommended for refusal till June, 1877, although I believe that when the plan was there they ought to have found whether the 5 mile square test applied within a month; but instead of that they keep it all this time. If we had got it back in six months there would not have been all these complaints caused by this delay.
2777. If Mr. White has got the money and refuses to take up the land under the 2nd clause, he is in possession of the land, and acts as owner of it without any consideration at all to the Government? I suppose he is.
- 2778.

2778. And but for these papers being stirred up under present circumstances it might stay there for any time? I do not know. Mr. White, I believe, is willing to purchase under the 2nd clause.

2779. Do you not think Mr. White might very fairly be told that before he makes his application he ought to know whether he is entitled or not? If it takes the Survey Department 16 months how could an outsider find out? The law had not been interpreted then, and an outsider could not find it out.

2780. Mr. White ought to have known it himself that he had no right to do it, and that he should not have been allowed to set up these rights in opposition to the proposal that he should take it under the 2nd clause. Should he not, on finding out that he was wrong on the first application, have been compelled to put himself in a proper position? That was not the question you asked me. You said he ought to have known it. I say if the Survey Department took 16 months to find it out he could not be expected to know it. But it is no reason why he should remain in possession and not take advantage of the 2nd clause.

2781. Because actually and strictly it was his fault? In this particular case there is nothing to show that he ever was informed that he could apply under the 2nd clause. There is simply the notice that it was going up to auction. I am aware that he might have applied under the 2nd clause. Sometimes they are told that it is open to them to apply under the 2nd clause. It does not appear from these papers that he was told.

2782. *Mr. Ranken.*] Would not the 2nd clause put him in precisely the same position as the 31st? Except that the land might have been appraised at 30s. an acre. He took it up at £1 per acre. He might have to buy it at £2 an acre. Appraisers have appraised land at 25s. an acre, and more. Under the 31st clause he would have got it at £1 an acre; under the 2nd clause he has to submit to appraisal, and after being out of his money for sixteen months he says it is not fair to put him to the risk of an appraisal that might put on 30s. an acre. He says it is a hard case, and he reasons the thing on what grounds such a course has been adopted. I submitted a minute, and it was approved by the Minister, yet it is put away with the records. The record clerk is not supposed to take any action.

2783. *President.*] He simply held the papers until he is asked for them? Yes.

2784. Then I suppose the proper course for the Survey Office would have been to send it back to you? I should think so; so that they might know what action was to be taken? I think they ought to have recommended it.

2785. Then he gets it for nothing? He has no holding. It went to the Survey Office for their information.

2786. *Mr. Ranken.*] The next case is referred to in the Parliamentary report:—"Mr. Bennett asked the Secretary for Lands, pursuant to notice—(1.) Did Mr. H. C. Dangar take up 50 acres of land in the county of Cook by virtue of a Volunteer land order? (2.) Was he afterwards allowed to abandon this ground and take up another portion by virtue of the same land order; if so, by whose authority, and under what clause of the Land Act? Mr. Farnell answered,—(1.) Yes. (2.) He was allowed to abandon his Volunteer land order selection on the 10th March, 1876, and take up another portion, under the authority of the Under Secretary for Lands." The 29th December, 1875, was the date of the original application. I may state to you it is represented to the Commission that in approving of the alteration requested you cited Mr. Copeland's case as a precedent, and it is also stated that Mr. Copeland's case bore no reference to the matter, that being land most of which was purchased by other people, while the only objection to Mr. Dangar's original application was that it appeared to him to be an unsuitable one. Is that so? Here are the papers (*showing them to the witness.*) I will put aside Copeland's case. I will bring half a dozen others. The principle is the same, authorising the change of a selection on a Volunteer land order. It is done over and over again in the matter of conditional purchases; I think I may say over and over again it is submitted to me with this: "May the request be complied with?" I write, "Yes, a similar application of Mr. Copeland had been approved." I recollect that it had been approved. I suppose it will be admitted that in the thousands of papers that I have to deal with there might have been a slight difference in the two cases.

2787. It is said that nine-tenths of the land in Copeland's case was purchased, but in Dangar's case it appeared simply that it did not suit Mr. Dangar;—is that so? It says:—"From natural obstacles it would be impossible for me to make any use of it, and therefore apply to take up another portion of land near the Weatherboard platform." I knew at the time I wrote that a similar application had been approved allowing Mr. Copeland to change his selection. It is possible I did not refer to the particular papers.

2788. Was Mr. Copeland's selection previous? Mr. Copeland's is dated the 7th March, 1876. Mr. Garrett's minute is on the 10th March, 1876. My minute is a few days later. Mr. Dangar's application is dated January, 1876. Unwin's is the 19th February, 1876.

2789. Do you consider that sufficiently analogous to take the former as a precedent? I cannot say that, but in this matter of Copeland's, Mr. Copeland was with the Minister personally before the formal decision was given. I knew that it had been done, and that the effect was the same, to allow him to change the selection—to allow him to make the selection elsewhere.

2790. In dealing with Mr. Dangar, you considered Mr. Copeland's case as a precedent? I suppose I did. It has been done several times on less grounds than in Mr. Copeland's case.

2791. You did not enter into the merits of the case? I thought it quite justifiable under the circumstances stated by Mr. Dangar, that the land was inaccessible.

2792. Was the land surveyed? No; here the survey comes in months afterwards; no, it was not surveyed, it could not have been surveyed at the time.

2793. You had no official report as to its being inaccessible, or incapable of being surveyed? No. There are two or three more cases I have done in the same way. I believe there is a case before the Commission now which I approved of in the same way.

2794. Was it a Volunteer land order case? Yes; I thought there was a fair ground given. I do not believe Mr. Dangar has the grant now, and I do not believe it matters if he has it or not. I authorized it, and I considered I was perfectly justified in authorizing it. I did the same thing as in Dangar's case for Mr. Watt; that is a similar case to Mr. Dangar's exactly.

2795. You did not expect any abuse to arise from it? Certainly not, and I do not believe any abuse did arise. In Mr. Dangar's case I am as positive as I can be that there was no application to thwart a conditional purchaser; he simply made a mistake, and he made an application that he might change it. They paid a pretty high price for the Volunteer land orders then.

2796. *President.*] But did you not think that Volunteer land orders might be used to block selection? I did; but of course, as Under Secretary, I used my discretion. In certain cases I am positive there was not the slightest idea of that.

2797.

W. W.
Stephen, Esq.
29 Jan., 1879.

W. W. Stephen, Esq. 2797. I did not speak of this case particularly. You agree with me that it might be done? Yes, it might be done in the same way as by persons applying by improvements. Volunteer land orders might be used to thwart the conditional purchaser.

29 Jan., 1879. 2798. What use of Volunteer land orders would be the most effectual way? I do not think you will find many cases in which it has been done.

2799. *Mr. Ranken.*] In this particular locality I do not suppose there would be any chance, but if it was allowed, might not men exclude others who wanted it? I think it might in some cases; I think I have a return of all the cases in which Volunteer selections have been changed; I do not think there would be a dozen of them altogether. The matter was submitted to me, and I approved of it for the Minister. If I had thought it necessary to submit it to the Minister I should have done so; I am sure the Minister would not have objected. It is impossible to submit every case to the Minister; but I am responsible to the Minister only; I am not responsible to the Survey Department.

2800. *President.*] But is it not a bad precedent? I think indiscriminately allowing it would be a bad precedent; I can recollect five or six cases where I have refused it.

2801. Is it not the fact, that in dealing with the land law, you have to establish precedents? Very often; there are so many different cases under the land law. The points may be similar in some respects and different in others. You must, in the numerous cases, discriminate between them.

2802. *Mr. Ranken.*] You think these cases ought to be sifted on their merits? If there is anything on the face of them that would lead to doubt, they certainly ought to; in this case I am perfectly satisfied there was no intention to thwart the conditional purchaser or any one else.

2803. Do you wish to make any further statement in regard to this case? I have only one thing to state; that approval was given by me in 1876; if there was any complaint to make against me, surely it might have been complained of before April, 1878; but when I went away to Melbourne, on business, eight months ago, I found that this question was asked, evidently aimed at me. It seems to me there are people always ready to give information to Members of Parliament. It was when my back was turned at the office. A person here wrote to me about it. I said, "Let them ask what they like." I spoke to Mr. Farnell about it afterwards, and he made no objection in any way. I approved of that in 1876, and in April, 1878, when my back is turned, I find this question, certainly put into Mr. Bennett's hands by some person in the Survey Department, when I am away, and have no opportunity to make my answer, and had not the power to explain to the Minister why I did it; I recollected this case directly Mr. Ranken said Mr. Bennett asked the question; I recollect that it was brought under my notice when I was in Melbourne.

2804. There is a case of a Mr. Smith, who is represented as having made various attempts in the first place to get a special lease, originally for a quarry, and afterwards for a silk-growing farm, on the Blue Mountains, and it is represented that he has been allowed to purchase the land under the improvement clause. Are you aware of the circumstances? I know this case well. May I be permitted to ask if it has been submitted as against me or not?

2805. *Chairman.*] It has been submitted as proving what is stated by the Deputy Surveyor General.

Witness.] That is what I want to know.

2806. *Mr. Ranken.*] It is represented, shortly, that, owing to the way in which the case has been dealt with, action has been arrested too late to stop a job that costs the country £2,000;—is that so? I know this is Mr. Fitzgerald's pet case, which he brought up to the Minister. All I can say is that the action in this case has been as straightforward and as honest as any action could have been. The original application was approved of by Mr. Garrett, as a special lease, which did not come through me at all.

2807. *Chairman.*] Was it for a quarry? I do not know; it did not come through me. It was approved by Mr. Garrett as a special lease. Then, in accordance with many other precedents, the land was applied for under the improvement clause. Mr. Garrett was the Minister of the day, and approved of it being put under the second clause. It went on to appraisal. The Government appraiser appraised it, as far as I can recollect, a good deal beyond the upset price any way.

2808. *Mr. Ranken.*] Mr. Marshall Bayley, who appraised it at £250, was it not? Yes; as honest a man as any in the country. The acreage was 100 acres. He took stock of the improvements, and put that value on it.

2809. I think there is a condition attached to the Ministerial minute that sanctioned the lease, "provided inquiry as to the *bonâ-fides* of the matter should be instituted before the improvement purchase is entertained";—but that seems never to have been entered into, does it? There are other papers. I should like to have the opportunity of standing on this case alone. I heard it characterized before the Minister for Lands, by Mr. Moriarty, as "a job." I do not know where he meant the job lay. However, Mr. Bayley, the Government appraiser, appraised the land considerably over the upset price; I think it was double. The appraisers did not agree, and an umpire was called in, and he fixed it at £100. Mr. Bayley has stated what the improvements are. He stated that about 50 acres of the land were simply worthless.

2810. It has been represented to the Commission that this same land is being cut up into villa sites? But what have we to do with that?—why did not the Survey Department, on submitting the matter to appraisal, point this out—not now, when it is all over? There is a minute of the Survey Department in January, 1878. I want to be particular about this case, as I am on my trial as it were.

2811. *Chairman.*] It would be well for you to give us your views of the case as it goes on? I think it would take a very good memory.

2812. *Mr. Ranken.*] I have stated shortly to you what the result of the information laid before the Commission tends to;—it began with a stone quarry, and now it is being cut up, is it not? The special lease is managed by the Occupation Branch. That I have nothing to do with. When it comes under the 2nd clause, then it comes to the Lands Office,—it is alienation. The Minister approved of it; I had nothing to do with it. If there was any objection to the value of the land, why was it not pointed out to them? It is only after all the formalities required by the Land Act are complied with that Mr. Fitzgerald writes the letter here. I had a long talk with Mr. Farnell about it. I told him that Mr. Smith had got to windward of the Government. He said, "You must submit the case to the Crown Law officers." Here is the case as submitted and approved by Mr. Farnell. It went to the Crown Law officers, and they stated that there was no help for it; if the law was defective the proper course was to amend the law; but the Minister having approved it, it having gone to appraisal, and the appraisal having been according to law, there was nothing for it but to sell. I showed it to Mr. Fitzgerald, and he took it to Mr. Farnell, and said it was a job, and there ought to be a special Bill to authorize the sale.

2813.

2813. Who first authorized Mr. Smith to make this application under the improvement clause? It is provided by law. Any person holding any land under any lease may apply. He applied for it according to law. W. W. Stephen, Esq.

2814. *President.*] After Mr. Smith applied for the purchase of the ground, did not the Minister inquire as to the *bonâ-fides* of the application? Yes, Mr. Bayley made an appraisalment. Of course I cannot recollect everything. The Deputy Surveyor General has had all these papers in his hands, and has written these minutes on them. Suppose there was such a decision it would be for the Surveyor General's department to carry it out. 29 Jan., 1879.

2815. Do you mean the instructions as to *bonâ-fides*? Yes, I think so.

2816. *Mr. Ranken.*] If that condition was put in writing would it not be the duty of some officer of the Government to see that it was put in force when the lessee was in possession? There is a paragraph here by the Minister upon a minute submitted by Mr. Moriarty and the Deputy Surveyor General. In this case Mr. Garrett states:—"This lease was granted by my predecessor. For that reason, and inasmuch as the honor of the Crown has been pledged thereby, as there is no proof before me of the want of *bonâ-fides* on the part of the lessee, I cannot see my way clear to take the very unusual course of cancelling the lease he holds. By a recent communication, handed to me by the lessee, and which I handed on Monday last to the Deputy Surveyor General with a sketch, it appears Mr. Smith is willing to accept his area exclusive of the portion sold to Reading. Under these circumstances the survey, as I have already directed, should proceed, and the *bonâ-fides* remain to be exhibited by his action when he is put in possession of his land with properly defined boundaries.

2817. *President.*] The Minister complained there that the *bonâ-fides* had not been inquired into,—did he not? He says:—"And the *bonâ-fides* remain to be exhibited, upon which let him be put into possession of this land, with properly-defined boundaries." You spoke about a quarry. There is sericulture combined with it.

2818. *Mr. Ranken.*] I think the quarry was the first stage, and afterwards it was combined with sericulture? Yes, and I think Mr. Smith has got the better of the Government.

2819. *President.*] Would it not have been the duty of some officer to see if the application for the special lease for silk-growing was *bonâ-fide* on the part of Mr. Smith? Would it not be somebody's duty to form an opinion on that point? I do not know how these things are managed.

2820. *Mr. Ranken.*] Who is the officer to see that the *bonâ-fides* is proved? Mr. Smith was very nearly losing it, I know that. Mr. Farnell and myself both saw from the representations as to the value of the land that he was getting a good bargain.

2821. *President.*] But that was not done till after the arbitration? Of course not. It was submitted to the Surveyor General to go on to appraisalment as we always did in the way prescribed by law.

2822. And after arbitration you could not interfere with the title? That is exactly the view taken by the Attorney General.

2823. Could not action in the matter have been taken previously by some one connected with the department to prevent the Government from losing money. It was so manifestly absurd on the face of it to take up land on the mountains to grow mulberries. You might as well take it for a fishing-ground? I do not know.

2824. *Mr. Ranken.*] Did you decline to hand the papers to Mr. Fitzgerald when he wanted to sift it? No, decidedly not. I do not recollect him asking, and he could have had them at any time.

2825. It has been represented that you detained the papers till the possibility of interference was past. Did you? I can only say it was perfectly untrue, and I wonder at the Deputy Surveyor General saying it. I am perfectly amazed that he could have said so. I should be very glad to be examined on these papers fully.

2826. Perhaps it would be better for you to take the papers? If you think so. Up to a certain time I had nothing to do with the papers at all. I simply carried out the law under instructions. As to favouring Mr. Smith, it was rather the reverse. I should like to see Mr. Farnell examined on that point. What about John Campbell's case at the wharf?—Mr. Bayly valued it at £5,000, and Mr. Campbell appointed a co-appraiser. Mr. Campbell's own appraiser valued it at £375, but an umpire was called in, and he put it down at £100, and he went and got it for £100. We referred that to the Attorney General, Mr. Foster, and he gave the same reply. That is a far worse case than this.

2827. *Chairman.*] Who has the choosing of the umpire? They choose him between them.

2828. Do you not think that the wrong in this case originated in allowing a lease for sericulture in the mountains? It might have done so.

2829. Is it not manifestly absurd on the face of it? I believe there are mulberry trees there now, but that is a matter I have nothing whatever to do with; I do not know anything about it.

2830. *Mr. Ranken.*] Do you know about his applying for a quarry, and then changing it to mulberries? I do not see where that is on the papers.

2831. *Chairman.*] Would not such an application carry suspicion with it, and put the department on their guard? I do not know. There is a petition from a lot of people in the different departments, protesting against this,—people who had got land in the mountains, and were in an awful state, because it would depreciate their land.

2832. *Mr. Ranken.*] There is a petition there, signed by half-a-dozen names;—is that it (*shows it*)? Well, I thought Mr. Eagar's name was down, but I do not suppose any Government officers would put their names to it. There is a reference to the Crown Solicitor. I cannot conceive why these papers are submitted as my having anything to do with it. I cannot understand the Deputy Surveyor General trying to make out that I have anything to do with this matter. I am perfectly amazed at seeing it before the Commission. Everything there is as straightforward as possible.

2833. *Chairman.*] Did you not imagine that any one might conceive that you, as head of the department, believing that to be a wrong transaction, would step in and prevent it? Yes, if I saw anything wrong.

2834. *Mr. Ranken.*] Would not one think it was obvious that Mr. Smith has abused the law to further his own object? If so, Mr. John Campbell has. I tried all I could to stop that sale at the time, thinking that the Government were not getting a fair price. I was much more interested in that case than this. It is hardly to be supposed that I should help Mr. Smith. When the matter came to me it was in such a position that I had to act upon it.

2835. *Chairman.*] The Occupation Branch granted the lease you say? The Minister approved of its going on. It is submitted by the Survey Office, and it has to go on to appraisalment. I could not say anything against it. 2836.

W. W.
Stephen, Esq.
29 Jan., 1879.

2836. *Mr. Ranken.*] The statement made against you by the Deputy Surveyor General is, that he lent the papers to Mr. Thompson, who lent the papers to you, and that you absolutely refused to return them to him. Is that so? If that can be shown in any way from the papers here I will give in, otherwise I cannot. I have some recollection of Mr. Fitzgerald wanting the papers when I had them under reference to the Minister, but I sent them to him with a memo., and said I believed the Surveyor General would like to look at the papers before personally approving; and then he came to Mr. Farnell, when I was in the room, and said, "This is a regular job that should be stopped by Act of Parliament." This perfectly amazed me, that he should bring this up against me. There is something more than strange in it.

2837. If you want to take the papers, or make any statement, you can;—do you know all that is represented in the matter? The only thing I should take the papers for would be to submit a *précis* of the case, and show everything that has been done from the beginning to the end.

2838. *Chairman.*] Do you not think it worth while? I am quite content to leave everything of this sort to anybody who has known me for the last twenty-five years. The only feeling I have is one of regret that Mr. Fitzgerald should bring anything of this sort against me, of which Mr. Farnell knows everything from beginning to end. I was most anxious to stop it myself.

2839. It was too late then, when it had been settled by arbitration? So it seems, from the Attorney General's opinion. If I am to be responsible for everything, no one man can do it—it would take ten men.

2840. You have heard what is stated. You say you could write a *précis* setting out your view of the case. Do you not think it worth while? I do not think it is worth while. It is such a dastardly thing to bring against me, with which I had nothing to do at all, beyond seeing the decision of the Minister carried out. I think it is almost an insult.

2841. And you do not think it worth while showing that in the evidence? As far as I am concerned I do not think there is the slightest occasion to do it. The charge is almost monstrous, to submit such a case against me. I am certainly astonished at its being submitted at all. If there are no cases in the department worse than that I have nothing to fear.

2842. *Mr. Ranken.*] I think it is desirable to have a statement. It appears from this that the Survey Department was prevented from stopping a job? There is my word against Mr. Fitzgerald's. I say it is false, and he says it is true. There is nothing kept back by me. The papers were sent to me afterwards. I am not responsible to the Deputy Surveyor General. I am responsible to the Minister alone.

2843. On public grounds it does seem that Mr. Smith has set the law at defiance—does it not? If there is a fault I think the Survey and Occupation Branches are to blame. It is their place, if there is any objection, to point it out. It is a strange thing that only now the value of the land is brought under notice. I have nothing to do with the value of the land. I have simply to advise the Minister. I have nothing to do with either the value of the land or improvements. It is not in my province at all.

2844. *Chairman.*] You understand we want the facts, and we can arrive at the facts on your statement and Mr. Fitzgerald's, as shown by the papers? If I had refused the papers it could not have interfered with dealing with the case.

2845. I did not refer to refusing the papers, I referred to the general position of this case on the papers? I think it would be more fair to ask the Ministers, Mr. Farnell or Mr. Garrett, not make it between Mr. Fitzgerald and me. He submits a case, and the papers are put before me at a moment's notice. I should think that Mr. Farnell or Mr. Garrett ought to be examined. My work is administrative.

2846. *Mr. Ranken.*] The weakness of the matter is this, that this *bonâ-fides* that was to be scrutinised seems to have dropped out of sight. No officer of the Government has looked into the matter at all, and when the Survey Department attempted to take it up, according to their statement they are thwarted? I can only characterise that by one particular word, which I will not do here. If that case has been brought up against me it is as cowardly an attempt to do a person harm as ever existed. However I shall bring it before the Government when you have done with it. People who know the routine of the department, and know what my duties are, as compared with the Survey Department—but I will not let it stop.

2847. Then you do not wish to go further into it now. The papers are at your disposal? I am so disgusted I do not care whether I take them or not. I am quite willing to leave it in the hands of the Commission. Here are some cases out of thousands. I could show cases where I have gone in favour, not of Mr. White, or Mr. Smith, or Mr. Dangar, but in favour of people I thought were being persecuted. Anybody who knows me will give me credit for the same thing.

2848. *Chairman.*] In looking through the papers just now did you notice any recommendation from the Survey Office that the lease should be cancelled? I do not know. It would not have gone through me at all.

2849. Does the Survey Department deal directly with the Occupation Branch? Yes, at Mr. Fitzgerald's own request, I believe. I want to call your attention to this memo.: In this case the applicant has applied to purchase 100 acres at Emu Plains, in virtue of improvements, and Mr. Secretary Garrett directed the application to go on for value of the improvements, said by the applicant to be worth £150. The land is measured, and it would probably save a double reference to issue instructions to appraise the land provided it was found that the improvements were worth at least £100. There is a statement of Mr. Bayly's that the improvements are more than £100. I have nothing to do with anything preliminary to that.

2850. *Mr. Ranken.*] Was not that the stage when the *bonâ-fides* should be looked into? I do not know; I have nothing to do with it. It is no use giving evidence upon that; it does not come within my province.

2851. *Chairman.*] It was no part of your province to inquire whether the lease should be cancelled or not? No.

2852. It is in the power of the Minister to cancel leases obtained by fraud? Upon the breach of any condition attached to the lease forfeiture should ensue. I believe if there is a breach of any of these conditions attached to the lease, forfeiture should ensue. There is a minute which appeared on the 21st October, 1876, by Mr. Garrett.

2853. *Mr. Ranken.*] If the Survey Department represented on any occasion that they had reason to believe that fraud was being perpetrated, would you not consider it your business to arrest the departmental arrangements? Yes, if it was done in time. Why did not the Survey Department submit it then? It is their business to report as to the value of the land, and its adaptability to survey.

2854. *Chairman.*] The Survey Office having surveyed the land for lease, there would be no necessity for referring it back to them at all on application to purchase, would there? It comes from them. There is a description for the lease, but the land is not measured until it is purchased. Here is a matter of fact:

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The lease was granted previous to 1876. Well, here is a letter from the surveyor, forwarding the plan in October, 1876, of the portion applied for to purchase, by Mr. Thomas Smith, under the Crown Lands Alienation Act. That goes to the Minister, and is never seen by me; it is submitted by the Surveyor General. Mr. Garrett's minute is: "Expedite the dealing with this case, which has been delayed some time already. Mr. Smith has expressed his willingness to take up the land as measured in satisfaction of his claim, which might be done."

W. W.
Stephen, Esq.
29 Jan., 1879.

2855. It is stated to us that the lessee was put in possession by surveyed boundaries originally; is that so? Yes; there was something about Reading's claim. But there is a letter, and the Minister's minute to the Surveyor General, which I have just referred to. If there was anything objectionable in the land, why was not the objection reported then? That is the Minister's own minute, by which I am bound to act, and the Surveyor General too. If there was anything wrong, why did he not point it out?

2856. What is the date of the first application for the lease? The application for the lease is not here; but here is a memo., showing pretty well that the lease was not measured when applied for.

2857. That is a full description, is it not? That is not a definite description. That is not a description that you could prepare a deed grant from. If it was measured, what was the use of that plan in December, 1876.

2858. But there is a starting point, and the four boundary-lines? That is a matter for the Survey Department; I have nothing to do with that. What is the use of the plan?

2859. Might they not have a description without a plan? You could not have a description under which this deed could be issued. Here are all the papers. As a matter of fact the deed is not issued yet.

2860. It is stated to us that he was put in possession by surveyed boundaries? I cannot say anything about that.

2861. And that the survey has enabled the case to be pressed through without reference to the Surveyor General, and the fact of the reconsideration of the *bonâ fides* was never brought before the Minister until too late? That I have nothing to do with at all.

2862. Although the Survey Department recommended that the lease should be cancelled? There are all Mr. Garrett's minutes here. There is not a single memo. of mine of any sort. There is a plan, of October, 1876, under the Alienation Act. Mr. Garrett decides that it is to go on at once, and be expedited. It goes to the Surveyor General. I would ask, why does it take him from then till within the last few months?

2863. It is stated to us that they recommended that the lease be cancelled? I know nothing about that at all. If it was so, why did they not point it out then?

2864. Whose duty was it to see that the lease should be cancelled? The officer in charge of the Occupation Branch.

2865. And who is he? I cannot say. I think it must have been Mr. Pretious at that time. All matters of special leases were placed specially in his control.

2866. *Mr. Ranken.*] Did it not take the form of an improvement application without any scrutiny at all? It went to the Survey Department, and was sent on to appraisement in the usual way, so that there could be no doubt about the improvements being of the required value, and the appraiser said that it was of the required value. He valued the improvements on the land. Why did not the Survey Department point out the value of the land then?

2867. It is stated to us that they did, and recommended the cancellation of the lease? Well, the Minister decided against it, without reference to me at all. I knew nothing about this case till it came to the stage when it properly belonged to me.

2868. Was that before it was referred to arbitration? Of course.

2869. Could you not then have taken action? If I had gone through all the papers I could.

2870. Do you recollect at the time Mr. Fitzgerald looked for the papers? It was after the thing had been approved by the Executive Council.

2871. Do you recollect that he was at that time asked by the Minister for a report on the case? Yes, and here it is. He got all the papers.

2872. At the time he asked for the papers it was in consequence of being asked to report? No; the papers were withdrawn for inquiry. Here is my own minute,—“The Deputy Surveyor General having recently inspected the land and improvements the Minister has desired me to refer the papers to him for any observations he may have to make, before deciding what course is to be pursued.” And then it was referred to the Attorney General. At the time Mr. Fitzgerald asked for the papers they were with me, having been withdrawn to make this inquiry. I see the lease is stated here to be for silk culture; I do not see anything about quarrying. Here is a letter of approval, signed by Mr. Pretious. Here is a letter from Mr. Pretious, authorizing the lease by direction of the Minister, and requesting that the land be surveyed. Here is a letter from the officer in charge, referring to Sergeant Healey for a report as to whether there are any objections to granting Mr. Smith's application. Mr. Healey reports that there is no objection to Thomas Smith leasing the land in question.

2873. That does not refer to the improvement purchase? Certainly not.

2874. *President.*] Has not the application on its face the proof of the absence of *bonâ fides*? There is the approval of the lease by Mr. Farnell—“As this appears for a new industry.” There is his approval. It was not my place to recommend the upsetting of the Minister's approval. I wish with reference to this case to quote this as to the special care I took as far as I had to do with it. Mr. Bayly was specially directed to value the improvements. “I made a minute examination of the property, and was fully convinced from my own observation, and from proofs that I gleaned, that the requisite improvements had been made. They consist of the clearing and planting of 10 acres of land, with fencing. The latter I set very little value upon, but the former could not have cost less than £9 or £10 per acre.” That is the Government appraiser's report as to the value of the improvements.

2875. Is that letter from the Government appraiser, Mr. Bayly? Yes, Mr. Marshall Bayly. I propose to put in a copy of a minute of the Under Secretary with respect to a proposal of the Deputy Surveyor General, to compel lessees applying in virtue of improvements to increase the value of those improvements from 20s. to 25s. per acre, on the ground that the Minister had temporarily, as a matter of policy, increased the upset price of land by sale at auction from £1 to 25s. per acre. Minute dated 20th September, 1878.

THURSDAY,

THURSDAY, 30 JANUARY, 1879.

Present:—

MR. ABBOTT,

MR. RANKEN.

R. P. ABBOTT, ESQ., PRESIDENT, IN THE CHAIR.

W. W. Stephen, Esq., re-called, and examined:—

W. W. Stephen, Esq. 2876. *Mr. Ranken.*] Certain representations have been made to the Commission, Mr. Stephen, respecting the action taken by you in regard to applications from the Council of Education for Public School sites. It is represented that when an application is received in the Lands Department for a site, you inform the Council that it is approved of, subject to any objections that may be found to exist at the time of survey and measurement, and that you take that action without reference to the Survey Department, thus causing a delay and obstruction to business? What is said to cause delay,—the action taken by me?

30 Jan., 1879.

2877. Yes, the action taken by you in not allowing the applications to go to the Survey Department in the first instance? It was simply to avoid delay that I proposed such a course. The Council of Education were frequently writing reminders that no replies were received to their applications, and I thought the best plan would be to acknowledge officially the receipt of their letters at once, instead of waiting until the applications had been submitted to the Survey Department—that it would be better to inform the Council that their applications were approved, subject to any objections that might be found to exist at the time of measurement and survey, and then to send the applications to the Survey Department to be dealt with. That practice might cause a delay of three or four days, but not more. The practice, however, was only in force for a short time, and has now been done away with. The Council of Education pointed out that a provisional authority of that kind was of no use to them; and I submitted to the Minister that the only thing to be done was to endeavour to obtain more expeditious action in the Survey Department; that is, more expeditious action in obtaining the surveyor's report. In that view Mr. Farnell concurred, and so the old practice was reverted to.

2878. The complaint seems to be that you wished to ignore the Survey Department, and keep matters from their hands? My impression is that it is rather the other way; that the Survey Department wishes to ignore me in regard to matters that should specially come within my province. My only desire has been to expedite business. The delays in granting Public School sites are a source of constant complaint from the Council of Education, and my sole object was to hit upon some plan, if I could, to obviate the delays. Only this morning I had to deal with a complaint of the kind. The papers in the case were sent to the Survey Department on the 4th December, and they were not sent to the surveyor until the 16th instant. No further action could be taken by the Lands Department until the surveyor's report was received. The Lands Department is dependent upon the Survey Department. Papers are sometimes kept in that department for months, waiting until plans are charted. And anything I have proposed has been with the view of obviating delay.

2879. The next matter to which I wish to call your attention has reference to mining reserves—the representations made to the Commission being of a somewhat similar character to those in regard to Public School sites. It has been represented to us that you have approved of several applications for mining reserves, without reference to the Survey Department; that in one case it turned out that the land applied for had been dealt with under a special Bill; in another, the land formed part of the Church and School estate; the third case remains in *statu quo* apparently? My answer to that is very simple. It has been the habit of the Lands Department upon the recommendation of the Minister for Mines to proclaim these gold fields reserves, under the impression that all the necessary steps had been taken before the recommendations were made. In one case I pointed out to the Minister himself that a gold field reserve was simply recommended, and that there were no reasons given for it. The Minister said he thought more information ought to be given. The Minister for Mines, Mr. Suttor, replied that he thought that his having recommended it, the geological surveyor having recommended it to him first, ought to be sufficient for his hon. colleague the Minister for Lands. It went on in that way for some time. But Mr. Fitzgerald the other day pointed out to Mr. Hoskins the very inconvenience you are speaking of. I saw the difficulty myself; and I said that for the future every application would be referred to the Survey Department before it was dealt with by the Ministerial department. I distinctly state that I gave instructions to that effect at once, when I saw the difficulty.

2880. There is another similar case having reference to an application for a Roman Catholic Presbytery at Mulwala; it turned out that the land that was provisionally granted was land that had already been alienated? Yes, that is a similar case to one of the other two you have referred to; the application was approved, subject to any objections that might be found to exist at the time of survey and measurement. When the objections were discovered the applicant was informed of it.

2881. All these cases are of a similar character—the same explanation applies to all? Yes; the provisional approvals were given with the view of giving applicants some acknowledgment that their applications had been received, and would be attended to. Cases were sometimes kept in the Survey Department for months; and as the Lands Department came in for the blame, I thought the best way out of the difficulty was to send an acknowledgment to applicants.

2882. The next case is a more lengthy one; it refers to an application by a Mr. Jenkins for a conditional purchase of land on a travelling stock reserve near Narrandera; the application seems to have been refused in the first instance, and then other steps were taken? Yes, it is a case about which I had a long conversation with Mr. Hoskins and Mr. Fitzgerald the other day. I do not know how the papers got here though. However, they are here. It is a long case, and there are a great many points connected with it. It would take some time to explain, but I shall be happy to answer any questions the Commission may put to me. I do not know what view Mr. Fitzgerald has taken of the case, except from his memo. on one of the papers.

2883. I fancy it is the same thing, your acting without reference to the Survey Department—or, as he puts it, your ignoring the Survey Department? I do nothing without reference to the Survey Department. In any case, where all the necessary information has been got from the Survey Department, the business then lies with the Ministerial Department.

2884. What was done with regard to Mr. Jenkins' application? The Minister gave a decision that, if unobjectionable, so much of the reserve might be cancelled as to embrace Jenkins' improvements. That

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was the Minister's direction, and it went to the Surveyor General to be acted upon. It has got here instead. I never objected to any action taken by the Survey Department, except when I think it needlessly encroached upon my own. Then of course I resented it. I do not think I ought simply to be Under Secretary in name. I have higher functions to perform.

W. W.
Stephen, Esq.
30 Jan., 1879.

2885. On the papers before you there is a minute by Mr. Hoskins, in which he brings forward the necessity of the Deputy Surveyor General advising as to the action to be taken in regard to cases, and commenting upon it? Yes. Mr. Hoskins says there is a category of cases in which the experience of the Deputy Surveyor General would of course be useful. I quite admit it. I never complained, except in regard to cases that were delayed in the Survey Department—where they were delayed for denoting action, which would be more properly noted by the clerical department. I could produce hundreds of such cases. I have pointed that out to Mr. Hoskins.

2886. There is no question affecting the public involved in the case now referred to? Yes, slightly. Mr. Jenkins took up an auction selection of land just as the Wagga Wagga district was divided, and a new land office was opened at Narrandera. The land had been merely withdrawn from auction selection, but Mr. King, the land agent at Narrandera, did not know it, because the new auction selection registers were not completed, and he accepted Mr. Jenkins' application. Sometime afterwards it was found that the selection was on a travelling stock reserve, and I recommended that as it was clearly illegal it should be cancelled, but that if any hardship would be imposed upon Jenkins, who said he had put £100 worth of improvements on the land, the case might be met by a special Bill or some special enactment.

2887. But the Deputy Surveyor General's minute seems to object to its being included in a special Bill? I infer that he meant that. Here is his memo.:—"If the case immediately under consideration is considered one of hardship, it might be met by special enactment." A special enactment I take to mean a special Bill, which is the way in which we legalise all invalid purchases of that sort. He took great objections to that, and said he did not mean it at all. I said I took it to mean that, and that seemed to give great offence. Most people, I should think, would infer that by special enactment was meant a special Bill.

2888. Nothing has been done in the matter? Nothing; at present it is under consideration by the Surveyor General whether the part of the travelling reserve selected may be revoked without detriment to the public interest. I do not know what it has been brought here for.

2889. I fancy it is the old question, of no reference being made to the Survey Department in the first instance? I always refer to the Survey Department. After that department has taken all the action it can the case comes to the Ministerial Department for action; and if everything came on without delay, and smoothly, I do not see that there should be any difficulty at all.

2890. The next case I wish you to refer to is a very long one; in fact, it appears to be two cases dovetailed together—a case of Mr. Landale's and a case of Mr. Jennings—something about conditional purchases. The cases have reference to what are called dummy selections, and it is believed that the persons interested are Messrs. Landale and Jennings. These are the papers. [*Papers handed to witness.*] As the matter comes before us, it seems that seven men made applications for measured lots at Deniliquin on the 11th September, 1873; their names are given as Charles Goverd, Frank Mackenzie, Donald McLeod, William Badham, Robert Simpson, John Blackwood, and John Smith. They all applied through the one agent, Mr. D. Aitken. You will notice that all the applications are in the same handwriting. On the 24th September, 1873, a letter came from Mr. Peel Raymond asking that the selections might be cancelled and the lots put up to auction. On the same day the Under Secretary's memo. is sent in approving of the application, on the ground that these men would not get their pre-leases if they vacated their selections. On the 9th October a telegram was sent to the land agent at Deniliquin, asking if the persons named were resident in the district. At this stage Jennings's case comes in; on the 18th September nine selections are applied for by brothers of the name of Murray. On the 25th September one of the applicants wrote to the Crown Lands agent at Deniliquin, on behalf of the other applicants, to the effect that the selections were made in error, and desiring permission to select elsewhere. On the 18th November Mr. Moriarty reports on the cases. Then comes a letter from Mr. Fitzpatrick, dated on 20th November, written on behalf of Mr. Jennings, and citing Landale's case, which seems to have been approved of, as a precedent. The result seems to have been that although there was a strong presumption that the men were dummies, acting for these squatting firms, the selections were cancelled and the deposit money returned. It also comes before the Commission that a letter was received from Messrs. Landale, stating that the men were *bona fide* selectors, with whom no arrangement had been made; and it is in the same handwriting apparently as the original purchase applications, and the applications to withdraw. I think they are all evidently in Mr. Aitken's handwriting, and Mr. Aitken is declared to be the superintendent of the station? Mr. Aitken is, I believe, the overseer of the station, but I do not think he can write like this (*holding up a letter*).

2891. That is not the letter, there is a foolscap letter amongst the papers before you, said to have been written by Aitken; however, the presumption is that the whole thing was got up by Aitken? I do not know anything of the case; I cannot recollect it. I cannot possibly pretend to recollect every case I deal with, especially a case that occurred so long ago as the present one.

2892. Will you look at this letter (*handing witness a letter*)? I see it is signed Landale Brothers.

2893. If you compare the handwriting of that letter with the applications, I think you will find they were written by the same person? I should say it was somewhat like Landale's writing.

2894. I should say undoubtedly, whoever wrote the applications also wrote that letter—whether Landale or Aitken. The one hand wrote the whole; the withdrawals are in the same handwriting. But there is another matter in connection with the same cases—several of the persons named appear to have been residents of Melbourne, not persons employed on the station? I cannot pretend to know anything about people in Melbourne. Mr. Moriarty and Mr. Fitzgerald went on a long tour through the district, and may have obtained all this information; but it is impossible for me to recollect all the circumstances of the case; some of the papers are dated 1873, and no one could expect me to answer questions right off, without looking carefully through the case. I see there are some memos. of mine on the papers; and there is also a telegram initialled by me and approved by Mr. Farnell.

2895. It appears by Mr. Farnell's minute that the application should not have been entertained, and that he had none of the papers submitted to him? He said so, apparently, in a long letter; but he must have had the papers before him.

2896. He is said to have assented, on your verbal representation, and to have assumed that Jennings' case

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W. W. Stephen, Esq. was the same? The application is signed "Landale Brothers." Surely Aitken would never have written a letter signed "Landale Brothers."

2897. *Chairman.*] Have you got the withdrawals before you? I am all abroad. Here is a minute of mine, dated October, 1873, but I cannot recollect the circumstances to which it refers. There is a copy of a telegram, asking if there were any such persons as the applicants, and telling the agent that the lands would go to auction, the purchases cancelled, and the moneys refunded.

2898. That was sent after you cancelled the selections? Of course, afterwards.

2899. *Mr. Ranken.*] But judging from the handwriting, the whole thing seems to have been a scheme to set the law at defiance. The application was hurriedly accepted? Which application?

2900. The application for the cancellation of the selections; your assent was given on the same day the application was made? I have frequently done that. A land agent may come to me and state a case, and ask me not to let it go into the rack of records, but attend to it at once; that is why I do it; and that is why I say that land agents are of use in saving time. But as I have said, I am all abroad with these papers; I cannot make head or tail of them at present.

2901. But there is no doubt about the handwriting being the same—you can see it more plainly on the withdrawals—and the point is whether there were not at the time sufficient grounds for believing it was a job? Is Jennings' the same case as Landale's?

2902. It was a similar case of dummyming; it was decided to allow the Murrys to withdraw their applications because the same concession had been made to the men in Landale's employment? I cannot find when the applications to withdraw the selections were sent in, nor when the sale by auction took place.

2903. The lands were sent to auction on the 26th September, 1873; Landale's letter is dated the 24th? We must settle these things at once, or it is too late. If we withdraw land from auction there is three months delay caused. It has to be advertised and re-advertised, and there is a delay of a month or six weeks before it can be sold again, but if dealt with at once there is no such delay. Mr. Landale's letter is dated the 24th September; I suppose it came to me on the 25th. It is impossible for me, sitting alone, to detect every dodge or job; I candidly admit that I am not suspicious of everybody; I do not suspect every one of trying to hoodwink the Government. Mr. Moriarty must recollect all about the cases; but he could only find out there was anything suspicious after long inquiry in the district.

2904. He went to Deniliquin and found out what had been done? He went there to make inquiry into certain matters, and while there he made it his special duty to inquire into this.

2905. *Chairman.*] Whilst there on other duties he was asked to report on this case? Yes, he went generally to inquire into matters. I see that Mr. Raymond's letter is dated 24th September, 1873; there is a letter asking for the lands to be cancelled, and to go on to auction sale.

2906. That is in Raymond's letter; he makes both applications; he acted for the selectors and also for the lessee? This is the application, and I come back to what I was saying just now, that the application was received on the morning of the 26th of September.

2907. *Mr. Ranken.*] That is the day of the auction sale? No, it is the 24th September when it was received; it must have been lodged by the look of it. The action was taken, it appears to me, on the morning of the 26th. The application had either to be granted or refused, and it was granted. Nothing more was said or thought of it, and no suspicion or idea of a job was entertained at all until a letter was received sometime afterwards from Mr. Moriarty.

2908. *President.*] I think you will find that Mr. Moriarty was specially asked to report upon it in November? He may have been, but I do not see anything to show it.

2909. So that the question as to the job must have arisen before that? He is Chief Commissioner of Sales, and would have an opportunity of knowing before I should. He says he received instructions from the Minister to inquire into the case. He may have got them direct upon some representation of his own to the Minister, unknown to me. I knew nothing of it until afterwards. I never saw Mr. Moriarty's letter before.

2910. Is there not a minute by the Minister? Yes, I have seen that, but I do not know where the instructions to Mr. Moriarty are, or how they were given.

2911. Did you notice that Mr. Raymond, in his letter applying for the cancellation of the conditional purchases, also asks that the land shall go on to auction? Yes, I saw that.

2912. Does not that show that he was acting for both parties? It looks as if he was.

2913. Will you look at the reasons he gives for asking for the cancellation? Yes, he says on account of their being in the midst of surveyed blocks.

2914. Then, on reference to the original applications for conditional purchase, you will see they were taken up as surveyed blocks? Yes, though of course I do not examine into these things at all.

2915. The selections they wished to withdraw were taken up as surveyed blocks, and the reason given for asking for their cancellation was that they were amongst surveyed blocks. The facts appearing by the papers and Raymond's letter have led to suspicion? I see.

2916. *Mr. Ranken.*] It looks as if Mr. Raymond acted for both parties? It is not an unusual thing. An agent acts on behalf of the free-selector, but no doubt his chief constituent is the squatter.

2917. If you refer to the applications for conditional purchase you will find the reasons had no foundation in fact, and that the proper course of dealing with them would have been not cancellation but forfeiture? If they did not reside on the land.

2918. *President.*] If you will refer to the different applications you will find there is no foundation for the reasons given? I never look at descriptions of conditional purchase applications.

2919. But it is not a question of description but a question of cancelling a conditional purchase, that Mr. Raymond's letter has reference to? Yes.

2920. And it appears by his own letter that he was acting for the lessee as well as for the conditional purchaser, and it also appears by the original applications that there was no foundations for the reasons given? It appears not.

2921. The papers of course were always available to you whenever you wished to have them? Yes.

2922. There were nine conditional purchases of 320 acres each? I do not even know the result of the case.

2923. The result was that the conditional purchases were all cancelled, and the land sold at auction to the lessee? There is a telegram saying the conditional purchases were to be cancelled; I do not know what reply was made to that. There is a bundle of papers here that I have not seen for six years, and I know nothing about them, except the action I took six years ago.

2924. Perhaps you would like to take them away with you to look over? No, I do not want to take them with me. I see that action was taken. It may have been a mistake—it may have been a job—but I do not

not know that it was one. I never had any suspicion of the kind at the time, and never dreamt of it. There is no time to look after these things; they come in at the last moment, and one has to say yes or no. The statement is taken in writing, and the thing is done. Here is this case, came on the eve of sale; I could hardly have got the descriptions from the Charting Branch.

W. W.
Stephen, Esq.
30 Jan., 1879.

2925. But the applications themselves? The applications, the conditions, and descriptions.

2926. They simply speak of them as measured lots? The conditional purchase applications contain descriptions.

2927. It refers to measured lots? I do not know where they were at the time—probably with the surveyor.

2928. It involved a large sum of money? I never thought of it in that light. I may have made mistakes. I have made mistakes at times, and this may have been a mistake; I do not know whether it was or not.

2929. Then the case of Jennings followed on that; in fact it was made a precedent for Jennings' case? Yes.

2930. *Mr. Ranken.*] Mr. Jennings, through his agent, Mr. Fitzpatrick, claimed all the advantages that could be derived from the precedent established by Landale's case, and got them? It is strange these things were not objected to at the time. It is strange that years are allowed to elapse before objections are raised.

2931. *Chairman.*] I think you will find that objections were made from a good many quarters? After the land sale.

2932. *Mr. Ranken.*] Yes, letters began to arrive after the land sale? I cannot say.

2933. *Chairman.*] Some person named Cheriton wanted to purchase? I see that I have acted on the case and I cannot say anything more about it. It is unnecessary for me to state that I never saw any job in the matter. I never had any idea of it, although there may have been an arrangement between the lessee and the free selectors.

2934. It further appears from the original applications that Mr. Aitken, who was Mr. Landale's superintendent, acted as agent for the free selectors—Mr. Moriarty clearly states that in his report? The auction selections, I see, were cancelled. The papers are in such a muddle I would not attempt to answer anything with regard to them.

2935. *Chairman.*] You do not think it necessary? Well, I do not know what more I can say. There are always people suspecting others of hoodwinking. I am not one of those gentlemen. I had only been in office as Under Secretary a year or two, and it is very likely that I was not then quite so well up to the ropes as I am now. There is nothing in the papers to show that the Murray's got their refunds.

2936. *Mr. Ranken.*] They got their refunds? There is nothing here to show it.

2937. There is another set of papers? But I am talking about the applications of Smith, M'Leod, Donnelly, and others.

2938. *Chairman.*] I think you will find that the final action was that the auction sale was allowed, and the conditional purchasers had their applications returned? In those days, in 1873, there was not half the suspicion attached to cases as there has been of late years. In fact you hardly ever heard a case questioned. I have no doubt that dozens of cases of the same sort were passed. I could lay my hand upon a number of exactly similar cases, and nothing has been said about them at all.

2939. If you notice in Jennings' case several of the selectors were minors; still their withdrawals are allowed? That was before the Act of 1875?

2940. Yes, but they had no right before that Act was passed, under any circumstances, to withdraw? But we always allowed them.

2941. Was there not, before the Act of 1875, a regulation sent to land agents that minors were not to be allowed to withdraw? No, they could select but they could not transfer.

2942. That is what I say; they cannot deal with the land afterwards—they cannot part with their selections—they cannot withdraw their selections? That is a different thing from transferring.

2943. *Mr. Ranken.*] They cannot apply for cancellation? That objection was never taken. The regulation simply prevented a transfer. Minors could select, but it was clear by the law they could not transfer. There never was any regulation or rule to prevent their selections being cancelled and their deposits refunded.

2944. *Chairman.*] At the same time you would not allow them to transfer you allowed them to cancel? It was done invariably, and I never heard it questioned.

2945. Is it not the same in effect as parting with their interests? I am not lawyer enough to know that.

2946. Do you think it requires you to be a lawyer to be able to administer the law? I only know that it was done; the regulation was framed with the approval of the Minister.

2947. And you would still allow such cancellations to be made? Yes, I would.

2948. The question has been raised? It may have been. I only state what was the practice. The practice has been to allow minors' selections to be cancelled if found in any way to be invalid, or for any other adequate cause.

2949. At the request of the minors? I do not say at their request.

2950. But did you allow it at their request;—has any case of the kind arisen? I believe it has been done. It was always done, and I have never heard an objection taken on the ground of their being minors.

2951. I think I can show a case where objection was taken? It may be so; I cannot say. I dare say I was liable to mistakes; but as a matter of fact I never heard any question of the kind raised.

2952. There is another case about which I wish to ask you a few questions. It has reference to an application by Mr. A. Bowman to purchase unnecessary roads. That case, I think, is of a more recent date. In regard to this case it is said that the Under Secretary for Lands, in opposition to a decision of the Minister, and without Ministerial approval, directed the roads to be sent on for auction sale? I wonder what next is coming. Where is that? (*Papers shown to witness.*) I simply suggested further reference to the Surveyor General. I suppose there was no harm in that.

2953. The application having been disallowed on representations being made by the Deputy Surveyor General, and in accordance with the opinion of the Crown Solicitor? But I do not see anything to show that the land went on to auction.

2954. Did you not write a minute to the effect that it was to go on to auction? Suppose I did; I suppose the Under Secretary has as much right to send land to auction as a draftsman in the Survey Department.

2955. But that does not alter the fact in this case if it exists as stated? I want to know where it is stated that the land went on to auction. I do not believe it did go on to auction. I find a minute of

mine

W. W.
Stephen, Esq.
30 Jan., 1879.

mine to this effect:—"Mr. Bowman disputes the statement that the road (or one of the roads) applied for by him affords access to portion 15, and as this is the ground upon which his application was recommended for refusal he requests that the matter may be further considered." That is the last action taken. Mr. Fitzgerald does not know what he is talking about.

2956. I do not think you looked at the first application made by Mr. Bowman, dated 1st May, 1877? Yes; that is his application to purchase unnecessary roads.

2957. There is a minute of yours which reads thus:—"The application by Bowman has been dealt with so far under the 10th clause which appears to be a mistake, as the land is Church and School. Mr. Bowman states that he has become the owner of all the allotments to which the two roads he applies for were intended to afford access, and I see no objection to the land embraced by them being put up to auction to give him an opportunity of securing it; as bearing upon this latter question see enclosed opinions of the Crown Solicitor of 8th December, 1873." That minute was sent on to the Auction Branch, to Mr. Edwards, and then went to the Charting Branch? The land has not gone on to auction.

2958. Because it was stopped? I want to know which is the superior officer, the Deputy Surveyor General or myself? I submitted the thing and the Minister approved.

2959. The fact is the land was sent on for auction? I recollect it well; I recollect speaking to Mr. Garrett about this, I think. It seems to be a recommendation that as the lands did not come under the 10th clause, they should go on to auction. This is what the Crown Solicitor says in his opinion:—"Strictly speaking the fee simple of the lands through which the roads pass may be sold." I took that to mean that the land could go on to auction, and upon that I wrote the minute, in which I say, "that I saw no objection to the lands embraced by the roads being put up to auction to give Mr. Bowman an opportunity of securing it. It then went to the Survey Office. The Surveyor General pointed out a better reading of the law, and the Minister approved of it. I did not send the land to auction; I simply stated that I saw no objection to its going to auction.

2960. It went to the Auction Branch? To the Charting Branch.

2961. Mr. Edwards' name is written upon it? It would go through his hands to the Auction Branch. It would go to the professional branch of the Survey Department, where the schedules are prepared; and if there is any objection they point it out. I did not send it on.

2962. But it actually did go on—it went to Mr. Edwards, and in the course of the same month it went to Mr. Brownrigg? It is mentioned on the paper, denoting that it has gone to the Charting Branch. Mr. Fitzgerald has the sole management of the Church and School lands at their disposal; and I am not so well up to it as he is. If he points out an objection the Minister upholds it.

2963. All land going to auction would go through the same course? Yes.

2964. And that would be done on the authority of your minute? There is no such authority in Bowman's case.

2965. Is it not a fact that your minute, or the notes written under your minute, had the effect of sending the land to auction sale? It went through the Survey Department in the usual way.

2966. The Auction Branch is not in the Survey Department? The case would go through Edwards to the Charting Department, and would be noted by him as having gone. The Charting Branch prepare the schedules, and if they see any objection they state it. But even if I had stated the land was to go on to auction, I suppose if a draughtsman can send it on the Under Secretary can?

2967. It was only a part of the Crown Solicitor's opinion which you read; the whole paragraph reads as follows:—"Strictly speaking, the fee simple of the lands through which the roads pass may be sold; but as such sale will not bar the right of the purchasers of the allotments at sales upon a sub-division to use the land shown in the plan as roads, a sale of the land so shown as roads would not pass any beneficial interest to the purchaser; and it may therefore be considered that, practically, such lands cannot be sold?" Yes.

2968. *Mr. Ranken.*] I suppose that that means the lands cannot be sold? I take that to imply that the lands cannot be sold under the 10th clause.

2969. *President.*] But after reading the whole paragraph, in the Crown Solicitor's opinion, do you not think it is directly at variance with your minute? I do not understand the Crown Solicitor's minute very well; but I infer from it that the land was open to auction.

2970. Will you now refer to the papers in John MacInnes' case? Yes, I see the letter.

2971. Mr. MacInnes' letter is as follows:—"The lease of sections of Church and School lands expired on the 31st December, 1876, and hearing that the land is going on for auction lease sale again, we beg to state that we have growing crops on the land which will not be fit to take off before the end of May; we therefore request that the leases should be sold subject to the removal of the crops. In asking this favour we beg to state that having made this land our homes for the last twenty-one years, and having expended large sums of money in improving the land, we are almost sure of becoming the purchasers of the land now under crop, so that the granting of our request will not interfere with the sale of the leases." The date of that application is the 4th January, 1877. On the 11th January, Mr. Robertson wrote this minute on the letter:—"The Under Secretary for Lands,—This application appears reasonable, and is only intended to relate to land now under maize or potatoes. The matter must have immediate attention. I am under the impression that His Excellency the Governor should be asked to assent to the conditions. Have an official letter intimating that the lease will be sold during January, 1877." Then you wrote on it:—"Mr. Brown spoke to me; perhaps the best plan will be to withdraw the lots altogether for a time?" Yes.

2972. Do you recollect anything taking place between you and the Deputy Surveyor General with reference to this matter? I cannot say that I do.

2973. He protested against the sale because it would result in the loss of about £500 to the Church and School estate? I recollect some conversation took place between us, but I do not recollect what it was.

2974. On your refusing to withdraw the minute you had written? My refusing to withdraw the minute—I said nothing about that.

2975. But it is so? I cannot recollect these petty things. I recollect saying something about it. I have some glimmer in my memory that something was said about it, but I do not recollect what it was. That minute of mine is dated the 11th January. Sir John Robertson's minute is not dated at all. I cannot tell whether my minute was written before his or not. However, the last action is a minute of mine directing the Governor's decision to be carried out, and that was written on the 16th. The Governor says: "The leases in this case may be put up for sale, subject to the right of removal of the growing crops." And I wrote upon that: "Inform Mr. Brown, the land agent."

2976.

W. W.
Stephen, Esq.
30 Jan., 1879.

2976. You do not recollect anything further about the case? No.

2977. Or what induced you to write the minute? Some very good reasons, I have no doubt.

2978. But you do not recollect the reasons? I do not recollect them, unless they were in the interests of the men.

2979. Another case to which we wish to call your attention is that of a Mr. Douglass, who applied for a return of his Volunteer land order because the land could not be measured as he wished. It is said that, contrary to the representations of the Survey Department, more particularly as conveyed by the surveyor's letter, you recommended the return of the Volunteer land order. The land applied for was to be measured along the frontage of a creek? I cannot understand the Surveyor General's minute, to begin with.

2980. It is that you, contrary to the reports from the Survey Department, more especially the surveyor's letter, recommended the return of the Volunteer land order, the description of the land applied for being a portion to be measured along the frontage of a creek. You complied with the application to have the Volunteer land order returned on the grounds that no general rule can apply to the return of a Volunteer land order, and that was refused by the Minister? I cannot see how it could be refused by the Minister. Mr. Farnell's minute is dated previous to mine, the 18th of May.

2981. Is your minute dated? Yes, the 19th, I take it to be. The Deputy Surveyor General wrote this: "It is submitted whether applications made under Volunteer land orders are to be declared void for errors of description." That is the point to be decided, and I say in reply, "I see no reason why, in cases like this, it should not be cancelled as requested. I do not think a general rule can be applied to all cases."

2982. You see Mr. Fitzgerald's minute? I cannot understand what the latter part of it means.

2983. The latter part says that the cancellation for such reasons as are given would have the effect of enabling the holder of a Volunteer land order to bar the land for a period to suit his own objects, and to put it into his power to adopt the same course with the same Volunteer land order from time to time—that is if the holder could ensure its being returned for any excuse he liked to make? Yes, it was always done. It was submitted to me as Under Secretary, and I gave my opinion; I left it to the Minister, of course, to say whether it should go or not.

2984. It was put before the Minister by you? It seems so. I cannot make it out. Mr. Farnell's minute is dated before mine; mine is dated 19th May.

2985. Mr. Farnell's minute is to the effect that the land should be measured in accordance with the description, provided it can be done in conformity with the regulations of the Survey Department? I only submitted my opinion to the Minister, who seems to have overruled my recommendation in some way. I can show that the Minister frequently overruled matters which the Deputy Surveyor General submitted.

2986. Mr. Fitzgerald's minute is dated 18th May, 1877; yours is dated the 19th, and Mr. Farnell's the 25th? I think that is it.

2987. Mr. Fitzgerald's reasons for refusing the application were written on the papers before you dealt with the case? Yes; I think they make a great deal too much of these things altogether.

2988. *Mr. Ranken.* You saw no error likely to result from it? I do not think so; of course I should not have written that minute if I thought an error was likely to arise. But I think there is too much made about these matters. For the last two or three years I have tried to do the best between the two parties; but some Government officers seem to stretch the law as if it were made for that purpose.

2989. *President.* Mr. Douglass, in his letter of the 25th January, to the surveyor, objects to the land being measured otherwise than as applied for; it is shown, as I understand the description, that it would take in two sides of a creek along its whole length? That is a question of measurement; I only dealt with the question as to whether applications made under Volunteer land orders could be voided. My minute is purposely framed to leave it open to the Minister to say "yes" or "no"; there is no decision or authority of mine; I simply say I see no reason why it should not be done, and then submit it to the Minister.

2990. Did your minutes go to the Minister advising him on the case? I said that I saw no reason why it should not be done, but there might have been objections.

2991. The next set of papers I wish you to refer to have reference to an application for the cancellation of a selection of Edward Shearn. Mr. Peel, of the Australian Mortgage Land and Finance Company, wrote on behalf of Edward Shearn, the conditional purchaser, asking that a cancellation of his selection may be granted, and a refund of the deposit £160 be made, in order to allow Mr. Macpherson's applications to be approved of? Yes.

2992. It is stated that on the application of Mr. Raymond, who acted as agent for the conditional purchaser, you allowed a refund of £160? I did not allow it, the Minister allowed it.

2993. You advised it? Yes, exactly.

2994. On the ground that the land was improved to the value of £40 at the time the application was made? I did not say so, nor anything of the sort. Did Mr. Fitzgerald state that?

2995. It is put forward as a ground for your complying with the application? Who states that? What was the application?

2996. The application for the refund, I presume? Yes.

2997. The letter is written by Mr. Peel, agent for the Australian Mortgage, Land, and Finance Company, who acts for Mr. Macpherson as well as the conditional purchaser? I see he writes for Mr. Macpherson.

2998. In the last paragraph of his letter he asks for a cancellation of the selection? I see nothing objectionable in that. If he writes for the one, he must ask for the other. There is the man's statement that he wants to give up his selection; and there is the application of the lessee who asks to be allowed to purchase the land under the 2nd clause.

2999. Would not the fact of an agent acting for a conditional purchaser and for a lessee lead to a suspicion that the conditional purchaser and the lessee were playing into each others hands? There is no concealment about it; when I explained Shearn's case to the Minister he immediately concurred.

3000. On the ground that the land had been improved to the extent of £40; at the same time there is a letter from the lessee that there were only improvements to the amount of £20, and that is corroborated by the surveyor? I see no objection whatever in it; if Mr. Farnell had seen any objection I suppose he would not have consented.

3001. You see no objection? No, it is a concession; it is one of those cases which must be dealt with on their merits.

3002. You do not think, upon looking at the papers now, that it has very much the appearance of a case of dummying? Dummying by Shearn, do you mean?

3003.

- W. W. Stephen, Esq.
30 Jan., 1879.
3003. Yes? I do not know.
3004. Not the fact of their having the same agent? They have not the same agent; Mr. Peel writes for the one, and Mr. Peel Raymond writes for the other. I notice that the two things are combined in the one application.
3005. Mr. Raymond signs as Peter Macpherson's agent? He could hardly apply for one without the other. It is plain on the face of it that there is no concealment. He asks that the selection may be cancelled, and that Mr. Macpherson may be allowed to purchase under the 2nd clause.
3006. Do selectors and lessees generally work so happily together, that the fact of one agent acting for the two parties does not raise any suspicion? I do not know that they do. I have seen cases the other way. There appears in this case to be no reason why, under the circumstances, the applications should not be allowed. A similar course has been taken in other cases of the kind.
3007. The Minister approved of the course suggested by you? Yes, you will see his approval on the papers.
3008. Mr. Shearn in his letter says:—"I have the honor to inform you that I find that my selection of 640 acres, in the parish of Paika, county of Cairn, on Paika run, made by me on the 19th April, 1877, is illegal, and cannot be held by me in consequence of improvements erected by the lessee, worth over £40 sterling, prior to the date of my selection. I now beg that you will sanction a refund of my deposit, and have my selection notified forfeited in the *Gazette*, in order to allow me to re-select elsewhere." Do you not think that the lessee himself saying that there were only £20 worth of improvements, and the surveyor reporting to the same effect, shows it was not a *bonâ fide* transaction? It did not occur to me at the time.
3009. That letter was written by Mr. Raymond, as the agent? I went on the general supposition that it was a fair concession to make. There is no harm done to anybody.
3010. Except that it was allowing the Act to be improperly administered? It was the Minister who approved, not me. The same thing has been done in many other cases. If I had time I could produce hundreds and hundreds of cases of the same sort. These cases are produced because I happened to know the men. But I could produce hundreds of cases into which I went much more fully, but did not know the men.
3011. You refer to selectors' applications? Yes, I have sometimes fifty or sixty cases of the sort to deal with in one day. It is impossible I can read through them all. I wonder there are so few mistakes made in our office as there are.
3012. In sending land on to auction, where it originates with yourself, what is the mode of procedure? The cases are invariably sent from our department to the Survey Department and Charting Department.
3013. Then to the Auction Branch, of which Mr. Edwards is in charge? I am not sure whether they always go through Mr. Edwards' branch; they generally do.
3014. They are passed on by him as a matter of course? They go on to the Survey Department.
3015. And on the authority of your minute land goes on to auction? I very seldom say, "go on for auction," because the law may prescribe the mode of action. But if an application for land to go to auction is made, I simply send it on to the Survey Department. I take care that everything belonging to the Survey Department goes there.
3016. And they deal with it as a matter of course, as coming from you? Yes.

MONDAY, 3 FEBRUARY, 1879.

Present:—

MR. ABBOTT, | MR. RANKEN.

R. P. ABBOTT, Esq., PRESIDENT, IN THE CHAIR.

W. W. Stephen, Esquire, was called in, and further examined:—

- W. W. Stephen, Esq.
3 Feb., 1879.
3017. *President.*] When you were last examined we were about to refer to Mr. Officer's cases, the papers in which you took with you? Yes, I have made two or three attempts, but I have not been able to look at the papers. I have nothing in particular to say about the case. I only know that it was a concession recommended by me to the Minister, who approved of it on a full knowledge of all the circumstances, and on the express understanding that it was not to form a precedent. My minute with these papers goes so fully into the case that I do not think it is necessary to say anything about it.
3018. Have you seen sufficient of the papers to recollect the peculiarity of the application? I recollect the case pretty well.
3019. There is more than one application involved. One of Mr. Officer's applications was to give up certain conditional purchases to enable him to complete an area under pre-emptive right? I said that it would be undesirable to grant the application if it were likely to form a precedent, but that was extremely improbable, as it was one of a class of cases which had nearly expired.
3020. Another application was that Mr. Officer might be allowed to give up land already granted to him as part of his pre-emptive right, and to take it up instead as part of an improvement purchase, applying the pre-emptive right to other land elsewhere? I forget as to that. I recollect that one of his applications were granted, and the other refused.
3021. The other application was to allow him to take up a pre-emptive right which had lapsed, and to allow him to apply it to conditional purchases already made by his children? I do not recollect the circumstance about the children at all.
3022. I see here a rather long minute, written by Mr. Moriarty on the 15th April, 1875, which concludes with these words: "In the face of the foregoing it seems almost superfluous to advert to the minor difficulty that the land conditionally selected appears to have been open to conditional purchase, and that therefore no grounds exist for the cancellation of the selections. Of course the minors can neither transfer nor surrender." That is dated on the 15th of April, and your minute recommending the action taken was dated the 20th, and Mr. Garrett's the 21st? Was my minute subsequent to Mr. Moriarty's, or previous?
3023. Subsequent? It is evident on the face of it a special case, and was so approved by Mr. Garrett. I justified the course I recommended then in the eyes of the Minister, and I believe it could be justified now, if required.
- 3024.

3024. Do you think that the facts, as they appear in these papers, are sufficient to justify it? I think so. If any statement were submitted to me in writing I could answer it, but if I were asked to explain the case I should simply refer to that *précis*. I suppose Mr. Fitzgerald includes this case in the category of those in which he says I have taken an interest in on behalf of my friends or otherwise, to prevent my action from being sifted by the Survey Department; but it so happens that at the time I wrote that minute I had never seen Mr. Officer, and I never met him until a long time afterwards. As to the allegation that I wished to prevent my action from being sifted by the Survey Department, I only think it necessary to say that every case to which reference has been made was marked by me for reference to the Surveyor General, and that all cases go to the Survey Office. Mr. Fitzgerald's statement is therefore incorrect. There is not a single case which he can bring forward to show that I wished to prevent my action from being sifted by the Survey Department. I do not admit that there is any reason why my action should be sifted by the Survey Department, but I state, as a matter of fact, that all these papers were noted by me to the Survey Department.

W. W.
Stephen, Esq.
3 Feb., 1879.

3025. You do not desire to make any further remark with reference to Mr. Officer's case? No.

3026. The next matter to which I desire your attention are these papers, respecting the administration of the Church and School estate;—I believe Mr. Fitzgerald has been for some years in charge of that estate? Yes.

3027. And for some years he did the duty without receiving pay? I forget about that, but I think he did. Then he got £100 a year, which was afterwards discontinued, and then re-assented to again.

3028. He now receives £100 a year? Yes; he receives a good many little extras in that way.

3029. Mr. Pretious, when in charge of the Occupation Branch, applied for pay for duties which he performed in connection with the Church and School lands? Yes.

3030. And then you made a similar application? Yes.

3031. What was the result of those two applications? The question of payment went to the Governor for the first time. My application was refused, and I think the allowance to Mr. Pretious was discontinued. I recollect expressing an opinion that if Mr. Pretious and others were entitled to receive pay, I also was entitled, because all the cases passed through my hands; and I pointed out one or two instances in which I had to make remarks upon cases.

3032. Up to that time, and since, Mr. Fitzgerald was specially responsible for the estate? Yes; there are two clerks under my charge, Mr. Brown and Mr. Edwards, who do the auction and lease work, and they still get £50 a year each.

3033. Do you recollect the Governor's reasons for refusing these applications? I think he wrote something about it, but I am not sure. If he did say anything, it is with these papers. I think he expressed some opinion to the effect that no officer should receive pay without its being voted or submitted to Parliament. I see this minute here by His Excellency: "I entirely concur in the view now taken by the Minister for Lands upon this subject. The Minister will be good enough to suggest what he considers a reasonable notice of withdrawal to be given to the three officers named in the last paragraph. Perhaps three months would be sufficient."

3034. Who were the three officers referred to? The Deputy Surveyor General, the Officer-in-Charge of Crown Lands (Mr. Pretious), and the Ranger for the county of Cumberland.

3035. Do these papers show that all this action was taken without any reference to the Deputy Surveyor General? I cannot say, I am sure. I think myself that the papers went to him often enough. In fact I am almost certain that the matter was referred to him.

3036. The Deputy Surveyor General resigned, did he not? There is a memo. here from him resigning, and Mr. Garrett asked him to resume the duties.

3037. During that time the correspondence was not referred to him? He knew very well what was going on. It was not officially referred to him. The correspondence arose out of my application, and there was not the slightest necessity for referring the matter to him until after the Governor's decision.

3038. Mr. Fitzgerald says it was not referred to him. There was nothing to bring about a reference to him? It arose out of my application. The Governor expressed his opinion on Mr. Garrett's minute—Mr. Garrett's second minute,—and it went on to the Surveyor General.

3039. Mr. Fitzgerald was performing the duty for some time without salary? I think he did for some time.

3040. Can you tell me by looking at the papers the date on which the business was placed on the same footing as previously? I think it was in March, 1878. There were many proposals made from the time that Mr. Garrett was in office until Mr. Farnell came into office; and eventually it was approved that the management of the estate should revert to the former system under Mr. Fitzgerald, who got the £100 a year; the ranger £50 a year; and the agent at the £100 a year, which was never discontinued; nor also was the payment of £50 a year each to the two clerks in the Lands Office.

3041. Do you see any recommendation among the papers as to the sole management of the estate in the Survey Office by the employment of a clerk and draftsman? That was to make a separate establishment. Two or three proposals were submitted. Two were submitted together—one marked A, and the other marked B. The Minister chose that which was finally agreed upon, which was to revert to the former management as least expensive.

3042. Do you recollect that recommendation made by Mr. Fitzgerald to which I refer? I do not know whether it was a recommendation by Mr. Fitzgerald. If I recollect rightly, there was a memo. in Mr. Brownrigg's handwriting. There were two proposals submitted by the Deputy Surveyor General. After the paper had been put by for some time, and other papers had intervened, I submitted this to the Minister: "To avoid the necessity of the Minister perusing the whole of the accompanying minutes (unless he should wish to do so), I may explain that two propositions were under consideration for the management of the Church and School lands business, namely, one to create a small separate establishment distinct from the Lands and Survey Department, and to place the amount on the Estimates; and the other to adhere to the system for some years past in force, namely, the conduct of the business by officers of the Lands and Survey Departments." These proposals are distinguished as A and B. I pointed out that Mr. Fitzgerald had resigned, and that he had since been performing the duties without any remuneration. After a long time it was settled by Mr. Farnell that the matter should revert to its former management, and that the papers should go through me to the Minister, the only difference being that Mr. Fitzgerald was to be paid and I was not.

3043. At the time that it was arranged that Mr. Fitzgerald was to be again paid, do you remember asking him to withdraw his recommendation? Which one?

3044.

W. W.
Stephen, Esq.
3 Feb., 1879.

3044. That the business was to be done wholly in the Survey Office, and that by that means a saving of about £130 a year was to be effected? I never asked him to withdraw anything that I can recollect. I pointed out that Mr. Brownrigg, one of his officers, ought to get an increase of salary, and I asked him if he had any objection to my putting it on the Estimates. That was done, and it was afterwards approved.
3045. You do not recollect saying to him that as he had now got all he could ever expect he should withdraw the recommendation referred to, Mr. Fitzgerald answering that he would not withdraw anything he had written, and certainly not a recommendation which had been written for and submitted to the Governor. Do you recollect also that you then said that the recommendation had never been submitted to the Governor, and that when Mr. Fitzgerald remonstrated, you said that Mr. Farnell had directed you not to send it, as it would be inconvenient—in point of fact, that Mr. Fitzgerald's recommendation did not go on to the Governor at all, and that you asked him to withdraw it? I do not recollect anything of the sort. As a matter of fact Mr. Fitzgerald's recommendation did go on to the Governor. All the papers are here. I took a good deal of pains in stating the matter clearly, and I specially recommended that Mr. Fitzgerald, on account of his experience, should keep charge of the estate. At the time Mr. Farnell spoke to me, Mr. Fitzgerald's recommendation may have been for submission to the Governor, and may have been lying on the Minister's table waiting for Cabinet. Mr. Fitzgerald understands his own duties, but he cannot be aware of these matters. These papers were pending for a long time, and were perpetually shelved. Mr. Fitzgerald frequently asked me when it was going to be settled; and as frequently as he spoke to me I spoke to the Minister.
3046. You do not remember any special conversation on the subject? No; I certainly never asked him to withdraw anything. I may have made some remark to the effect that he had got what he wanted. It did not affect me one way or the other, as I knew that I was not going to get any benefit from it.
3047. Are you aware that Mr. Fitzgerald asked Mr. Farnell about the withdrawal of his minute, and that Mr. Farnell said that he had never given any instructions or directions that you were to keep back that recommendation? I never kept back any recommendation.
3048. Is your application for a salary among these papers? I think it is, I am not sure; but it may be that I kept it back. It was not a registered document. Mr. Garrett took it up to the Governor himself. I have looked through the papers and I do not see it.
3049. Was it upon that application that the Minister's recommendation that you should receive a salary was made? I suppose it was.
3050. And upon that the Governor's minute was written? No; the Governor's approval was written on this minute.
3051. But that was subsequently, the Minister having made one recommendation which was not accepted, and then that which was approved? Yes.
3052. Previously there was a course proposed, which the Governor refused to adopt? On my application the Governor said that no officer ought to draw pay behind the back of Parliament. I had to perform additional duties arising out of the Church and School estate, and when I saw others getting paid for a long time, I thought I had a right to get paid too. Their work came through me, and I had sometimes to write minutes on cases; so I asked to be paid also. Directly I got the Governor's decision I sent it to the officers concerned.
3053. That was the decision given subsequently? Yes.
3054. Not the decision on your application? No.
3055. I do not see that the Governor says anything here about its not being proper to give salaries behind the back of Parliament? I recollect there was a verbal communication from the Governor through Mr. Garrett to me.
3056. Was there not a minute of the Governor's written on your application? No; my application was brought back to me by Mr. Garrett, who told me that I had better withdraw it.
3057. Mr. Garrett would not make a verbal recommendation on your written application? No; I suppose he wrote a minute. When he came back from the Executive Council he said: "The Governor won't have your application. I have got to write something on it." Then Mr. Garrett wrote this separate memo. Mr. Garrett said that as my application had been refused, there was no use in recording it officially. This minute shows that I had made an application, because Mr. Garrett headed it, "Allowance to the Under Secretary."
3058. Your application is not among the papers? I do not see it. I do not know whether I have got it or not. It was refused, and the papers show that.
3059. Do you recollect Mr. Fitzgerald asking you how it was some of the papers were missing? My application had nothing to do with him.
3060. It had the effect of depriving him of his salary? I could not help that. I recollect distinctly saying to Mr. Fitzgerald that my application had done me no good, and that it had temporarily done him harm.
3061. You do not recollect his inquiring for these papers? I recollect his asking about some memo. which was not with the papers,—whether it was my application or not I do not know.
3062. Or the Governor's minute on it? I am almost certain that there was no distinct rejection of my application in the Governor's writing. Mr. Garrett brought my application back, and gave it to me. He said: "It is no use your registering this; having it refused is enough."
3063. Is there anything on the papers which led up to Mr. Fitzgerald's resignation? He says in this minute: "During this long correspondence (seriously affecting my position, not only as regards future payment, but the propriety of my ever having received any) no reference of these papers has ever been made to me, though in charge of the Church and School estate, and no notice has been given me of the intention to discontinue my salary. Under such circumstances no course appears to be open to me but to resign my connection with the estate, and I have accordingly now the honor of resigning all control into the hands of the Honorable the Minister for Lands."
3064. What is the date of that? The 6th of July, 1876. Here is Mr. Garrett's minute, and the Governor's decision upon it, and my minute sending it to the officers concerned, which is about four months before the date on which the Deputy Surveyor says he received no intimation. I only notice this casually. If I had more time to go into the thing I might discover other misstatements. Not in the slightest degree directly or indirectly did I ever think of ignoring the Deputy Surveyor General at all.
3065. Does this reference by you to the Deputy Surveyor General show when the minute reached him? It seems to have reached him on the 7th. It was marked to him on that day.

3066. Does that show that it reached him on that day. That is, the notation to him? I have no doubt he saw it.

3067. But there is nothing on the papers to show that he did? ———

3068. I am afraid that the passing of papers is uncertain? It would hardly be uncertain in a case of that sort—knocking £100 off a man's salary.

3069. Here is another set of papers which have been referred to—his application for the return of a Volunteer land order certificate? I recollect this case very well.

3070. What is the date of the application for the return of the land order? The 8th of July.

3071. When was it dealt with? It is marked, "Approved under the circumstances explained."

3072. That was on the 9th? No; on the same day Dr. Wilson brought it to me himself, and explained the facts. He said it was a thing which had been done before, and I approved of the return of the certificate as for the Minister. I frequently deal with cases in this way. If it had gone to be registered it might not have come back within a week or ten days, and as the paper was complete in itself I dealt with it there and then.

3073. What were the circumstances attending this case which induced you to grant that application. I granted it on Mr. Wilson's personal representations, and the order was returned in the usual way.

3074. When was it returned? On the 9th—the following day. Dr. Wilson was in a hurry for it, and he waited. They wanted to locate the order elsewhere. When agents take cases like that in hand they generally follow them up through the branches, and so get the business done quicker. This matter then went to the surveyor with the suggestion that the instructions for survey should be returned, and the Deputy Surveyor said that he could not order the return of the instructions without the authority of the Secretary for Lands.

3075. What is the date of his memo.? The 26th of July.

3076. And the Volunteer order had been returned on the 9th? Yes.

3077. Did that fact appear on the papers? Yes; it was on that that Mr. Fitzgerald wrote his minute. Then I submitted it to the Minister. I said that no authority from the Minister was needed for the return of instructions for survey—that it was a matter which rested with the Surveyor General, and I said that I could only regard the Deputy Surveyor's minute only as disputing my right to act as I had done. I stated that if any conflicting claim appeared, or any other difficulty had been pointed out, it would have been a different matter, but Mr. Fitzgerald simply refused to direct the return of the instructions. I asked whether I was to act for the Minister or not; and in cases where I so acted whether the Deputy Surveyor General was entitled to refuse to follow up that action.

3078. That is the effect of your minute? Yes, I submitted it to the Minister, and he directed that the case should be sent to the Commission.

3079. What is the date of the last minute you wrote? The 21st of August. I stated: "The real purport of the Deputy Surveyor General's memo. is, evidently, that the action taken is incorrect, or perhaps unauthorized. I can only state as to the first, that Dr. Wilson in leaving this letter with me personally explained to me the facts, and that they appeared to me to be sufficient for a compliance with his request. I did not think it necessary to write them down; but in consequence of the unexpected action now taken, I have since asked him to repeat his statement in writing, which he has done. I beg also to submit that in taking the above course, in a matter resting with the Ministerial Department, I acted, as I do in many like cases, as head of the department, and therefore for the Minister. And I trust that the Minister will uphold my authority to deal with these cases. It is a rather unusual thing for an officer of another department to call into question the action of the head of the Minister's Department on matters coming within the province of the latter to deal with. The necessary action in the case should be completed I think." Then I added: "If there was any conflicting interest, either existing or anticipated, or any other objection apparent to the Survey Department, and the same had been submitted, it would be a different matter. Nothing however of the sort is urged. The object, therefore, of the Deputy Surveyor General's minute can hardly be mistaken." That is my minute to Mr. Farnell, and I think it is very clear.

3080. At the date of the Deputy Surveyor General's minute all that had been asked for had been granted—they had got the order? Yes; but the effect of my request to the Survey Department was to avoid the unnecessary survey of land which was not going to be taken up.

3081. The case had gone beyond the stage where the Deputy Surveyor General's opinions could have any weight: he was too late? Yes; but it was quite open for the Minister if there were any sufficient grounds for it, which I felt certain there were not, to refuse the further application.

3082. Another application? Yes; the further application in virtue of the returned certificate.

3083. But as soon as the certificate was handed back to the agent could he not have sold it to some one else? Yes; I see.

3084. It may have got into the hands of other people who knew nothing about the transaction, and they might have used it in the same way? Yes.

3085. *Mr. Ranken.*] Would it not hold a certain area for a certain period, and upon its return might it not be used for the same purpose again; and by the constant shifting and changing of Volunteer certificates could not a large quantity of land be kept from the operation of free selection? Yes; I think there is something in that objection; but you must either treat people as honest men in every case, or you must look at all transactions under the supposition that they are trying to cheat the Government. In all my dealings with the public it has not been my custom to look out for dishonesty. At the time that case of Landale's occurred in 1873, before the passing of the Act of 1875, there was none of this looking out for dummyism. There was then a wonderful laxity and openness in dealing with these matters compared to what there has been since.

3086. *President.*] Do you not look upon the Volunteer land orders as one of the most effective weapons in the hands of dummies? I do not know that I do.

3087. Are they not much used by those who desire to hinder conditional purchase? They can only hinder it to the extent of 50 acres. They are not half such a powerful engine of dummyism as has been—as has existed in the Conditional Sales Branch, where people have been allowed to hold land for twelve or eighteen months without any attempt being made to call upon them to prove residence.

3088. Is that the practice now? No; Mr. Farnell stopped it. I submitted a long minute to him on the subject. It had become so general that thousands of pounds had to be repaid, where persons threw up their land just as it was about to be surveyed.

3089.

W. W.
Stephen, Esq.
3 Feb., 1879.

- W. W. Stephen, Esq.
8 Feb., 1879.
3089. *Mr. Ranken.*] Did this practice retard settlement? It was the exception rather than the rule for land to be surveyed within twelve months, and as a man could always tell when a surveyor was about to come upon his land, he would hold until then for nothing, and send in an application for the refund of the deposit just as the land was about to be measured.
3090. *President.*] With regard to Volunteer land orders, are they not the best means in the hands of the lessees of runs to stop selection where they have reason to expect that it will take place? I do not think it is as good as the other which I have just mentioned. A lessee has to pay at least £50 for his order, while in the other case he would only have to pay 5s. an acre, and then to get it back.
3091. But at the present time? I think that in the hands of clever and unscrupulous lessees they might be used for the purpose you indicate.
3092. *Mr. Ranken.*] The fact that there are no conditions to land so taken up would make such orders more valuable? Yes.
3093. *President.*] And if this case were to become a precedent could not the same Volunteer land order be used again? I do not think it would be allowed to happen twice in respect to the same order. The certificate when re-tendered would show that it had been cancelled.
3094. There is nothing to prevent a person who receives it from you from selling it again? No. The delays in dealing with these orders are as great as free selections, and an order cannot last for more than five years under the regulations.
3095. As fast as the owners of the orders got them returned they might use them again? They might, but as a matter of fact I do not think they ever would, or that such orders have been used twice over in one single instance.
3096. If they have not been used twice what is the use of the owners asking to have them returned? Instead of twice, I should say the third time. They have not been returned more than once.
3097. Do you know anything with respect to these papers—minutes and correspondence with respect to a special lease to J. A. Brown, at Lord Howe's Island? Yes; I recollect them; they were tolerably recent. The minute written in these papers was the origin of all the matters which Mr. Fitzgerald has been bringing up.
3098. Perhaps you will explain the circumstances attending that case. What is the date of the first application on behalf of Mr. Brown? The 13th of May, 1878.
3099. How was that dealt with? It was referred to the Governor, because it was supposed to be within islands included in his jurisdiction, but they were found to be within the jurisdiction of the local government.
3100. What is the date of the Governor's minute? It is the same date. The Governor wrote: "If found not to be part of Howe's Island the application may be returned to me."
3101. What was the course of the document after that? It went to the Deputy Surveyor General for report.
3102. On what day? The 23rd of May, 1878. He returned it on the 30th of May, 1878, stating that the islands were part of Lord Howe's Island, and recommending that if a lease or license be granted the tree ferns and palms should not be removed with special permission, as many were peculiar to the island, and if permitted to be exported must soon become extinct.
3103. *Mr. Ranken.*] The island was held to be a part of New South Wales? Yes; and the Deputy Surveyor General therefore made this special recommendation. Then the day afterwards there came another letter from Mr. Brown adverting to his letter of the 13th, on which there is a report from the Deputy Surveyor General, and in which Mr. Brown tendered the sum of £50 as a fair allowance for the first year's rent, and requesting that if the department disagreed as to the amount being insufficient, the rent should be decided by arbitration.
3104. That letter was written by Mr. Raymond? Yes, as Mr. Brown's agent, and then it went to Mr. Harriott, who says: "I recommend that a lease be granted for Roach Island and the small islets immediately surrounding it at the rent offered. Term, annual. Removal of native plants prohibited, and no right of purchase conferred." The Minister approved of that; and I then submitted that—"Special lease may perhaps be approved at rental offered, subject to the conditions proposed by the Surveyor General." Mr. Harriott wrote a minute, on which the matter was referred back to the Surveyor General.
3105. Is there any reference in that minute of Mr. Harriott's, to Mr. Fisher's claim? Yes: "As an application by Mr. W. Fisher for a protective order from His Excellency the Governor whilst exploring, previous to applying for a lease of an island about a mile northwards from Howe's Island, would seem to be materially affected by the position in which such information might place Mr. J. Brown's application." The paper then again went to the Surveyor General by direction of the Minister, when the Deputy Surveyor General again expressed his opinion that a special lease might be obtained subject to the non-removal of indigenous plants. Mr. Fitzgerald added: "But if Mr. Fisher is prepared to take out a special lease on terms similar to or at a higher rent than that tendered by Mr. Brown, that his claim as prior to Mr. Brown's should be given a preference." That came to me in the usual course for submission to the Minister for Lands. I had been speaking to Mr. Harriott about this matter before. We were talking about how far our relative duties went—his, the Surveyor General's, and mine, and I thought he agreed with me. I pointed out that we had got the report of the Surveyor General as to acreage and terms upon which the lease should be granted, and all the necessary local information, and the only point I considered open was whether Mr. Fisher's application came within the province of the Lands Department. I consider that recommendations ought to emanate from the head of the administrative department. In the minute which I wrote on the 26th of June I said:—"The report required from the Survey Department in the matter was as to area, &c., which having now been furnished as well as the accompanying chart sent in by Mr. Brown (the applicant), showing the islets in question, the acreage of which according to scale will be about 46 acres, the lease will now I conclude go for approval. The question as to Mr. Fisher's claim to be considered in the matter at the present stage, rent to be paid, &c., are such as come within the province of the Lands Department to deal with, and as to which any recommendations or suggestions should, I think, emanate from the head of the administrative division of the department, having the supervision of this particular class of business. As this case happens to have come through my hands, I must say that in my opinion Mr. Fisher has no legal status as against Mr. Brown, who has duly complied in regard to his application with all the requirements of the law." As to who should

should get the lease, and what rent should be paid was essentially a Ministerial matter. We do not refer to the Survey Office for opinions on these matters. Mr. Fisher did not apply for a lease at all. He got a sort of protective permission to explore before he applied, and I did not see that that was to take effect over a man who came and made a definite application and paid his money.

W. W.
Stephen, Esq.
3 Feb., 1879.

3106. What were the dates of the application? Mr. Fisher's application was dated the 7th of May; and Mr. Brown's was dated the 13th. "Before applying for a lease," Mr. Fisher wrote, "I propose sending a vessel to further explore and survey the place, and fearing that I might be doing this for other people's benefit, I have humbly to solicit that your Excellency will be pleased to grant a protective order for a short period." I thought it was for the Ministerial Department to decide who should get the lease, and that had to be decided in view of the fact that one applicant only applied for a protective order while he explored, while the other complied with the Regulations and paid his money. All that I did, to give rise to the ill-feeling and antagonism on the part of the Deputy Surveyor General, was to question his right on that particular point. He went out of his way to talk to us about who should get the lease. That was the only point in all the correspondence in which I objected to his dealing with the case.

3107. In your opinion the Deputy Surveyor General was going beyond the scope of his own duties? Yes; upon my saying that and writing this memo. to Mr. Harriott. Mr. Harriott had asked me to send him a memo. stating my views on the subject, and I did so; and it was upon that that Mr. Fitzgerald went out of his way to make remarks about my taking a personal interest in cases where I knew the parties. I know so many people, having lived here all my life, that in every case with which I deal I may be said to take a personal interest. If I cannot state what appears to me to be the truth without being accused of taking a personal interest, it is a hard case.

3108. The Governor wrote this minute on Mr. Fisher's application: "As the small island referred to appears to be part of Howe's Island, and consequently a portion of this colony, this application should, I apprehend, be dealt with by the local Government, and not by me under my general commission for dealing with islands in the South Pacific 'not within the jurisdiction of any Colonial Government.'" That was written on the 10th of May, 1878? Yes; I do not recollect having seen that before. That was sent on from the Colonial Secretary's Office on the 13th of May.

3109. To your office? Yes.

3110. And you wrote a minute on it? Yes; a special lease has been granted of these small islands to Mr. J. Brown who made definite application for the same and tendered £50 as the yearly rental. This application was sent on to the chief officer Occupation yesterday."

3111. What is the date of that? That date is meant for the 8th of June. The paper came to me separately.

3112. Do you remark that this minute was sent on from the Colonial Secretary's Office on the same day that Mr. Brown's application was made to you, namely, on the 13th? I notice it now; but not before. The paper came to me through Mr. Rich, his date being the 16th.

3113. Mr. Brown's application was dealt with, and Mr. Fisher's application was not dealt with for a month? Yes, I suppose so; it seems as if that were so.

3114. Mr. Brown's application was made the same day that this application of Mr. Fisher's was sent to you from the Colonial Secretary's Office? It seems to have been so.

3115. The next case before us are papers which relate to Mr. Bayly, in which there is a telegram from you to the District Surveyor directing special attention to certain matters? Yes.

3116. How was it that that telegram came to be sent? It was a matter perfectly explained to the Surveyor General when I wrote a long minute about it, which he accepted. I think Mr. Edward Allan, or somebody else, said that it was urgently required that the land should be surveyed. He said that Mr. Bolton was on the spot and was going away, and he asked if I could send a telegram to him to get the land surveyed. Surveyor Mann was at that time in the locality near Mudgee. I said, "All right." The Surveyor General was not in at the time. I fully intended to let him know what I had done, but I did not do so, and the Surveyor General was very angry about it, and Mr. Fitzgerald was very angry about it. I wrote a memo. to say that it should not occur again. I sent the telegram to expedite matters, and if I had asked the authority of the Minister for sending that telegram nothing could have been said. Why should this thing, which was settled six years ago, be brought up against me?

3117. Did not the same thing occur in any other case? Never, that I know of.

3118. You do not remember any other cases similar to that? No.

3119. Was there not a considerable correspondence between you and the Surveyor General? No; there was the single memorandum, which I suppose Mr. Adams has got.

3120. You do not recollect any similar case in which you gave instructions to a surveyor? No, I do not. There was one case in which I communicated with a surveyor in his capacity of appraiser, and in that capacity he was my subordinate, as I appoint the appraisers. If any other case has occurred in which I communicated with a surveyor, I cannot recollect it. Some few months ago a case occurred in which I had a doubt as to whether the instructions should go from me or not.

3121. We have heard of other cases? I can only recollect one. I know there was a case in which I had a doubt, but I am not sure that the instructions were sent out. Is it fair to bring up a thing of that sort amicably settled between me and the Surveyor General, in regard to which the Surveyor General has written on these papers:—"The telegram of the Under Secretary arose out of a misapprehension."

3122. That was the case on which you wrote to Mr. Anderson? Yes; I do not see anything so grave about it. I admit I should have told the Surveyor General, and I intended to do so.

3123. What was the effect of the application? That some land for which Mr. Bayly had applied might be measured.

3124. With regard to the papers in Smith's case, which you have returned, do you desire to say anything more? I made three attempts to write a memo. on the case, but could not get time. The only observations I have to make are briefly these:—With regard to all matters connected with the lease, with the survey of the lease, and with the conflicting claim of Mr. Reading to a portion of the land which was afterwards satisfied, I had nothing to do. With regard to a minute which Mr. Ranken pointed out to the effect that Mr. Garrett had given certain directions as to whether the terms of the lease were being complied with, it was the duty of the Survey Department to see to that. The case went to the Surveyor General for that purpose. At that time Mr. Moriarty was acting as chief clerk, and therefore directly the papers came to me they would go to him to be sent in the proper routine to the heads of the branches. Mr. Fitzgerald knows that as well as I do; and I think the officers of the department would all bear out my

W. W.
Stephen, Esq.
3 Feb., 1879.

my statement. When the lease came to me it came in the usual proper form, showing the approval of the Minister for it to go on to appraisalment. With regard to a statement to which Mr. Ranken referred, that Mr. Fitzgerald had been prevented from getting papers which were in my possession by which proper action was prevented, I wish to point out that the first and only time Mr. Fitzgerald asked me for these papers was when every action was taken which could possibly be taken, the appraisalment having been passed by the Executive Council. The papers had been withdrawn by Mr. Budge from the Executive Council for submission to the Premier. When Mr. Fitzgerald asked me for them—I thought he asked in a rather peremptory manner, but of that I took no notice—I said that it was for me to submit the papers to the Minister. I took the papers to the Minister, and they were sent to the Surveyor General for report. My taking these papers to the Minister had nothing whatever to do with the case one way or the other, as all the action in it had been taken. If there had been any particular objection as to the value of the land why was it not stated by the Survey Department? Mr. Fitzgerald must have known at the time he asked for the papers that they were properly in my province to submit them to the Premier. Mr. Farnell directed that they should be sent to the Surveyor General, and I sent them. The Deputy Surveyor General reported that the value of the improvements had been grossly over estimated, and that the land was grossly under valued. Mr. Bayly, whom I believe to be an honorable man, valued the improvements, I think, at £250, which was more than sufficient to cover the purchase; and with regard to the land, he valued it at double the upset price. There is a statement to the effect that 50 acres of the land would not bring 5s. per acre. I see here a sort of semi-official letter in which Mr. Bayly says: "In reference to our conversation this morning as to the extent of the improvements made by Mr. Smith on the 100 acres (portion 94), situate in the parish of Strathdon, county of Cook, I made a minute examination of the property, and am fully convinced from my own observation, and from the particulars I gleaned, that the requisite improvements had been made. They consist of the clearing and planting of about 10 acres of land, together with fencing. The latter I set very little value upon, but the former, I am convinced, from the size and closeness of the surrounding timber, could not have cost less than from £9 to £10 per acre for clearing alone. To this must be added the value of trenching the ground and the trees planted." In another report Mr. Bayly states: "I have the honor to state that in conformity with your instructions I have visited and carefully inspected the land situate in the parish of Strathdon, county of Cook, applied for by Thomas Smith to be purchased in virtue of certain improvements, and found that sufficient improvements have been effected to comply with the Act. In conjunction with Mr. Wright, on the part of applicant, we proceeded to assess the value of the property after appointing an arbitrator. My assessment was £250, and that of Mr. Wright's was £130; not being able to agree we called in the services of Mr. Harris, the arbitrator, who fixed the value at £130."

3125. *Mr. Ranken.*] Does it not appear from the whole case that the important condition named by Mr. Garrett as to the *bonâ fides* of the lessee was never considered, the thing having slipped through from a lease to a purchase? That would be in connection with the lease papers which I do not suppose I ever saw, and which it was no part of my duty to see carried out. Mr. Fitzgerald himself must know that that was no part of my duty. This thing has been characterized as a job and a fraud, and Mr. Fitzgerald has produced these papers to show that I had something to do with it. It is my intention to bring the matter before the Cabinet and push it forward. I intend to ask for a full inquiry into the whole thing by the officers of the department, so that I can produce my witnesses, Mr. Farnell and others, to show what I had to do with it.

3126. *President.*] There is a question or two I wish to ask you upon the papers in Mr. Bayly's case, registered 10,455/76;—will you have the goodness to look at that letter? Yes.

3127. What is the date of it? 16th September, 1874.

3128. That is a copy of a letter written by you to Mr. Bayly? It seems to be.

3129. Would you mind reading it? "With reference to my interview with you a few days since on the subject of certain selections made by you in virtue of several Volunteer land orders, I am directed to apprise you that under the report of Mr. Warden Johnston, the Minister for Lands has approved of that portion of the Gulgong Gold-field Reserve which embraced the land applied for by you being revoked, with a view to allow the selections referred to being allowed to stand. I am to add that the local Crown Lands agent has been apprised to the foregoing effect." Then there is this postscript: "I am to add that all other selections made by you in virtue of Volunteer land orders situated within the said gold-field will also be accepted."

3130. There is a minute of yours which seems to be intended to bear the same date? Yes; it seems to have reference to this letter.

3131. That letter was written in consequence of that minute? I think so. Mr. Bayly, the Minister, and I were talking about it for a long time in the Minister's room.

3132. That letter was written on that minute of yours? I think so.

3133. Was there any Ministerial action on that minute? No; I do not see any. There is this minute by the Minister which comes afterwards: "In order to deal satisfactorily with this matter, the report of the District Surveyor had better be obtained." After that it was referred to Licensed-Surveyor Anderson.

3134. What was the date of the Minister's minute? The 29th of September.

3135. Is that the only minute written on that by the Minister? It seems to be so.

3136. Then the decision in the case was your own decision? No, it was not. Mr. Farnell frequently gave verbal directions, and I carried them out. I recollect that the minute was written immediately after an interview between Mr. Bayly and Mr. Farnell. There are many cases upon which action has been taken for which I cannot show actual Ministerial responsibility.

3137. There is nothing in writing to show that the case came before Mr. Farnell until the 29th of September? No, I do not notice anything.

3138. This letter, written by your authority to Mr. Bayly, was afterwards quoted by him in other cases as a precedent? Yes, and was written as the result of a long interview we had one morning.

3139. The postscript states that all other selections made by Mr. Bayly of a similar character would be accepted in the same way? Yes.

3140. *Mr. Ranken.*] Was not that a very wide authority to give? There were only five or six.

3141. *President.*] When you were here the other day you expressed a desire to see certain memoranda written by Mr. Fitzgerald in respect to the papers he left with us. At that time we had not Mr. Fitzgerald's authority for saying that you could have them, but since then we have referred to him with a desire

desire to meet your views as far as possible. Mr. Fitzgerald has consented to these memoranda being seen here by you, but at the same time he reminds us that they were written with a view to refresh his own memory only, as containing the substance of the evidence he intended to give. If you still desire to see them there is no objection to your doing so. *Witness:* If my evidence on the principal case is complete I do not see that there is much use in my seeing them. I thought that they were charges brought by him against me, and that therefore I had a right to see them without reference to the Deputy Surveyor General. I may as well see them.

W. W.
Stephen, Esq.
3 Feb., 1879.

WEDNESDAY, 5 FEBRUARY, 1879.

Present:—

MR. ABBOTT, | MR. RANKEN.

R. P. ABBOTT, ESQ., PRESIDENT, IN THE CHAIR.

W. W. Stephen, Esq., was called in and further examined:—

3142. *President.*] Some reference was made the other day to papers respecting the purchase of land by Messrs. Clarke and Macleay, near Narrandera; and to the purchase of town allotments at Murrumburrah, in virtue of improvements effected under a special lease;—have you brought those papers with you? No, the papers you first referred to are being copied for Parliament, and the papers in the Murrumburrah case are with the Surveyor General, but I can tell you the particulars of these cases.

W. W.
Stephen, Esq.
5 Feb., 1879.

3143. Will you be good enough to do so? There was a sale by auction of certain lands at Narrandera to Messrs. Clarke and Macleay. The original application to have the land put up to auction was made some months ago by Mr. Rowe or Dr. Rowe, of Melbourne; but as the run has been since transferred to Messrs. Clarke and Macleay we look to them as the applicants. The land was duly advertised, and as far as I can recollect, three or four days, or it might be five before the day of sale, Mr. Armstrong, a land agent, wrote in and asked to have five or six lots withdrawn because they contained valuable red gum timber.

3144. Who is Mr. Armstrong? He is a land agent in Sydney. There were two or three letters from him on the subject, and I think there was an application from somebody else which came in only on the morning of the sale. Mr. Farnell approved of the lots being withdrawn from sale, and on the same day that he did so he went out of town. In the evening Mr. John Clarke called upon me and stated that he had heard of this decision of the Minister. He said it was rather hard—after waiting for the land so long, and after its having at length been advertised, and there being no official information in the department as to the existence of valuable timber—that the sale should not go on. I stated that I could not possibly do anything in the matter as the Minister for Lands had instructed that the land should be withdrawn, but I arranged that I would represent the matter to Mr. Leary, who was acting for the Minister for Lands in his absence. Mr. Clarke was in a great way about it, and I thought that both sides ought to be heard, more especially as land had been withdrawn from sale on representations made on behalf of some one. The withdrawal had been made in a hurry and on grounds which were found to be uncalled for. Mr. Leary seemed to concur in my suggestion that the sale should be postponed, which would have all the effect of a withdrawal. Mr. Farnell was expected back the next day, and Mr. Leary said that he would rather not touch it, but that I might come back to him to-morrow if Mr. Farnell had not returned. Mr. Farnell did come back and Mr. Clarke and Mr. Raymond saw the Minister. Mr. Clarke said that if the land was reserved in the public interest he would make no objection; and Mr. Farnell ordered the sale to be postponed. The telegram conveying that order was written immediately and taken up to the telegraph office by a special messenger, and I have the certified copy of the telegram, showing that it was handed in at the Sydney Office at 5 minutes past 11, or nearly one hour before the sale took place, and the telegram was marked very urgent. It appeared afterwards that the telegram was not received at the land office until 10 minutes or a quarter past 12, after the land had been sold. Then came a very indignant letter, charging the Department with corruption and undue influence, from Mr. McElhone, and a letter from Mr. Armstrong, implying that the telegram was kept back on purpose. But I repeat that the papers show that the telegram was sent nearly one hour before the sale; it was marked very urgent, and was lodged at the telegraph office at 5 minutes past 11. It is the only case out of hundreds in which the telegram ever missed. I pointed out that if there were any neglect at all it was on the part of the telegraph office, that I acted in accordance with the views of the Minister in allowing him to hear both sides of the case. Mr. Farnell had said to me once or twice that I must be careful how I withdrew these lands on the "eve of an auction sale."

3145. *Mr. Ranken.*] Did Messrs. Clarke and Macleay become the purchasers? Yes. Two or three minutes have been written since then. Mr. Farnell seems to be satisfied on the day that the telegram was sent; but since then he wrote a minute censuring Mr. Edwards and the office generally.

3146. *President.*] Did the telegram actually reach the land agent in time to stop the sale? No; it did not reach him until 10 or 15 minutes past 12 o'clock.

3147. At what time did it reach the telegraph station? About the same time I suppose.

3148. Then the delay occurred at the Sydney telegraph office? Yes; I took special care to get a certified copy and the time the telegram was lodged.

3149. With regard to the lease of town allotments at Murrumburrah, what are the facts of that case? That case is not decided yet. There was a special lease given in connection with the railway station which was recommended by and proved to be of advantage to the railway department. Mr. Pretious applied as agent for the lessees, Messrs. Barbour & Co., who having erected a smithy and stores, desired to buy in right of improvements. I submitted a memo. to the Minister as to whether the application should be complied with wholly or in part, and the Minister referred the matter to the Surveyor General for report as to the advisability of alienating the land.

3150. Do you recollect the area of the land? 5 acres. I pointed out to the Minister that the lease part was given by the Occupation Branch, and that I have nothing to with their action; but when it comes before me as an application to purchase under the 2nd clause of the Alienation Act it is a matter for the Ministerial Department to deal with.

W. W. Stephen, Esq. 3151. The case of Mr. Fisher has been referred to in Mr. Moriarty's evidence, and I think you made some reference to it in your former examination—a case in which, owing to action taken by Mr. Moriarty, there were some £1,600 saved to the revenue? Yes, it was a case of forfeiture of conditional purchases. The lands were put up for sale at auction by the Survey Department, although they stood with the conditional purchasers. Afterwards a recommendation was made that the sale should stand, and that the conditional purchases should be forfeited.

5 Feb., 1879.

3152. You have been examined in regard to the case before? Yes, and copies of the papers have been sent in. On the 23rd of May I wrote this memo., which was approved by Mr. Driver: "The deeds of grant having been issued for the auction purchases and the lands having, it is stated, been since transferred to other parties, the application now made had better be complied with. There can be no blame attached to any branch of this Department in the sale of the land, seeing that in the Charting Branch of the Survey Office the lands were passed in for auction seven or eight months after the conditional purchases were made, showing thereby how vague the descriptions were. It is fortunate the conditional purchasers have not insisted upon their claims but have consented to take back their money, otherwise great inconvenience and necessity for compensation might have arisen. Auction sales to stand."

3153. But the ground put forward was that these conditional purchases were merely dummies playing into the hands of the lessees? That was the ground taken by the Chief Commissioner.

3154. Will you look at the evidence you gave in respect to this matter previously, and tell us if you desire to say anything more about it? For the justification of my action in that matter I rely on my minutes of 23rd and 25th May, which were approved by the Minister. The first I have read; the second is as follows: "At the time these sales took place there was no draughtsman attached to the Moama office, or the errors might not (very likely) have happened. I think that this illustrates the necessity of giving effect to the recommendation made in my report last year, after inspection of the land offices at Albury, Hay, &c., that all the land offices of importance should have periodically, at short intervals, the services of a draftsman." I know that Mr. Moriarty on further investigation thought that these people were dummies, and that instead of the money being refunded the conditional purchase should be forfeited. It is quite probable they were dummies, but at the time I did not take them to be so.

3155. *Mr. Ranken.*] The ground that Mr. Moriarty takes is, that if the papers had been referred to him the irregularity would have been arrested? I have pointed out that it was too late. The Survey Department had brought these lands to auction sale without me or anybody else knowing anything about it. The land had been sold at auction, the deed had been granted, the property conveyed to somebody else, and it was not therefore possible to stop the thing. At the time my memo. was written the deeds of the auction purchase had been issued.

3156. But Mr. Moriarty is of opinion that the routine adopted on your suggestion opens the door for jobbery, and that if the routine had involved the submission of the papers to him this matter could not have gone on as it had done? It was too late to do anything. The auction purchasers had got their legal title. All the applications, I think, were away with the surveyor at that particular time, and no information had been got about them.

3157. This is what Mr. Moriarty says about the routine:—"Cases occurred which would not have occurred if the papers had been referred to me. There was one remarkable case in which a nefarious job was almost perpetrated. It went to this length, that the Under Secretary recommended the Minister to approve of the payment of over £1,600 of deposits to dummy selectors in a case which had been carefully manipulated by the agents of the parties concerned. That case I referred to in my minute of June 20, 1877. This routine has the effect of making the Minister give a decision on imperfect information, and without the advice of officers who are dealing with an important part of the case, and it leaves the door open to jobbery. The Under Secretary in one of these minutes complains of me for having thrown out this imputation of jobbery, and I therefore take the first opportunity of saying that I have not charged the Under Secretary with jobbery. I should be very sorry to do it, but I do say that the routine is a routine which leaves the door open for jobbery to be perpetrated?" As a general rule, whenever I think it necessary I refer to Mr. Moriarty, but this case I regarded as dealing with auction sales which came under my supervision. These sales were completed, and the case seemed to be so clear, and the way out of the difficulty brought about by the Survey Department seemed so easy, I made my recommendation for the best, and as being the easiest way out of the grave difficulty into which the department had got. It never occurred to me to question the validity of the conditional purchases. If I had had more time for reflection I might have suspected that the parties were playing fast and loose. I do not think that a case of that sort is likely to happen once in a thousand times.

3158. *President.*] You seldom have cases in which the refund is so large? No. The principle is the same whether the sum is £100 or £1,000. I do not think that since I have been Under Secretary, since 1872, that more than five or six cases of that sort could have happened, or in which there could have been any ground of complaint of that sort.

3160. Were not those cases of Landale's and of Shanahan and Jennings' pretty much on the same footing? I think you have had ferretted up pretty well all the cases which have taken place.

3159. The next point to which I desire to refer you is to the delay in the signature of the correspondence to which Mr. Moriarty refers in his minute of the 27th January, 1874. When asked for the grounds upon which that minute was written, Mr. Moriarty stated to us:—"Those circumstances obviously were that letters from the department, letters which had been prepared for signature, replies to correspondence, instructions to officers, business which had been completed and only awaited the Under Secretary's signature,—such letters were not signed habitually for periods so great as to warrant me in then calling the delays which occurred unparalleled. I spoke of matters which were then passing daily through my own hands to the Under Secretary, and which came back to me after some interval from him. I referred to the then current daily routine, and I said that the delays which occurred in the Under Secretary affixing his mere signature to letters which had been prepared were injurious, unparalleled, and prejudicial to the Public Service. In repeating that statement now, after this long interval, I do not say that the delays there complained of existed at a later date. Partly as the result of that statement, perhaps, a better state of things came about for a long time. The reference to this question had one good result at any rate, in that it stimulated increased activity." Again, Mr. Moriarty says: "The delay in the affixing of his signature was a personal thing habitual to the Under Secretary himself—a personal matter, not a delay in his office. Pressed letters had been written so long before the Under Secretary signed them that they had to

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be written over again before impressions could be taken in the transfer book." Again, he says: "My attention was called to the fact that the letters were so long written that they could not get them transferred into the transfer book?" When does Mr. Moriarty say that took place? W. W. Stephen, Esq.
5 Feb., 1879.

3161. In 1874, about the time that minute was written as to the manner in which he signed the letters? In the first place I wish to say that I am not aware of the constant and repeated delays of which he speaks, and I do not wish to retort with any counter statements as to the delays in Mr. Moriarty's signature of letters when he had far less to do, although I believe I could do so. If these delays had been so great, he might, as he expressed such a great desire to help me when he came back to the department, have pointed them out to me privately or officially, and not have taken advantage of a minute on a different subject to bring them forward when the Minister complained of his acting in an irregular way.

3162. Mr. Moriarty has stated that these delays extended not for days only but over weeks? It might be so; but I do not think it could be. I believe the letters to which he referred were some letters as to which there was some objection by the Minister that he had signed them A. O. Moriarty, instead of for the Under Secretary. I have with me a memo. which I have come across on this subject. My memo. of 7th February, 1874, was: "Letters stated to have been recopied some days ago not yet to hand." Mr. Moriarty's reply, written under, was: "I gave these letters to Mr. Blackman to have recopied. Letters were returned to me by him, which he supposed to have been the copies, and having read over the originals, I did not read them again. These I sent up to the Under Secretary some days since, and they have not been returned. If they have not been recopied it is, I presume, owing to his instructions.—A.O.M., 7/2/1874." My reply to that was: "I can only repeat that they have never been sent to me. There has now been a delay of nearly a fortnight, simply because Mr. M. thought fit to countermand an instruction given by me, solely for the sake (at the time) of avoiding delay as well as annoyance to himself. When are they likely to be submitted, if they have been made? I have the originals, with Mr. M.'s signature erased, and I have never seen any others. He is therefore to blame in this case for that delay which is (as he states) so injurious to the Public Service. Please return this.—W.W.S., 7 Feb." Mr. Moriarty's reply was: "If these papers which Mr. Stephen has are not copies, as I have supposed—not the cancelled originals—they had better, I suppose, be sent down to be copied now. I do not accept any blame in the matter.—A.O.M." I believe there was a delay of a month or five weeks over those letters.

3163. Do you know of any other delays in the signature of correspondence which might be intended to be included in that assertion of Mr. Moriarty? I am not aware of any. There often have been delays in signing letters, but not delays of that character, as far as I can remember. Sometimes I have had my room full of correspondence, and it is quite probable that signed letters may have got under papers for report, and delays may have occurred in that way.

3164. There is a case referred to by Mr. Moriarty, in which you recommended an application to take up 50 acres of land by a Volunteer order, out of a measured portion of 59 acres, thus making the 9 acres unavailable? It could be sold by auction.

3165. There was a conditional purchase application for the land as well as the Volunteer land order, and it is said that you recommended the land order purchase, thus throwing out the 9 acres, which could not be used in any other way? The case is one which it is very difficult to understand without all the papers. Within the last fortnight it has been before Mr. Hoskins, because he acted with Mr. Bloomfield who were agents for one of the parties in the matter. It has also come before Sir John Robertson, and I believe that he says the action recommended by me was right; that the Volunteer order should be upheld; and that the 9 acres should go on to auction. I have known a case in which a lot of 8 acres was sold; and I have lately seen cases in which lots of 11 and 14 acres were recommended for auction by the Surveyor General. I noticed them particularly, because I thought the action was inconsistent with that taken in this case. It was Dight Brothers who applied for the land under the Volunteer order, and I believe that Mr. Dight declares that if the Minister does not carry out his promise he will take the case into the Supreme Court.

3166. The land was given to Dight? No, it was refused, and at the present moment the case is in abeyance. Mr. Dight will not give up the land. The case has been before the Minister lately. I am not in a position to say that it has been decided in favour of Mr. Dight, but the tenor of remarks made by Minister, and the general outlook of the case is to uphold Mr. Dight's claim in accordance with my recommendation. They have had a *précis* made of the case, and I should certainly like you to see the papers.

3167. We should be glad to have them? I should like you to see them.

3168. Perhaps you will have them sent to us? I will.

3169. As to Goldsmith's case you have given evidence in that? Yes; the appraiser has since approved that I was right; that the parties were not dummies at all; and that the land should go on to auction, as originally recommended by me.

3170. Who was the appraiser? The Government appraiser was Mr. Rebello. I do not say that it was not a safe precaution to take to withdraw the land from auction, but, as a matter of fact, it was not necessary. In that case I recommended that the land should go on to auction, that everything was straight and fair, and the Minister approved of my recommendation. The Deputy Surveyor General, however, heard of the case, and he got the papers and the plan, and he took them to the Minister without referring to me in any way. I have never acted in that way to the Deputy Surveyor General. Mr. Farnell admitted that I was right. He had written his minute under what was said to him by the Deputy Surveyor General, who wanted to make out that there could not be improvements on the land, because the plan did not show it seven months previously.

3171. In reference to the desire of the Chief Commissioner for Conditional Sales to have under his control the Lease Branch, it has been said that Mr. Moriarty desired to have this branch placed under him, because it would give him an opportunity of carrying out ideas for which he had worked hard, which he said were on the eve of being spoiled, and which he believes are being spoiled now. It is also stated that the Auditor General is in constant broils with the department about it now? The only thing that the Auditor General has got to do with is the lease rent vouchers; but that is a matter which Mr. Moriarty has not mentioned in his memo. I never see the vouchers myself, but I am told that the most vexatious and annoying memos. are received from the Auditor General in regard to them. Mr. Rolleston came to me about a month ago, and showed me a way in which the business could be better done, and that was by requiring the land agents to perform their duties better; but at the time Mr. Moriarty wrote his minute these difficulties had not arisen, and they have nothing to do with the broad question of the administration of the lease business.

3172.

W. W.
Stephen, Esq.
5 Feb., 1879.

3172. Are the broils referred to of such a nature as would be led up to by mismanagement of the branch? Not in any way as regards the lease work. It is simply that the land agents apply incorrect information, and the clerk who has charge of the Lease Branch, who is a very good officer, says that the Auditor General is constantly inundating him with queries, which ought to be answered in his own office.

3173. Do you think that the Auditor General is more to blame than your own department? It is quite possible that Mr. Brown is to blame.

3174. *Mr. Ranken.*] Do the differences arise from incorrect descriptions being sent on to the Lease Branch? No, simply out of matters of revenue. Any complaints which have arisen from the Auditor General relate simply to matters of account.

3175. Not from any confusion as to the identification of the lease? Often from the land agents not giving complete information.

3176. In speaking of you Mr. Moriarty says: "He has had a reference made to the Crown law officers upon a point which I believe is known to every clerk in the office, and which is made as plain in the Act itself as any Act can make it. The point was, as to whether land held under pre-emptive leases are open to be sold by auction. The law says it shall; the universal practice has been to assume that it shall, and yet the Under Secretary referred it for decision. In another case he obtained an opinion from Mr. Garrett directly in the teeth of the opinion of the Attorney General and the law." In reply to the question, "Can you tell us what the matters were?" Mr. Moriarty went on to say: "One was with reference to the question whether pre-emptive leases are open to sale by auction. The other was as to whether lands leased by auction, which are not selected on, can be taken from the auction lessee on renewal with a view to satisfy the claims of a new purchaser outside the lease." Can you explain that to us? With regard to the first question, as to whether land held under pre-emptive lease can be sold by auction, I wish to deny Mr. Moriarty's statement most emphatically.

3177. You took no such opinion? I knew that the land could be sold by auction as well as conditionally purchased, but I believe there was a matter in which a land agent, I think it was Mr. Brown, contested the right of the Government to sell such lands, and he urged the point so strongly that the Minister said, "Well, let it be referred to the Crown Law officers."

3178. *President.*] Had the case reference to land held under pre-lease? Yes, I believe I could prove my denial by showing you the papers in which it was done. I deny the statement as emphatically as I can deny anything. Mr. Moriarty makes a statement, but he does not bring papers in proof of it; I deny his statement, and I will produce the papers to support my denial. With regard to the other matter it puzzled the Minister and the Crown Law officers. It puzzled Mr. Driver so much that at last he would not look at it.

3179. We should be glad to see both of these cases? I will furnish them.

3180. *Mr. Ranken.*] Mr. Moriarty further states: "The Under Secretary induced Mr. Garrett, in a particular case, to refuse to renew an auction lease—to give somebody else a pre-emptive lease of a selection, out of which there had been no purchase. That was in the teeth of the general practice"? I do not recollect that.

3181. *President.*] It has also been stated to the Commission that it has been no uncommon thing for cases to be allowed to accumulate, and lie by for twelve months at a time without any attention being paid to them? If you were to go into Mr. Moriarty's room to-morrow you would find cases eighteen months old. I do not know how he got his information—whether he has been into my room or not. I do not believe it is true, but it has nothing to do with Mr. Moriarty if it is.

3182. Mr. Moriarty has stated: "Mr. Stephen one day in conversation with Mr. Blackman threw out a suggestion which Mr. Blackman brought to me, and it was to this effect:—'Whether I was willing to submit all these cases to the Under Secretary for the Minister's sanction, on the understanding that he would submit them in the same way as he did similar cases sent to him by the Surveyor General.' I asked Mr. Blackman, 'Do I understand you as bringing that suggestion from the Under Secretary to me.' He replied, 'Wait a minute.' Mr. Blackman went back to the Under Secretary, and on his return replied, 'That that was the deliberate suggestion of the Under Secretary.' I accepted that proposal, and I am prepared to act upon it, and have acted upon it; but the Under Secretary ignores it." Do you recollect sending any message by Mr. Blackman to Mr. Moriarty? I agreed that matters should come through me to the Minister, but I did not say anything about the Surveyor General. That is the arrangement now, and has been ever since the division of the department. I am responsible for all the officers, and I pay them. I did not mean to say that I was to be precluded from expressing my opinion on any particular matter where I differed from Mr. Moriarty. It is not one case in a dozen, or I may say in fifty, where I should be likely to interfere, but as head of the department I am entitled to do so. Mr. Moriarty has not followed out the arrangement in regard to salaries and promotions, for he has submitted several cases direct to the Minister without reference to me at all. I may have spoken to Mr. Blackman, but I never meant that anything which I spoke to him—any verbal communication—should form the bases of an arrangement to be carried out between Mr. Moriarty and myself. I recollect speaking to Mr. Blackman.

3183. *Mr. Ranken.*] Had the conversation reference to cases in which the conditional purchase work and yours was likely to clash, or to the question of salaries and promotions? I think the conversation must have referred not to the administration of the law but to matters personal to the officers—appointments, leave of absence, and so forth.

3184. Mr. Moriarty says here: "The Under Secretary has, on a variety of occasions, ignored my right to any voice in the recommendation of, or control of, any subordinate officers." And again: "The Under Secretary will interfere with my subordinates, entertain their applications for leave of absence, and recommend their applications for increases of pay, without my knowing anything at all about it. I had to complain to the Premier that one of my assistants had been called away from his duty without my knowing anything at all about it"? There was one application, for an officer to be allowed to play in a cricket match, which was granted in a hurry. Sir John Robertson said that it must be done. I intended that it should have been sent to Mr. Moriarty, but Mr. Rich forgot to send it. I agree that Mr. Moriarty, having these officers under him, should have something to say upon their applications for leave. That has been settled by Mr. Hoskins and Mr. Farnell too. When the separation of the conditional purchase business took place it was to relieve me and to make things go smoothly. The Conditional Purchase Branch, by the large number of Commissioners and Inspectors who were appointed in 1876, has become numerically larger than mine, and if Mr. Moriarty were to have full control of all his officers his position and influence

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in the department would be far greater than mine. I grant that he should have a voice in these matters, but to give him sole control would be to give him more power in the department than I have myself as the head of it. W. W. Stephen, Esq.

5 Feb., 1879.

3185. Does not the arrangement made between you give Mr. Moriarty the right of access to the Minister? The arrangement provided that as regarded promotions, leave of absence, suspensions, and all matters of that sort, should come through me as the head of the whole department, and that Mr. Moriarty should always have the option of making his recommendations on those matters through me. Mr. Moriarty tells his Commissioners and Inspectors where to go and what to do, but it was provided that matters of a Ministerial nature of the character of which I have alluded to should come through me, so that I should know what was going on.

3186. Being responsible for the conduct of his own officers and of his own division of the department, does it not seem more reasonable that he should have a voice in their removal or dismissal? It was never understood that he should.

3187. Mr. Moriarty has stated that during the last few weeks a number of young gentlemen who were serving in his division of the office, and who were senior in the grade to those upon whom a vacancy had been conferred, had been ignored. He says that they came to him in a body, and he advised them to put their case in writing and he would submit it, which he did? Yes. These clerks wrote and signed a letter, but I do not believe they composed it themselves. My action in that matter is explained and justified in the papers, of which I have sent you copies. The Minister has fully upheld my action. Some months, when several vacancies occurred, I recommend that ten out of the sixteen promotions should be given to officers attached to the Conditional Sales Branch, and it was partly through my interest with the Treasury that a technical irregularity was not allowed to interfere with them getting their pay.

3188. In the letter to which you refer do not the clerks who sign it protest against the vacancy being given to others? Yes.

3189. Do you recollect the grounds on which they questioned the propriety of your action—whether they put forward a statement to the effect that they supposed they were placed at a disadvantage because they belonged to the Conditional Sales Branch? Yes. My memorandum fully refutes that, and points out why I made the recommendation I did. It showed that three or four of those who claimed promotion had not the slightest right to it.

3190. Do you not think that any feeling which could prompt representations such as those clerks have made must operate very much to the disadvantage of the department? Yes, I am afraid it has been fostered by people who ought to know better. I believe the persons who signed that letter were led to do so by the representations of a clerk in the office who drew it up.

3191. It shows that an undesirable feeling exists between the officers of the branches under you and Mr. Moriarty, to the extent even of suggesting injustice on your part? Such a feeling never existed before Mr. Moriarty came to the department.

3192. But it does exist now? I think only on the part of a very few indeed.

3193. Do you know the name of the gentleman who drew up that letter? I believe I do.

3194. Has anything been done with reference to him? I have an application for an increase of salary, submitted by Mr. Moriarty, coming before me, and I am going to ask if this is the gentleman who composed the letter which Mr. Farnell designated as highly offensive.

3195. Has nothing been said to the gentleman who, as you suppose, wrote the letter? I do not think the others could have written it. One of them, Mr. Stobo, told me that he regretted that he had ever signed it, and he said that he did not see the offensive purport of it. I honestly believe that the gentlemen whom I recommended were fully entitled to the promotion, and they had been doing work for £200 a year which others were getting £250 and £300 for doing. I should be very glad if you could find time to look at those papers about promotions. They show fully the reasons for my action, and that my action has been upheld by the Minister.

3196. There are other cases which have been referred to to show that your interference with Mr. Moriarty's subordinates was objectionable—the cases of Mr. Keele and Mr. Lord? I can only say generally that I do not admit any interference with his officers which I was not entitled to make.

3197. You are said to have made a long complaint to Mr. Driver of Mr. Moriarty having directly called attention of the Minister to the neglect of duty of certain officers under his control. Do you recollect anything of it? I do not recollect the particular case.

3198. Mr. Moriarty says that he had been pressing an inspector of conditional purchases to report upon some urgent cases, and he had been making an arrangement of duties between him and another to allow of him performing what he had in his hands. Mr. Moriarty says that he could get no answers to his letters to this gentleman, and that at last, on the 2nd of July, 1877, he ascertained that he had been on leave of absence for a considerable period. Do you recollect that case? No.

3199. He says that an inspector obtained leave of absence, and then an extension of his leave before he became aware of it? Any case of that sort must have taken place before there was any definite agreement.

3200. Mr. Moriarty says that another inspector applied for leave of absence in October last, that his letter came to your Record Branch on the 1st of November, and remained with you until the 19th of December, when you submitted it to the Minister for approval, who approved of it—that the officer was informed, and that then for the first time the paper was sent to him? I cannot say anything about that. I believe I know the case from the fact that Mr. Hoskins spoke about it before Mr. Moriarty and myself. If that is as represented, the whole thing is a mistake, and I do not know how it occurred. I recollect that a case was spoken about. It was a mistake somewhere either at Records, or with me, or someone else. It was a mistake, and nothing else. The rule is that Mr. Moriarty is to know of everything that is done, and that when leave of absence is granted Mr. Rich shall send on the papers to Mr. Moriarty to carry it out.

3201. Another matter to which Mr. Moriarty has referred is the case of Mr. Evans. Mr. Moriarty says:—"The Commission will observe that the Minister's instruction that I should recommend in matters within my division is dated the 1st February, 1878. On the 13th of March, 1878, Mr. Evans makes this communication to me:—'I beg permission to charge the accompanying application for expenses. Not having been travelling it is impossible to make application otherwise.' This is upon our register, but the first I saw of it was about ten days afterwards, with a communication from the Under Secretary to this effect:—'This seems a special case, which ought to be certified by Mr. Blackman or some gentleman of the

Conditional

W. W.
Stephen, Esq.
5 Feb., 1879.

Conditional Purchase Department.' I made this note on it—"The circumstances are special, and the application should have been submitted to me for recommendation. Recommended.' And I addressed it to the Under Secretary. He returned it to me with this—"Not the slightest necessity for any recommendation from the Commissioner, being a money matter I sent it to him for information." I took this to the Minister with a note to this effect:—"I do not think the Minister will approve of the Under Secretary's views, which was contrary to his instructions that I should recommend. And he wrote: 'I think Mr. Moriarty's view is the correct one.' Some months afterwards it came to this: The way in which these inspectors are remunerated is this: so much for each selection they inspect, and so much for travelling allowance. It is only known to me and the officers under me whether these inspectors are employed in travelling on the day set forth in their vouchers or do the duty. We only can check them; and we only know whether they made the reports which they charge for. Yet all these things were dealt with by the Under Secretary without reference to me." I quite agree that these matters should be referred to Mr. Moriarty, and ever since then they have been. The accounts were initialled by our accountant as the correct rate. When Mr. Moriarty thought they ought to be certified, and could only be certified in his branch by officers who could check them, I at once agreed. I thought he was right, and it has been done ever since.

3202. You said there was not the slightest necessity for any recommendation from the Commissioner when he was the only person who could check the account? I cannot say how that occurred.

3203. The clerks in Mr. Moriarty's branch would be the only persons who could check vouchers of this kind? If I could see the particular voucher I have no doubt I could show that there was some ground for my writing that memo. It was different from the ordinary travelling expenses, and involved a principle which it was for the Minister to determine, and which I thought I ought to submit to him.

3204. But Mr. Moriarty would be the only person who could check accounts of that kind from the inspectors? I sent it to be certified to by the head of the branch as to the fact, and as to the principle involved in the voucher I looked upon it that it was my province to determine that or submit it to the Minister. But these matters are trivial.

3205. Mr. Moriarty says: In 1877 I was despatched by the Minister for Lands to the Yanko Creek with the Deputy Surveyor General on a special mission. On the very morning of my departure I had a visit from Mr. King, one of the Commissioners, who asked me what had been done in connection with his complaint against the inspector of his district. A very gross case it was, of having appeared before his Court in a state of intoxication, and ridiculed the proceedings of the Court, and answered the Commissioner with impertinence, turning the proceedings into a very gross farce. I had never heard of it, and I said: "I never heard of such a complaint from you." He said: "I reported it in April last." I found that it had been sent to the Under Secretary and had been untouched from April until August, although all this while I might have been held responsible by the Government and should have been held responsible by the Parliament and out of doors for this misconduct. His report embodied this charge and I was not allowed to see it, no action whatever had been taken upon it, a delay for which I should have been held accountable. This officer was removed to another district, and he would have been dismissed but for the delay. The only thing, I believe, that prevented his dismissal was the circumstance that when dealt with the occurrence was one of very old date. In November he was brought to account for being drunk in the previous April." Do you recollect that case? As far as I can recollect he was called upon to explain, and he furnished an explanation.

3206. Who was the officer? I cannot recollect if Mr. Moriarty does not.

3207. Who was the inspector of the district where Mr. King was Commissioner? There was some delay, and the whole thing was explained to the Minister.

3208. Mr. Wild was the officer, was he not? Yes.

3209. What became of him? He got into a similar mess afterwards, and was allowed to resign; if he had not resigned in all probability more serious measures would have been taken. His resignation was on the ground of blight.

3210. But for the delay in dealing with the case he would have been dismissed in April, 1877? I happen to know that he would not have been dismissed. The matter was inadvertently delayed, but I happen to know of other circumstances which lead me to that conclusion.

3211. Did you not consider that the charge made by Mr. King was sufficient to warrant dismissal? If proved.

3212. Is it likely that Mr. King would make a charge as to a matter which occurred before his own eyes, on insufficient grounds? He might have been mistaken. Mistakes are often made as to persons being drunk.

3213. Could he make a mistake as to the inspector turning the proceedings of the Court into ridicule? As a matter of fact, I believe that Mr. Wild disproved the charge.

3214. Was there any investigation? Nothing further than a report. Mr. Wild sent in a report, and I think statements from one or two witnesses on his behalf. I am speaking entirely from memory.

3215. Is it not a very gross thing that a man in the position of a Conditional Purchase Inspector, having most responsible duties to perform, should be charged with drunkenness, and nothing should be said or done about it until months afterwards? It was an inadvertence; I know it was delayed; but it was not my fault.

3216. That officer was nearly twelve months in the same position afterwards? Yes; he sent in his explanation, and he was warned and reprimanded. I do not believe the delay had anything to do with it. How can Mr. Moriarty say he would have been dismissed? What right has he to say that? He is not the Minister. I disagree with Mr. Moriarty in thinking that he would have been dismissed.

3217. What are your reasons for saying that? I have no particular reason for saying it.

3218. *Mr. Ranken.* Mr. Moriarty appears to judge by the gravity of the offence? I do not think he would have been dismissed.

3219. *President.* You will not say why? I cannot say. I think there would have been too much influence brought to bear in his behalf, and that he would have been given a second trial. There have been worse charges made against officers.

3220. In this same position? I think so; one notorious case, in which, after the first offence, the officer was sent up Riverina way.

3221. A Conditional Purchase Inspector? Yes; he was dismissed upon the repetition of the offence. We have had similar complaints in regard to other officers, and a second trial has been given them. I could mention half-a-dozen cases. I am referring to cases dealt with on my recommendation.

3222.

3222. *Mr. Ranken.*] Punishment followed the second offence? In the case of the second offence they were dismissed; but there are two or three in the Public Service now who have been found guilty of drunkenness more than two or three times, and have been retained. I know that in the case referred to, the Minister had pretty well made up his mind to give the inspector another trial.

3223. *President.*] Who was the Minister? Mr. Garrett, I think. As a matter of fact I told Mr. Garrett the charge, although the letter was not officially submitted.

3224. And the result was that Mr. Wild was removed into another district? Yes.

3225. Where he conducted himself in the same way? He conducted himself worse there, I believe. Mr. Wild was under a family affliction at the time, and that was a reason why the Minister wished to give him another trial.

3226. Mr. Moriarty further says: "One morning I was sitting at my desk, engaged at my business, when I overheard—it was impossible to do otherwise, my door being open—I overheard the Under Secretary call out to Mr. Olivier, a junior officer, something plainly importing that Mr. McElhone had been put up by me to move in Parliament for some papers in Mr. Pretious's case. I naturally felt very indignant at this, but I also felt unwilling to injure Mr. Pretious, who had shortly previously been dismissed, and towards whom at that time I should have been very unwilling to take an ungenerous course. I felt rather inclined to relieve his mind of the contrary impression, and for that reason I begged Mr. Olivier to convey to the Under Secretary that he was entirely mistaken in supposing that I was instrumental in causing reference to this case in Parliament. I thought that was enough; but shortly afterwards Mr. Blackman came into my room from the Under Secretary, and said Mr. Stephen asked him to ask me whether I had not been at the bottom of Mr. McElhone's attack upon Mr. Pretious. I said it is a very singular question. I know how I feel inclined to answer it, but I will not, and beg him to feel assured he was entirely mistaken. In a few minutes afterwards the messenger brought into my room a written memorandum, not marked private or unofficial, in which he alluded to this matter, to the effect that whether I was instrumental in this or not, my conduct to him had been such that he must be excused for entertaining the idea; that I would do well to see that the papers were not brought before Parliament, as they would contain some unpleasant allusions to my removal from office some time before." Do you recollect that circumstance? I recollect something of that sort. I was suffering great provocation from different things which Mr. Moriarty had said and done. Mr. McElhone had promised me two days before that he would not press the matter, when I said to him: "You do not want those papers about Pretious. He has suffered enough. What is the use of bringing them before Parliament?" The day afterwards I found that Mr. McElhone had again moved for the papers. Mr. McElhone was often in Mr. Moriarty's room. As to sending him a message of that sort, I do not recollect it.

3227. Do you recollect suggesting that Mr. Moriarty should use some influence to prevent the papers being brought before Parliament, because papers relating to his own dismissal would be attached to them? Yes; I recollect something of that sort. It was a private memo., and the Minister stated that Mr. Moriarty had no right to register it. It was marked A. O. Moriarty, Esq., without his official designation. The tenor of the memo. showed that it was meant to be private, and the Minister cancelled the registration.

3228. It contained no wanton, indelicate, or indecent reference to Mr. Moriarty's dismissal from office, some years before? Mr. Moriarty may have taken it so; it was not meant to be so.

3229. Did you mean it as a threat? No; I was anxious that these papers should not be published, and at that particular time I was under great provocation about things which Mr. Moriarty had written and said. I talk loud and impulsively, and Mr. Moriarty may have heard what I said. A person often says things in the warmth of temper and under provocation that he would not say otherwise.

3230. It was by your action that Mr. Moriarty's papers were published with those of Mr. Pretious? That I deny most emphatically. It was quite the contrary. I will bring Mr. Rich to prove, if you like, that I sent up to Mr. Richards, the Government Printer, and asked him not to copy them if he could help it. I sent up a special note to get them withdrawn. They were with the papers, and formed an enclosure sent down from the Treasury. It was because of that that they were published, because the return would not be complete without them. When I sent to Mr. Richards he said it was too late, the papers having gone before Parliament he could not withdraw them. Mr. Moriarty wrote a memo. to the effect that the printing was an act of deliberate malice, but I never answered it.

FRIDAY, 7 FEBRUARY, 1879.

Present:—

MR. R. P. ABBOTT,

MR. RANKEN.

R. P. ABBOTT, ESQ., PRESIDENT, IN THE CHAIR.

Mr. John F. Mann called in and examined:—

3231. *Chairman.*] Mr. Mann, you are a licensed surveyor, I believe? I am.

3232. And you have been one for a long time, have you not? Yes, thirty years last March.

3233. And in the Government service? Yes, in the Government service.

3234. You are not in the Government service now, I think? Well, I am still a licensed surveyor, but I am employed by the Government. Still I put the letters "L.S." to my name.

3235. You were one time in charge of the Mudgee district, were you not? Yes, I was.

3236. The Surveyor General informs us you are in a position to give us information with reference to some applications for purchase by auction made by Mr. N. P. Bayly on the gold-field there? Yes, I measured several pieces for Mr. Bayly.

3237. Do you recollect what date that was? The last I think was about 1874, but I had measured previously for Mr. Bayly.

3238. Will you look at that telegram, Mr. Mann, if you please (*showing telegram to witness*)? Yes; I see.

3239. What is the date of it? April, 1874. The 15th April, 1874. Yes, that has been in my hands before;

W. W.
Stephen, Esq.
5 Feb., 1879.

Mr.
J. F. Mann.
7 Feb., 1879.

Mr.
J. F. Mann.
7 Feb., 1879.

before; here is my memorandum. This is my instruction to survey for Mr. Bayly. In all cases the instructions are sent back with the survey to the Surveyor General, with initials and reference to the number of letters. You see this is forwarded to me by Mr. Bolton, the district surveyor, and I say "returned with my letter, number so and so."

3240. Will you tell us what that telegram is, and who it is from? It is a telegram from the Under Secretary for Lands to District-Surveyor Bolton, of Orange—he had moved temporarily to Orange, but was acting for the Mudgee district.

3241. What is the effect of that telegram? "Please instruct Mr. Mann at once to measure land applied for by Bayly, of Mudgee." And then this is the instruction sent forward to Mr. Mann as an urgent reminder, signed by Mr. Bolton, the district surveyor. And then I make my survey, and I make this note, "Returned with my letter, 7,474, 30th May.—J. F. MANN."

3242. At the time you received that telegram I think you were licensed surveyor for the Mudgee district? Yes, I was.

3243. Before you received that telegram, or at the time, where were you camped? I was camped at Havilah, that is Mr. Bayly's station. I believe I was there, but I cannot quite say for certain unless I refer to my diary, which I have not got just at hand, but I believe I was there; at all events I attended at once.

3244. Had you had any communication from Mr. Bayly before receiving this telegram? Yes, I had instructions from the Government to measure certain portions of land for Mr. Bayly.

3245. How many portions? I think I had three or four; it might be two or three portions in hand which I had received instructions to survey in the ordinary course—I think Volunteer orders and improvement purchases. I had proceeded to Havilah to measure these off, and all the applications in the same neighbourhood. I was on my way to Rylstone, 11 miles off, but at the time I had first encamped at Havilah I had not received this telegram.

3246. When you first camped there did you see Mr. Bayly? I did.

3247. Will you tell the Commission what took place? When I first encamped at his place he said, "I suppose you have come to measure all this ground." I told him I had come to measure and fulfil the instructions I had had. He said, "I have applied for a large tract of country." I said, "I know nothing of that, I can only measure what I have been instructed to do. Several applications in the neighbourhood have to be measured, having priority according to their date." I told him they must be measured first. He said, "If I get instructions will you measure for me?" I said, "Yes."

3248. Was there anything said as to who was to give the instructions? He said he was going to Sydney and would consult with the Under Secretary, and get him to arrange the matter.

3249. Did he go to Sydney? He went to Sydney. The next day, or a day or two afterwards, I received this telegram.

3250. Within how long afterwards? This is the date—15th April, 1874. I can hardly tell. I received it some time in April, I believe. This is sent to me by Mr. Bolton, at Orange, on the 20th April. I think I received it on the 27th April.

3251. That was sent after Mr. Bayly said he would have instructions sent to you by the Under Secretary? Yes, shortly afterwards; I think I received it on the 27th April. Here is the date 20th April, and it is dated in Sydney on the 15th.

3252. That was written a few days after Mr. Bayly told you he would have instructions sent to you? Yes, a few days after.

3253. Did he say anything to you about the probability of having instructions sent to you? He seemed certain that he would be able to get instructions issued to me by the Under Secretary. He said he would see the Under Secretary and get instructions issued. I said of course that if instructions came I had no alternative but to act upon them, otherwise he would have to wait his turn.

3254. Then the effect of these instructions was to make you survey for Mr. Bayly without reference to the claims of other people? Yes, without reference to priority at all; it shoved all the other work on one side, and I was to attend to this.

3255. How long after this were you in that district as licensed surveyor? I forget what year it was when I left that district. This was in April, 1874. (*Looking at document.*) I see it was in September, 1874, when I got instructions for the Hume district on the Murray. Yes, it was in the same year.

3256. Then you must have left between those dates? I must have left some time between April and September. The last instructions I received in 1874 for the Mudgee district were dated the 31st August, 1874; then I see that after September 2 I got instructions for the Hume district. That is the district I went to afterwards, on the Murray River.

3257. You were, in fact, removed from the Mudgee district, were you not? I had an intimation that certain regulations were to be made that would interfere with me, and it was suggested that I should change my district from Mudgee to where there were no gold diggings. It was in consequence of the mining regulations coming into force, which would materially affect me, and I was to have the choice of any vacant district where there were no mining regulations, and I was requested to come to Sydney and make arrangements, which I did.

3258. And you went to the Corowa district, did you not? Yes, 40 miles below Albury.

3259. What was the effect of your going there, so far as your position was concerned? That I lost very considerably by it.

3260. These districts are looked upon as the worst districts for surveyors, are they not? Well, it depends upon circumstances. Some are good; some are bad. Some are very favourable for surveyors.

3261. Was this a good one? Yes, if you have good seasons. But this is a very wet district; so much so that it was given up by my predecessor in consequence of the wet being all over the country. My experience during two years was, that one half the time it was extremely dry, so that you could not get a drink of water, and you could not get a feed for the horses; and when the rains did set in, the country being so level, the water could not get away, and therefore I had to do half my work up to my knees in water.

3262. *Mr. Ranken.*] That is the country below Albury? Yes, below Albury. 12 miles back from the river.

3263. *Chairman.*] And the consequence was that you were a severe loser, were you not? I had to send my camp 400 miles overland, and was a loser at the time I left the Mudgee district. I went into it when it

it was in a disorganized state, owing to the deaths of my two predecessors, and the work had accumulated. I had just got it into order, and was anticipating doing some good for myself, when this change took place.

3264. And you were finally obliged to give up the Corowa district, were you not? Yes.

3265. And have not been in the Government employment since, have you? I have had no permanent employment since. I have been a very considerable loser by it.

3266. And to what do you attribute the changing of your position from the Mudgee district to any other? The first intimation I received was just as I have said, that it was in consequence of the mining arrangements coming into force. As I was informed, this would put me under the Warden and the Mining Surveyor, and two or three others, and therefore it would be disadvantageous to me. My adjoining surveyor, Mr. Anderson, came and told me that these things were under consideration, and that if I did resign the district he might have the opportunity of applying for it, as the Surveyor General was very anxious to have him in the district, as he had had great experience among the miners, and I might have the opportunity of choosing a district where there were no mining proceedings going on at all. Therefore I came on to Sydney, and had an interview with the Surveyor General, and finally chose the Corowa district and moved there. I moved there as soon as I could make arrangements. As soon as I had worked up all my Mudgee work, and my camp had arrived at Albury, I started and followed them up.

3267. Had you any communication with the Surveyor General with reference to this telegram? The Surveyor General, during this conversation, asked me what I had measured for Mr. Bayly. There were seven large blocks measured on the strength of that telegram on that gold-field. I can tell you the areas if necessary. There was one of 300 acres, one of 291 acres, one of 168 acres, one of 162 acres, one of 228 acres, one of 318 acres, and one of 232 acres, measured at this time for Mr. Bayly, on the strength of this telegram.

3268. And at the same time you say there were other people who had prior claims? Yes, there were.

3269. Did Mr. Adams, the Surveyor General, talk to you about it? He asked me upon whose authority I had made these measurements. I told him I had done so in consequence of a telegram through the district surveyor from the Under Secretary that I was to attend immediately to the work, and consequently I did it. He did not appear to have known of the existence of this telegram previously.

3270. Was that all that took place between you and him in reference to it? Yes, he did not say anything more to the purpose.

3271. *Mr. Ranken.*] Was that within the Gulgong Gold Field Reserve? No, in the Pipeclay Reserve, under section 14. They allowed conditional selection. You could select, but on that reserve there was the power to resume possession at any time in case gold should be found upon it. It was not specially exempt. I think they are under another clause, where it is altogether a gold field; but where the gold-field becomes rather doubtful you are allowed to make selections under clause 14, which enables a man to select, but he is liable to be called upon by the Government at any time to give it up. I think we were called upon in our instructions to inform them of the position they were in.

3272. But was this land supposed to be open to improvement or Volunteer land order selection? I believe it was; there were measurements made on it on Volunteer land orders. This, of course, went to auction. My letter 7474, 30th May, would give the map of the exact position.

3273. *Chairman.*] Perhaps you will find it here (*showing papers to witness*)? Yes, I think I recollect these. I recollect he applied for the two here by improvements, and the improvements came outside his ground. Then this was to go on to auction. This is one of my tracings. This is one of my replies to a lot of memos. This is Mr. Bayly's letter. I recollect this—March 12, 1874. I recollect Mr. Bayly got me to measure some land, and I got him to write this application, which I forwarded to the Surveyor General for his approval. Without the map it is rather difficult to follow this up. The map would show all this.

3274. Each lot, would it show? I think so. They would be all in one lot in two or three maps. The map would show the position of each one of these. I see "instructions by telegram, 15th April." I had to go through all these calculations here. Here is one of these memoranda I used to complain of as utterly unnecessary. I am perfectly correct, but it gives me the trouble to go over it all again.

3275. The effect of it was to make you go all over this again, was it? All over this again.

3276. And that involves some considerable delay, I suppose? I send the papers in on a certain day, and perhaps they get back in three months afterwards, and very likely I have to put off some of my field work or sit up at night to go through these calculations. You have to go all over it a second time to check your work.

3277. And the result was that it was correct within the allowance? Yes, it was within the allowance.

3278. Who was the draftsman who sent this back to you? I do not know who it was.

3279. Has any draftsman the power to send these back to you? Anybody.

3280. However young or inexperienced? It does not matter how young or inexperienced. Here it is again: I am requested to state whether I consulted the Gold Commissioner before measuring this land. There were seven items where they found fault with my work. My reply was: "The Gold Commissioner has not been consulted in this case, the proclamation being under section 14. I was not aware of a reference to that officer being necessary, land having already been alienated in this parish without his having been referred to."

3281. And that answer was found to be sufficient? Yes.

3282. The effect of your answer was to show that you were right at first? Yes; I was right at first.

3283. And this delay was unnecessary? Quite unnecessary.

3284. And brought about by some draftsman whose calculations were wrong? Yes.

3285. What do you attribute it to? There is an immense deal of power put into the hands of these draftsmen, and they like to exercise it. To get these figures would cost me a couple of sheets of foolscap. I had to get the northing and westing, and the latitude and departure, all of which would cover several sheets of paper, before I could get my multipliers.

3286. And the effect was delay to the public business, and doubling your work? The effect was that the public business was delayed, and my work was doubled. It is usual to send in your work once a month, after having gone through it carefully. Three months afterwards, when you are engaged in work somewhere else, you get a page of these memos.

3287. And every draftsman, however young, has the right to send this work back to you? There are several rooms, and the room is generally in charge of one of the elder draftsmen. The work is brought in to someone, anybody, to check it. If he finds it does not close, he takes it to the senior, who makes a memo., and they are sent off by the bundle, sometimes initialled by the Surveyor General, the Deputy Surveyor General, or anybody else.

Mr.
J. F. Mann.
7 Feb., 1879.

- Mr. J. F. Mann
7 Feb., 1879.
3288. They entrust the most inexperienced draftsman in the office with this? Yes.
3289. Are not many of them very young? Some of them are.
3290. Are not a majority of them young and inexperienced? Yes; there are a lot of boys crowded in there. I have had my work found fault with, and a very severe letter written by the Surveyor General. The work has been sent back to me with these memos., finding fault with it, sometimes by the draftsman, saying it was carelessly done; and this has drawn forth the most severe letter from the Surveyor General, without inquiring whether it was the case or not. In going through all this work again, which would take perhaps a week, I would find that with the exception of a few clerical errors, which anybody might make, and anybody might see were clerical errors, he was altogether wrong, and my work was right with the exception of these one or two clerical errors. And this was all on the authority of the draftsman. One of these times my attention was called to something very gross and severe. It was personally inspected by the chief charterer himself, Mr. Tom Lewis, who said: "I do not know what the fellow could have meant by sending such a memo. as that. I cannot find any fault at all."
3291. In that case had you any special trouble? A great deal.
3292. Did it involve any great delay? Very great delay.
3293. To what do you attribute that? To giving power to people who are not competent to judge. These draftsmen, who perhaps have never been in the field in their lives, consider that they are competent to carry on a survey 500 miles in the bush better than a man of experience, and it is left to them.
3294. And these gentlemen who take the responsibility of directing this reference to the surveyor in the field, do they examine the work? I do not know whether they go through it, or whether they call upon a second draftsman to check it and see whether it is right. But I have been in the office when I have heard a draftsman say, "This does not join." They say, "Send him a memo." These returned memo's do not come under the notice of the Surveyor General.
3295. Mr. Ranken.] Would not your work come under the district surveyor? I never sent my work to the district surveyor; Mr. Bolton came down temporarily a few days before I left it. In the Murray District I always sent my work through the district surveyor, and received instructions from him. Before sending down the work to the Surveyor General we would supply the district surveyor with tracings. He might be out in the field, and our work might lie in his office for weeks before he could see it. By sending him tracings we could send our work to the Surveyor General at once.
3296. As a rule the district surveyor does not exercise supervision? He is supposed to do so.
3297. Would not that obviate this delay? It would be impossible for him to be continually inspecting. His practice is to travel about the country, making measurements here and there; testing the work to see if it can be generally relied upon.
3298. President.] They send tracings for him to make up his maps? Yes, he makes it up.
3299. In this particular matter at Mudgee, in which Mr. Bayly was concerned, did you ever hear anything that led you to believe that other persons felt aggrieved at your doing work for Mr. Bayly, and letting other work that had priority remain undone? One gentleman said, "It is a curious thing that Mr. Bayly gets all his work done and I cannot get mine done."
3300. Did you ever hear anything that led you to believe that dealing with Mr. Bayly's work had anything to do with your removal? Subsequently I was under that impression. It struck me afterwards that it might be the case. In fact, the Surveyor General's manner to me afterwards led me to think so.
3301. You thought that this matter of Mr. Bayly's led to your being removed from the Mudgee District to the Murray? Yes, I thought so.
3302. And the Murray you were obliged to leave because it did not pay you? I lost a good deal of money in it.
3303. I suppose from your experience in connection with the Survey Department you have a good knowledge of the management of that department, and at some other time we may get suggestions from you if we give you an opportunity? Yes; I shall be very glad to do so. I met this morning a brother surveyor of very great experience, who told me he had written a strong and very exhaustive letter on the subject, about the dealings of the Survey Department, and in which he referred to the dealings in the field; about the way in which they are snubbed in the office. He was on his way to head quarters. I considered he was writing in such a manner that it might be published.
3304. Is there any reason why you cannot tell me who he is? Mr. Wilbraham Edwards, of Yass.
3305. Is he a licensed surveyor? Upwards of twenty years standing. His health is completely broken down. He is still in the employment of the Government. He is writing this letter, he told me, because he had applied for leave of absence on account of his health, and he wanted medical advice; and that they had refused it, saying that the regulations did not allow of their granting leave of absence to licensed surveyors. So he had written a very strong letter, and had exhausted the subject.
3306. Is Mr. Edwards in Sydney? I saw him this morning, and I do not think he is going out immediately. When I took the Murray River it was half his district I took off his hands. I knew him previously; long before he was a licensed surveyor.

LANDS AND SURVEY DEPARTMENTS COMMISSION.

APPENDIX.

A 1.

Proposed new Departmental Arrangement.

MEMO.—From Under Secretary of Lands Department.

It has been evident for some time past that the business of the various branches of the Lands Department has increased to such an extent as to render some reorganization of the present system of administration, and some division of labour and responsibility an absolute necessity. This is a fact which has been so often admitted that there is no occasion to adduce any statistics or to go into any detail in support of my statement.

The business, which has most notably increased during the last few years, and more especially since the passing of the "Lands Act Amendment Act of 1875," under which new officers and additional and very important duties have been brought into existence, is that connected with the conditional sale of land, and the preparation of the Estimates for 1877 seems a fitting opportunity for submitting for approval the change which it is proposed to make.

Having in view the numerical strength and the aggregate amount of work of the different branches of the department the best arrangement will be as follows:

1. That the Under Secretary retains the supervision and immediate control of the Roads and Ministerial, Miscellaneous, Record, Auction, Lease and Deeds Branches, the duties appertaining to which are shown by the enclosed printed statement.
2. That the conduct of the conditional purchase business—Correspondence, &c.—(which has attained the dimensions of a department in itself almost) be delegated in like manner to the chief clerk, who should submit all papers to the Minister, carry out his decisions without reference to the Under Secretary, and be the recognized medium of communication with the public and officers concerned in all matters connected with the business so entrusted to him.
3. That as part of, and to give effect to, the above propositions, the designation of the chief clerk (who is already a Commissioner) should be changed to that of "Chief Commissioner of Conditional Sales," or such other as the Minister may see fit to recommend, and that the salary of chief clerk should merge in that to be granted to him as such Commissioner.
4. That the Under Secretary, whilst abstaining from active interference with the conditional purchase business or staff, should be recognized, as at present, as the official head of the whole department, and that the separation of duties as above indicated shall not be held in any way to alter the constitution of the department as a whole, nor disturb the present relative position and seniority of any of the officers of the respective branches, which should remain exactly as at present,—and that on this understanding all matters of a ministerial or financial nature, appointments, promotions, &c., to whichever branch appertaining, should be submitted to the Minister, through the Under Secretary, in accordance with the usual official practice.
5. That the registration, &c., of all conditional purchase papers be carried on, as at present, in the separate registers in the General Record Branch, and that they be transmitted to, and returned from, the Conditional Sales Division of the Department direct, and that all requirements of the said division should be attended to by the head of the Record Branch, without special reference to the Under Secretary.

The above are the leading features, and show the principle of the departmental organization proposed to be effected, and which ought not now to be further delayed. For my own part, individually, I may be permitted to say that it is with much reluctance I submit a recommendation which will have the effect of severing my immediate official connection with the conditional purchase business, in which I have always taken great interest from the fact of my having been more particularly identified with it than any other, almost ever since the Lands Acts of 1861 were passed. However, in the interest of the public as well as of the department, I think that under all the circumstances it is the best arrangement which can be devised, and I can only express my sincere hope that my endeavours to carry out the various duties appertaining to conditional purchase matters have met with the approbation of the Minister for Lands as also that of his predecessors.

December 20th, 1876.

W. W. STEPHEN.

Copy Minute of Secretary for Lands.

I concur in the proposed rearrangement, and in doing so, I may state that I have during my connection with the department had every reason to be satisfied with the manner in which Mr. Stephen has discharged that portion of his duty as Under Secretary connected with the Conditional Purchase Branch. No one, in my opinion, could have done more than he has done to cope with the great and continually increasing and important work of the office connected with the Conditional Purchase Branch. I need not therefore state, except to remove or meet any doubt that persons unacquainted with the facts may feel or express,—that this change in the administration of the office is made solely to enable the department more readily to grasp and deal with the rapidly increasing work of the branch referred to, and not because of Mr. Stephen's inability to deal with it in any way whatever.—T.G., December 20th, 1876.

Let this be carefully noted by the different heads of branches, and acted upon in every particular. When noted by each head of branch, returned to me.—W.W.S., 29 December.

Mr. Rich,—Observed.—O.R.; Mr. Blackman,—Seen.—W.B.; Mr. Thomson,—Seen.—L.G.T.; Mr. Thurlow,—Seen.—C.A.T.; Mr. Johnson,—Seen.—T.H.J.; Mr. Brown,—Seen.—C.A.B.; Mr. Edwards.—W.C.E.

DEPARTMENT OF LANDS.

STATEMENT showing the different Branches of the Department, and the classification of business.

Ministerial, Roads, Pay, and Account Branch.

Head of Branch—OSBORNE RICH.

Preparation of Returns to Parliament.
Advertising, Applications for Employment, and for the Temporary use of Public Reserves for Amusements, &c.
Opening of Parish Roads and Streets, Distribution of Votes for fencing Roads, Cemeteries, &c.
Adjustment and Payment of Accounts.
Erection of Public Gates.
Proclamation of Gold Fields Reserves.
Drainage Unions.

Conditional Purchase Branch.

Head of Branch—WILLIAM BLACKMAN.

Sales of Land by Conditional Purchase, including Registration of Applications, Cancellations, Declarations, Forfeitures, Transfers, Correspondence with Crown Lands Agents and the General Public; also Commissioners and Conditional Purchase Inspectors.
Sections 13, 14, 15, 18, 19, 21, and 22, of Crown Lands Act of 1861.
Sections 6 to 29 inclusive, of Crown Lands Acts Amendment Act of 1875, and 18 to 54 inclusive.

260—Y

Miscellaneous Branch.

Head of Branch—LINDSAY G. THOMPSON.

Reservation of Land from Sale.
Dedication of Land to Religious and other Public purposes.
Appointment of Trustees.
Proclamation of Temporary Commonages.
Revocation of Temporary Reserves.
Withdrawal of Land from Pastoral Lease.
Reclamation of Land.
Purchase of unnecessary Roads.
Purchase without Competition by freeholders of land adjoining their properties, to which no way of access exists, &c.
Rescission of the Reservation of Water frontage.
Purchases in consideration of improvements, and of intended improvements.
Appraisements.
Leases for Oyster Culture.
Sections of the Crown Lands Alienation Act of 1861, Nos. 4, 5, 6, 9, 10, 11, 12, and 28.
Crown Lands Amendment Act, 1875, Nos. 2, 3, 4, 5, and 31.
Occupation Act, No. 5, 29.
Oyster Beds Act of 1868.
Public Parks Act of 1854.

Deeds

Deeds Branch.

Head of Branch—CHARLES A. THURLOW.

Preparation of all Deeds of Grant, delivery of Deeds from formation of Colony up to the year 1862.

Amendment of Deeds under Titles to Land Act of 1858.

Lease Branch.

Head of Branch—CHARLES A. BROWN.

Leasing of Land at Auction (ordinary Crown Land and Church and School) and under Pre-emptive Right, Registration of Applications, Gazetting of Leases, Lease Rent, Accounts, Annual Lease Statistics, &c.

Section of the Crown Lands Occupation Act, 1861, No. 12.—Lands Acts Amendment Act, 1875, Nos. 34, 35, 36, and 37.

Auction Sales and Statistical Branch.

Head of Branch—WILLIAM C. EDWARDS.

Lands sold by Auction.

Lands selected after Auction.

Lands Statistics.

Volunteer Land Orders.

Alienation of the Church and School Estate.

Sections of the Crown Lands Alienation Act of 1861, Nos. 23 and 25.

Crown Lands Acts Amendment Act of 1875, No. 30.

Volunteer Regulation Act of 1867, Nos. 44 and 45.

N.B.—Mr. Edwards acts also as Agent for Sale (by selection after auction) of Crown Lands within the Metropolitan and Coast District.

OCCUPATION OF LANDS.

Office, Macquarie Place.

Pastoral Lease Branch.

Registration of Transfer of Runs.

Appraisal of Fair Annual Value of Runs.

Extension of Leases of Runs in virtue of Improvements.

Sale of Leases of Runs.

Selection of Leases of Runs after being twice offered at Auction.

Subdivision of Runs.

Disputed Claim to Leases of Runs.

Preparation and issue of formal Leases of Runs.

Tenders for new Runs.

Special Occupations, Woods and Forests Branch.

Accounts.

Leases for Special Purposes (38th clause.)

Occupation of Crown Lands on Sufferance.

Unauthorized Occupation of Crown Lands.

Licenses to cut timber, quarry stone, or for removing other material from Crown Lands.

Licenses to cut timber, quarry stone, or for removing other material from Church and School Lands.

Conservancy of Crown Forests.

Issue of Special Permits to cut Timber on Crown Forests.

Conservancy of Public Quarries.

Issue of Special Permits for obtaining stone from Public Quarries.

Survey of Runs Branch.

Survey of Runs under 13th clause of Regulations.

Survey of Runs under 41st clause of Crown Lands Act Amendment Act of 1875.

Maps of Pastoral Districts, showing Runs.

Sale of Pastoral District Maps.

A 2.

NUMBER of letters registered in the General Record Branch from 1st January to 22nd October, 1877-78.

	1877.	1878.	Increase.	Decrease.
Alienation	8552	8117		[435 caused by stoppage of selections after auction.]
Ministerial	4288	5487	1199	
Miscellaneous	11544	12859	1315	
Leases	2600	3200	600	
Roads	11984	2430	446	Transferred to department of Mines, 1 October, 1878.
	From 1st January to 30th September	From 1st January to 30th September		
	28968	32093	3560	435

A 3.

RETURN showing the Permanent and Temporary Staff of the Department of Lands as apportioned to the several Branches, with date of Appointment and present Salary.

Name.	Date of Appointment.	Present Salary per annum.	Name.	Date of Appointment.	Present Salary per diem.
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MINISTERIAL BRANCH.

<i>Permanent Staff.</i>			<i>Temporary Staff.</i>		
		£ s. d.			£ s. d.
H. L. O. Rich (Officer-in-charge.)	9 Oct., 1856	400 0 0	T. X. Counihan	6 Aug., 1877	0 15 11½
T. P. Banks	11 Feb., 1867	250 0 0	W. H. Howard	1 Dec., 1875	0 12 6
T. E. L. Newman	1 July, 1869	250 0 0	C. S. Mitchell	1 Feb., 1877	0 12 6
J. B. Tooher	6 Aug., 1877	100 0 0	W. Moses	1 Jan., 1877	0 10 0
Total, 4.			W. Cooper	11 Mar., 1878	0 10 0
			T. C. Murphy	25 Mar., 1878	0 10 0
			Total, 6.		

MISCELLANEOUS PAY AND ACCOUNT BRANCH.

<i>Permanent Staff.</i>			<i>Temporary Staff.</i>		
		£ s. d.			£ s. d.
L. G. Thompson (Officer-in-charge.)	1 Jan., 1867	400 0 0	G. H. Gibson	26 June, 1876	0 17 6
H. A. G. Curry	14 Nov., 1871	250 0 0	H. H. Stephen	16 Oct., 1876	0 15 11½
Joseph D. Donovan	29 Aug., 1872	200 0 0	J. G. Day	1 Mar., 1876	0 15 11½
J. G. Neale	7 July, 1874	200 0 0	J. D. Osborne	1 Aug., 1878	0 7 6
Jas. T. Evans	9 Sept., 1875	150 0 0	J. M. Beattie	1 Aug., 1878	0 7 6
J. M'Guinn	3 June, 1876	150 0 0			
J. N. Devlin	1 Jan., 1874	150 0 0			
M. A. O'Brien	27 Sept., 1877	100 0 0			
H. Phillips	26 Mar., 1878	100 0 0			
Total, 9.			Total, 5.		

J. P. Croft, Clerk and Accountant, 1 October, 1875—£350 per annum.

A 3—continued.

Name.	Date of Appointment.	Present Salary per annum.	Name.	Date of Appointment.	Present Salary per diem.
DEEDS BRANCH.					
<i>Permanent Staff.</i>			<i>Temporary Staff.</i>		
C. A. Thurlow (Officer-in-charge.)	1 Jan., 1867	350 0 0	W. A. Manton	1 April, 1878	0 17 6½
F. W. R. W. Croft	1 Jan., 1867	300 0 0	J. H. North	1 April, 1878	0 17 6½
C. G. Arnold	1 Nov., 1873	200 0 0	F. M'Kern	24 Jan., 1876	0 17 6½
			T. Coggins	1 July, 1878	0 17 6½
			A. D. Taylor	20 Sept., 1876	0 17 6½
			J. Walker	18 Dec., 1877	0 17 6½
			W. Jamison	25 Feb., 1877	0 12 6
			H. Inder	15 June, 1877	0 12 6
			H. Bennett	4 July, 1877	0 10 0
			A. W. Farnsworth	1 Feb., 1877	0 10 0
			E. Elliott	21 Sept., 1877	0 7 6
			J. R. Linsley	19 Sept., 1878	0 7 6
			C. H. Manton	Sept., 1878	1s. per Deed.
Total, 3.			Total, 13.		
RECORD BRANCH.					
<i>Permanent Staff.</i>			<i>Temporary Staff.</i>		
E. Patterson	1 Jan., 1867	300 0 0	A. F. Benest	18 Sept., 1876	0 12 6
Frank Williams	1 Jan., 1867	250 0 0	M. J. Doherty	23 Sept., 1876	0 12 6
J. Blaxland	1 Mar., 1871	250 0 0	A. C. Thomson	8 Mar., 1876	0 10 6
Nathaniel Wallis	12 Oct., 1872	200 0 0	M. Nepean	1 Jan., 1878	0 10 0
P. De Mestre	4 July, 1876	150 0 0	J. R. Ferris	15 Oct., 1877	0 10 0
W. H. Adams	1 Jan., 1876	150 0 0	G. Sharp	17 May, 1875	0 7 6
J. Dalton	1 Dec., 1877	100 0 0			
Total, 7.			Total, 6.		
PRE-EMPTIVE AND AUCTION LEASE BRANCH.					
<i>Permanent Staff.</i>			<i>Temporary Staff.</i>		
C. A. Brown (Officer-in-charge.)	19 Oct., 1862	350 0 0	J. R. Chambers	19 Feb., 1877	0 10 0
Fred. Williams	1 Jan., 1867	250 0 0	C. G.-L. Beale	12 Aug., 1878	0 10 0
A. Salway	1 July, 1875	200 0 0			
O. A. C. Boot	15 June, 1876	150 0 0			
C. B. Helm	25 Sept., 1876	150 0 0			
Total, 5.			Total, 2.		
AUCTION AND STATISTICAL BRANCH.					
<i>Permanent Staff.</i>			<i>Temporary Staff.</i>		
W. C. Edwards (Officer-in-charge.)	1 Jan., 1867	350 0 0	P. F. Richardson	15 May, 1876	0 19 2
H. P. Rich	24 July, 1871	200 0 0	G. Yeomans	24 Jan., 1877	0 12 6
C. B. Johnson	11 Sept., 1876	150 0 0	R. H. De Low	1 Nov., 1877	0 12 6
			H. Edwards	22 Oct., 1877	0 10 0
			W. Keele	15 Oct., 1877	0 10 0
			J. Marr	26 Sept., 1878	0 10 0
			H. L. Thompson	29 July, 1878	0 4 9½
Total, 3.			Total, 7.		
CONDITIONAL LAND SALES BRANCH.					
A. O. Moriarty, Chief Commissioner and Officer-in-charge, 1 July, 1873—£700 per annum.					
<i>Permanent Staff.</i>			<i>Temporary Staff.</i>		
W. Blackman	14 June, 1859	450 0 0	F. H. Wilson	4 Oct., 1876	0 17 6½
C. E. Neate	1 Jan., 1867	350 0 0	H. Croft	16 July, 1878	0 15 11½
C. E. Phillips	1 Jan., 1868	300 0 0	J. B. Craig	18 Sept., 1876	0 12 6
H. S. Harpur	1 Jan., 1867	300 0 0	W. M. Ollivier	1 Feb., 1878	0 12 6
John Wiseman	1 Jan., 1867	300 0 0	J. J. Russell	3 Feb., 1876	0 10 6
H. A. Fitzpatrick	18 July, 1870	300 0 0	H. E. Stratford	26 Aug., 1878	0 15 11½
T. Horton	1 Sept., 1873	250 0 0	C. Russell	25 Sept., 1876	0 10 0
W. Macdonald	23 Nov., 1871	250 0 0	H. Wilkinson	14 June, 1876	0 10 0
E. Stobo	10 Nov., 1874	200 0 0	H. R. Sanders	27 Sept., 1876	0 10 0
C. Cope	1 Oct., 1872	200 0 0	D. A. M'Leod	1 July, 1876	0 10 0
W. H. Capper	1 Jan., 1874	200 0 0	H. Evans	8 May, 1877	0 10 0
M. Lackey	1 Dec., 1873	200 0 0	A. G. Rose	1 April, 1878	0 10 0
J. R. Macdonald	1 Feb., 1873	200 0 0	Dr. Barsanti	31 Dec., 1877	0 10 0
J. T. Locke	20 Sept., 1875	200 0 0	C. W. Penny	6 April, 1878	0 8 6
W. Ardill	5 May, 1874	200 0 0	G. H. Parker	8 June, 1876	0 7 6
J. Bailie	12 Nov., 1874	150 0 0	W. E. Tindale	1 Jan., 1878	0 7 6
Vere Hunt	1 Mar., 1878	150 0 0	M. S. Machen	5 July, 1878	0 10 0
T. W. Ward	19 April, 1875	150 0 0	E. Kippax	21 Sept., 1876	0 6 4½
F. G. Bremer	12 Nov., 1874	150 0 0	A. Haslam	14 Dec., 1877	0 5 0
E. Haynes	12 Dec., 1878	150 0 0	E. F. Way	13 May, 1878	0 5 0
A. B. Crew	1 Oct., 1876	150 0 0	V. A. Q. Camming	20 May, 1878	0 5 0
J. W. Pidgeon	25 Sept., 1876	150 0 0	F. S. Murray	1 Feb., 1877	0 3 2½
J. M'Guanne	7 April, 1876	150 0 0	Fredk. Chambers	1 Sept., 1878	0 5 0
J. R. Yorke	18 May, 1876	150 0 0	F. B. Carne	1 Aug., 1878	0 3 2½
F. Smith	1 April, 1876	150 0 0	— Glennie	7 Oct., 1878	
J. R. Miles	1 April, 1875	150 0 0			
G. J. Neale	1 July, 1875	150 0 0			
F. M. Harpur	9 Sept., 1875	150 0 0			
C. Dillon	14 Sept., 1876	150 0 0			
G. S. Ridley	25 Sept., 1876	150 0 0			
W. Sturrock	21 Sept., 1876	100 0 0			
Total, 31.			Total, 25.		

INSPECTOR OF LAND OFFICES.

C. N. J. Oliver, 1 October, 1873—£400 per annum—30/ per diem travelling expenses allowed.

RETURN showing the number of Officers employed in the Surveyor General's Department, and the names of Officers at the head of each Branch, 1st October, 1878.

No. of Branch.	Location.	Duties.	Name of Officer at head of Branch.	Draftsmen.		Clerks.		Total number of Officers employed.	Remarks.
				Permanent.	Temporary.	Permanent.	Temporary.		
1	Head Office	Charting	T. H. Lewis	1				1	The undermentioned Officers are not included in this list :— Exhibitor and Salesman of Maps. Custodian of Plans. Clerk in Charting Branch. Assistant to Draftsman for preparing County References. Plan Mounter.
1	"	Conditional Purchase, N. Division	T. Stevens	3	4			7	
1	"	" S. Division	F. W. Rutter	6	3			9	
1	"	Reports on Residence	J. D. Reece	1	1		1	3	
1	"	Auction measurements	A. Gall (temporarily).	1	1		3	5	
2	"	Roads, Streets, &c.	{ A. J. Stopps E. M. S. Gerard }	8	3			11	
3	"	Leases	A. Johnson	4	1			5	
4	"	Reserves	G. Lewis	7	10		1	18	
5	Macquarie Place	Land District Maps	T. J. Callachor	3	11			14	
7	Wolfen's Buildings, Bridge-st.	Trigonometrical	L. A. Vessey	6	1			7	Four Permanent Draftsmen (3 on leave of absence, and 1 working at Albury Office) are excluded from list.
8	Exchange	Diagrams on Deeds	W. Webster	3				3	
9	"	Descriptions on Deeds	R. Underwood	1		3 Description writers.	1 Description writer.	5	
10	Wolfen's Buildings, Bridge-st.	Compilation of County Maps	J. A. C. Willis	14	13			27	
10	"	Litho. Printing	J. Eccles	Printers 4	Printers 3			7	
12	"	Lithographic	J. Tayler	7	6			13	
13	Lyon's Buildings, George-st.	Charting	F. W. Watt	5	7			12	
14	"	"	W. D. Armstrong	3	9			12	
15	Bligh-street	Church and School Estate	C. B. Brownrigg	1				1	Three Temporary Draftsmen employed at District Survey Offices are not herein included; also 5 Temporary Clerks assisting the Custodian of Plans, and 1 Temporary Clerk at Armidale District Survey Office.
15	"	Charting	J. F. Goggin	2	10			12	
16	"	"	H. Wickham	5	11			16	
17	"	"	W. Houston	3	10			13	
18	Wolfen's Buildings, Bridge-st.	Duplicate Maps	D. H. Chisholm	2	6			8	
18	"	Conditional Purchase Tracings	W. H. M'Lean	2			1	3	
19	Bligh-street	Charting	M. O'C. Blake	2	6			8	
20	Head Office	Special Conditional Purchase cases	C. E. Finch	4			1	5	
21	"	Dedications	S. L. Peyton	1	7			8	Eight Temporary Draftsmen are on leave, or not at present working.
22	Exchange	Noting	L. J. G. Bennett	4	5			9	
23	Macquarie Place	Charting	T. Elwin	1	9			10	
24	Lyon's Buildings, George-st.	Conditional and Improvement Purchases.	{ R. G. S. Bransby M. A. M'Lean }	5	1		1	7	
...	Elizabeth-street, North	Accounts, Correspondence, and Measurement Books.	J. F. Landers			18	10	28	
			To be added to List. (See "Remarks" column)	109	138	21	19	287	
				6	3		5		
				4	8		1	27	
				119	149	21	25	314	GRAND TOTAL.

A 4.

Number of I. P. applications received from the 1st January to the 22nd October, 1877	3,192
Number of I. P. applications received from the 1st January to the 22nd October, 1878	2,530
Decrease	662

A 5.

RETURN showing the number of Leases and Lease Applications registered in the Books of the Pre-emptive Lease Branch during 1877 and 1878,—i.e. irrespectively of Lease Papers registered in Record Branch.

Leases in Registers.		Lease Applications Registered.	
Year.	Number of Leases.	Year.	No. of Applications.
1878—to Sept. 30...	20,000	1878	2,436
1877.	17,000	1877	3,100

A 6.

Department of Lands, Sydney, 17 July, 1878.

MEMO.—In reference to recent conversations with the Minister for Lands, and in view of the preparation of the Estimates-in-Chief for the year 1879, I beg to submit that it is absolutely necessary, in my opinion, in the interest of the department as well as the public, to provide for the appointment of an officer under the designation of "superintendent" or chief clerk.

Assuming it to be admitted that such an appointment is required, I will point out, as briefly as I can, the duties which should devolve upon such an officer.

I propose that he should exercise a supervision of the different branches of the department with the view (while not interfering with the present system of direct reference from branch heads to the Under Secretary) of directing generally as to the classes of cases requiring submission, so as to relieve the Under Secretary of the immense mass of papers with which at present he is unnecessarily inundated, and that he should take means to enforce punctuality of attendance of officers and prevent accumulation of arrears.

He should also be a reference in any special matters, and otherwise act for the Under Secretary, when deputed to do so, and it will be his duty to carry out any minor arrangements which, from time to time, may be approved or found necessary for the better administration of the affairs of the department.

In submitting the above recommendation, I would assure the Minister that it is made not so much with a view to my own relief individually as from my sense of the impossibility of any one person performing with satisfaction to himself, or the public, the various duties which, under the present system, devolve upon me as Under Secretary.

I would invite his attention to the increasing magnitude of the Lands business, as also (without any desire whatever of enlarging upon the extent of my responsibilities) to the fact that the staff of this department, (which is barely equal to its requirements), *irrespectively altogether of the Conditional Sales Division*, the business of which has for the last year or two been conducted under the immediate supervision of the Chief Commissioner of Conditional Sales, is actually *greater by one-third* than the four Ministerial departments of the Colonial Secretary, Justice, Mines, and Works.

If each of these departments, therefore, has a chief clerk, surely this department ought to have one, especially when it is borne in mind how scattered about, and how difficult consequently of supervision the different branches are.

I have not the slightest hesitation in saying that hundreds of matters, and thousands of papers and letters come before me to be personally dealt with, which an officer of intelligence and experience, and invested with the powers properly appertaining to such an appointment as that I have recommended, would be able to dispose of himself.

The effect of creating such an appointment I confidently assert would be the expediting of the public business to an extent which would soon be appreciated (but not practicable under present circumstances) as well as an improvement in the discipline and general administration of the department.

In fact, so strongly do I feel the necessity of some such change as that indicated, that I would urge it to be allowed, if possible to take effect *at once*, in anticipation of Parliamentary sanction.

Of course it will be understood that this memorandum is only general in its nature. There are many matters of detail which can be more conveniently considered subsequently.

W. W. STEPHEN.

This is an important matter relative to the efficient working of this department. I will bring the matter under the notice of my colleagues for consideration at the earliest possible period.—J.S.F., 17/7/78.

This matter must stand over until the question of the reorganisation of the department is being dealt with. The heads of branches must be responsible for the efficient working of the respective branches under their control.—J.S.F., 28/8/78.

If it is not too late to make any further remarks upon this matter, I would point out that when the department was considerably less than at present, there were heads of branches also, as well as a chief clerk, who exercised a general supervision over the whole. I can only respectfully express my regret at the decision of the Cabinet, having submitted my recommendation after full consideration and many years experience as a means of securing greater efficiency and preventing to a very considerable extent the complaints against the department.—W.W.S., 12 September.

A 7.

James Godwin's Improvement Purchase.

THIS case is a forcible illustration of the urgent necessity for an alteration in a system which renders possible such* delays and such constant ground for complaint against the department as the papers herewith disclose.

The facts are as follows:—

James Godwin applied for the land herein referred to—stated at the time to be a measured portion No. 6—on the 22nd September, 1875. The application was under the 8th clause of the "Crown Lands Alienation Act of 1861," for a gold fields allotment.

The required report from the Warden was received in this department on the 8th July, 1876, and sent on to the Charting Branch on the 11th of the same month.

According to a notation on that paper (dated 14th September, 1876), it would seem that the Survey Department required some further information as to the No. of the portion, &c., and (from whatever cause) this information was not received until February, 1878,—a period of one year and eight months from the date of the transmission of the papers to the Survey Office.

On the 4th of March, 1878, this letter (dated 28th February) was received from the applicant, complaining of the delay in granting his application, and was at once sent on to the Charting Branch, with reference to previous papers, where it has remained until now, and consequently no answer sent.

On

*There are some cases sent to Charting Branch in May and June, 1876, and February, 1877, reported to me as not having been yet returned to Lands.—W.W.S., 3 Sept., 1878.

On or about the 8th of this month, Mr. Beyers, M.P., having handed me a letter complaining again of the negligence (as is always the case) of the Department of Lands, I had inquiry at once made, and find that all further action has been stopped by the loss of a plan, it being the practice to send a tracing to the appraiser. Surely this is unnecessary in the case of a measured portion, especially when from the various reports, &c., on the papers, it would be impossible to mistake it. If the appraiser had a doubt, his duty is to inquire.

If anything else in the way of notation is required at this stage, it seems to me that if a memo. were taken, or a book kept of particulars of portions applied for, to be noted on such and such a plan, when found, such interminable delays as these could be avoided, without the slightest fear of mistake.

It certainly is unfair to this department that its action should be impeded, and that such discredit should be cast upon it, if it can possibly be avoided; and as the same delay, to a greater or lesser extent (the system being at fault), is not uncommon, I would submit that the special attention of the Surveyor General be called to the matter, so far as his department is concerned.

As regards other causes of delay, such as the transmission of letters, &c., to the Survey Office—reference to licensed surveyors for reports as to improvements, &c., which could be furnished by our salaried appraisers in two or three months, with certainly equal reliability, and at a less cost, &c., &c.—I propose to make certain recommendations when dealing with the general question. I feel confident that the fact of an application of this nature being actually in hand for three years, and still incomplete, will be held sufficient to justify any remedial measures which can possibly be adopted.

W.W.S., 19 Aug.

I concur generally with the Under Secretary. Refer to Surveyor General as to the possibility of avoiding delays such as this case exhibits.—J.S., 23/8/78. Surveyor General, 2 Sept., 1878.

Before sending these papers on to Survey Office send instructions to appraiser without any further delay.—W.W.S., 24 Aug. J. Edwards to appraise—31 Aug., /78. Now to Surveyor General.—31 Aug., /78.

A 8.

R. and A. Landale's Improvement Purchase.

THE enclosed case, taken out of a batch submitted some days ago, is another of that class in which steps should be taken to reduce as far as possible the delays which are causing such constant complaints against the Lands Department.

The application to purchase, stated to be for "Measured portion No. 10," was made by the Messrs. Landale on the 25th August, 1876, received on 30th of same month, and forwarded to Mr. L. S. Lucas, who transferred it finally to another surveyor, Mr. Finlay, on the 20th September, 1876.

The instructions from the Survey Department were not to measure, but to report only as to ownership and value of improvements.

The plan, being apparently a subdivision of portion 10, was received on the 7th September, 1877, and the case not submitted to this department until the 5th August, 1878.

It will thus be seen that under this system of action it has taken just on two years to reply to an application made for a portion of land within two days journey of head quarters.

It seems, I would point out to the Minister, that the information on which the application has now been refused, was available when the report was furnished, and that therefore applicants could have been informed of the result of their application nearly twelve months ago.

But under the system which has been permitted to obtain in the Survey Office, all Ministerial action, and all applications, &c., are delayed for the charting of a plan, in this case (inclusive of further delay which I shall presently allude to) some eleven months. I submit that in all such cases it is only reasonable and just to this department, to which the public look for satisfaction, that it should have the opportunity of taking its action first, and that the charting of the plan be done afterwards. On this head, and as to the question of delays in measurement, &c., I would suggest a special and early reference to the Surveyor General, whose co-operation with this department in obviating all delays actually avoidable, and so injurious to the department, will, I am sure, be readily afforded.

It will be observed, also, that although the plan is noted as examined and charted on the 24th June, 1878, and ready for transmission to this department, the case was delayed for a still further period of six weeks (until 5th August), simply for a minute to be signed by the Deputy Surveyor General, denoting the Ministerial action to be taken by Lands Department.

No officer acquainted with the business of the department can say that this part of the delay is necessary.

The action to be taken was evident, both according to official rule and general instructions. It is action appertaining to this department essentially, which could have been denoted for approval by any of the clerks in the branch to which the business relates, and as to which no recommendation was either asked for or required.*

I submit, therefore, that in all cases of this character the papers should be sent on to the Department of Lands as soon as the plans are charted. It is unreasonable to make work in this way, to the detriment of the department responsible for the action.

This is no exceptional case. The same system, to a greater or lesser extent, as regards unnecessary delay, prevails in nearly all cases of this kind, which do not come under the class of those on which information or action (beyond charting) is required, excepting by this department, which has quite enough to do in looking after its own delays without those caused by avoidable detention of papers in the Survey Department.—W.W.S., 22 Aug., 1878.

There appears to me to have been unnecessary delay in this case. First, the application is with the surveyor for twelve months, and after the receipt of the surveyor's report, it was nearly twelve months in the Survey Department.

I think it would be well to consult with the Surveyor General in order to see if some remedial measures or action can be adopted to prevent delay in dealing with such cases. Cannot the papers in the case, as suggested by the Under Secretary, be sent to Lands after having been dealt with in the Charting Branch. The information required to enable the case to be dealt with was simply as to whether "a tank was made on a conditional purchase prior to forfeiture," and which information might have been obtained, so far as I can see, before a period of two years had elapsed.—J.S.F., 23/8/78.

Surveyor General, 2 Sept., 1878.

A 9.

D. MACARTHUR'S APPLICATION.

Applications of D. Macarthur to purchase land under 8th clause (Alienation Act, 1861.)

In this case Mr. Macarthur applied to purchase in virtue of improvements nine portions of land in the parish of Young, county of Montserrat. Two of the applications were made on the 1st November, 1872, and the remainder on the 18th December, 1874. The first-mentioned applications were forwarded by this department to Survey Office, whence they were despatched to the Gold Commissioner for report on 27th November, 1872.

The applications dated 18th December, 1874, it would appear were reported upon by the Commissioner as unobjectionable on the 16th February, 1875 (prior to the date of their receipt in this department). These applications were transmitted to the Survey Office for action on the 16th March following. The applications were then forwarded to the local surveyor for measurement, &c. The surveyor's report was received on the 24th February, 1875, and duly noted to the proper branch of the Survey Office on the 16th March following. The plan is noted to have been examined and charted on the 4th November, 1877, and on the 30th August, 1878, the papers have the action recommended to be taken by the Deputy Surveyor General of a nature purely appertaining to the Ministerial Department, and is in accordance with a Ministerial decision perfectly well known to the clerk dealing with these cases, and whatever reason therefore there may have been for the delay up to November, 1877, there

*There are numerous cases to which these remarks are far more applicable than the present one under reference.—W.W.S.

there can surely have been no possible occasion to retain the papers from them up to 30th August, 1878, for the purpose of submitting a recommendation which was as far as this department is concerned quite unnecessary. All the action required from the Survey Department was simply to send on the papers stating that the land was on a Temporary Common, and to have left the Lands Department to take its own action which could have been done immediately.

It is really absolutely necessary in the interests of the department, as I have recently pointed out in other cases, that some immediate steps should be taken to alter a system under which such delays as those herein represented can possibly occur.

W. W. STEPHEN,
9 September, 1878.

A 10.

Departmental Changes.

Memo. by Under Secretary for Lands.

In reference to the proposal to transfer portion of the business of the Department of Lands to the Mining Department, I beg to submit the following observations for the consideration of the Minister:—

The business of the department in all its branches has increased so steadily, and to such a great extent, more especially during the last three or four years, that there can be no doubt as to the desirability of relieving the Minister, and the officers under him, of some part of it; but how to effect this is a question which appears to me, after consideration of the different modes which seemed to be at first sight feasible, most difficult to determine.

I would in the first place, invite the attention of the Minister, to the enclosed printed statement marked A, showing the different branches (six) into which the department is divided, i.e., exclusive of the Occupation Branch, and the classification of the duties and business devolving upon each. The number of letters received in these branches for the twelve months, from 1st June, 1876, to 1st June, 1877, reached, I find, the large total of 75,080, besides documents not registered at Records Branch; yet, it will be perceived, that the whole of the business is of a nature so distinctly appertaining to Lands, and, necessarily therefore, dealt with under the various provisions of the Land Laws of 1861 and 1875, that any separation, or transfer of the duties, must lead to so some inconvenience and difficulty, and could hardly be made to work in harmony with any business at present devolving upon the Department of Mines.

Irrespective of this, there is another grave difficulty in regard to the Survey Department. With the exception of the Ministerial Branch, which embraces matters incidental to all heads of ministerial departments, each branch has its corresponding one in the Surveyor General's Office, and every class of business is for the most part so closely connected, or interwoven, as it were, with matters of survey, and questions which require to be dealt with in the Charting or Professional Branch, that one cannot well be separated from the other. They must, in fact, although the duties and responsibilities of the two departments are necessarily distinct from each other, either work together, or break down; and I know that the Surveyor General (to whom I have spoken on the subject) and all the chief officers having experience in the working of the department, will bear me out, when I say that I have not exaggerated, in any respect, the nature of the difficulties which exist in the way of carrying out the proposed change, and which I have felt it my duty to lay briefly before the Minister, so far as relates to the branches above more particularly alluded to.

I have not overlooked (in going through the various details of the departmental business) two items which might appear perhaps to come properly within the province of the Department of Mines, viz., "Mining Conditional Purchases," and "Proclamations of Gold Fields Reserves." The number, however, of Mining Purchases is so trifling (not 2 per cent.) that their transfer to Mines would not be felt; and, moreover, besides being specially dealt with throughout under the provisions of the 19th clause of the "Crown Lands Alienation Act of 1861," they can hardly be separated from the Conditional Sales Division of the Lands Department, owing to the difficulties already pointed out. As to "Proclamations of Gold Fields Reserves," they are necessarily almost dealt with by the Lands Department and Surveyor General's Office, the reference to the descriptions and plans being continuous, as the only means of checking and preventing the alienation by conditional sale and otherwise of lands included within such reserves. The necessity for this, I may observe, appears to have been recognized in the fact that the Mining Act (section 10) specially places this duty under the Secretary for Lands.

I will now allude to those branches which whilst under the control of the Minister for Lands, are more of a special nature, and not connected with the administrations of the land laws, and do not involve any questions of survey. These are:—

- (1.) The Stock Branch and other offices under the charge of Mr. Bruce, the Chief Inspector;
- (2.) The Botanic Gardens, Domains, &c.;
- (3.) Oyster Beds;

all of which might, if there was any necessity for it, be transferred without very great inconvenience to the Mines.

The business, however, in connection with the two last named branches is at present inconsiderable, and the object in view being to make such an arrangement as will cause some really perceptible diminution in the labours of the Minister, I do not see that any advantage would be gained by removing these branches from his control.

I now come to a branch which, if the difficulty as regards its intimate connection with the Survey Office could be surmounted, would, in my opinion, be about one of those which could, with the least inconvenience, be grafted on to the Mines Department, and it would at the same time cause some considerable decrease (about 3,000 cases yearly) in the duties now devolving on the Minister for Lands. I allude to the "Roads, Streets, and Bridges Branch," which embraces all business and correspondence relative to the minor roads of the Colony, including the erection of gates under the Public Gates Act. The Deputy Surveyor General, under whose supervision the professional part of this work is conducted, might suggest a system under which such a change might be effected.

The next "division" of the department (and the last) calling for consideration, in view of the contemplated alteration, is that of the "Occupation of Lands," which is divided into three branches, and the business of which is carried on in a separate building under Mr. Pretious, the officer in charge, and includes all matters of "Pastoral Occupation," "Special Leases," "Timber Licenses," "Forests," and "Survey of Runs," the latter duty forming a component part of the establishment. This division requires, from its nature, less direct or frequent reference to the Surveyor General's Office, than any of the others. The correspondence, i.e., letters received, all of course requiring action, and a large proportion of them Ministerial decisions, average about 12,000 per annum, and if it is eventually determined to transfer any of the business to "Mines," I think, if conducted on the same footing, as at present, by officers well acquainted with the work, the removal of it from "Lands" might possibly be effected, and would of course relieve the Minister for Lands, to a very considerable extent. I would feel, however, some hesitation, in specially recommending so fundamental an alteration in the present departmental system, but should my suggestions be deemed worthy of consideration I enclose a paper marked B, illustrative of the change as indicated by me, if it were to be carried out.

W.W.S., 17 June, 1877.

Minute of Surveyor General on Memo. of Under Secretary for Lands, 17th June:

In case it is deemed absolutely necessary to transfer work from the Department of Lands to that of Mines, I think the recommendations of the Under Secretary for Lands will be found to embrace all that can possibly be done.

With reference to the Roads Branch, the success of the transfer will depend upon carrying out my recommendation of dividing the Roads Branch geographically, and placing each division of it under a professional head, who will be responsible to myself or the deputy. This system would be carried out by draftsmen and clerks working together in the same room, and under same supervision; the action would then be speedy, and I could take the responsibility of giving satisfaction to the public.

On no other basis can I hope for any improvement under the change proposed, for it would be impossible to separate the roads from the mass of alienation surveys through which they ramify. It was found difficult enough to separate the mining measurements and to send the whole branch over to the Department of Mines in charge of an Under Secretary thoroughly versed in the subject. With the Roads it would be impossible, and however good an official he may be, he would at first fail to give satisfaction in administering a law admittedly imperfect, and depending entirely upon the skill and tact of the administrator.

P.F.A., 21 June.

A 11.

A 11.

STATEMENT showing the number of letters despatched from the various Branches of the Under Secretary's Division of the Department of Lands during the year 1877 and for the first nine months of 1878.

Year.	Branch.	Number of Letters.
1877.....	* Ministerial and Parliamentary	929 .
1878.....	" "	556
1877.....	† Miscellaneous	4,001
1878.....	"	3,011
1877.....	Pre-emptive lea	{ 1,592—Manuscript.
		{ 6,878—Printed.
1878.....	" "	{ 1,190—Manuscript.
		{ 5,500—Printed.
1877.....	‡ Auction	1,167
1878.....	"	1,248

* Preparation of Parliamentary Returns, &c., which are very voluminous, require no correspondence.

† No record kept of number of printed letters for 1877. Number of printed letters despatched during present year, 21,820.

‡ Printed forms about 100 per week despatched.

28 Oct.,/78.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LANDS AND SURVEY DEPARTMENTS.

(CORRESPONDENCE RESPECTING APPOINTMENT OF A BOARD TO INQUIRE INTO WORKING OF.)

Ordered by the Legislative Assembly to be printed, 18 February, 1879.

SCHEDULE.

NO.	PAGE.
1. Minute by the Secretary for Lands respecting the appointment of a Board to inquire into the working of the Lands and Survey Departments. 9 September, 1878	2
2. Minute for Executive Council, recommending appointment of Board abovementioned, with minutes thereon. 7 September, 1878	2
3. Under Secretary for Lands to R. P. Abbott, Esq., asking him to act as a member of the said Board, and similar letters sent to Edward Flood, George Ranken, James Thomson, and R. Jones, Esquires. 14 September, 1878	2
4. George Ranken, Esq., to the Under Secretary for Lands, stating willingness to act as requested. 16 September, 1878	3
5. R. P. Abbott, Esq., to same, also stating willingness. 16 September, 1878	3
6. R. Jones, Esq., to same, in reply to No. 3. 16 September, 1878.....	3
7. James Thomson, Esq., to same, in reply to letter requesting him to act as a member of the Board. 17 September, 1878	3
8. Edward Flood, Esq., to same, also in reply to No. 3. 18 September, 1878	4
9. Minute for Executive Council recommending that the gentlemen named be appointed a Commission. 7 October, 1878	4
10. Under Secretary for Lands to R. P. Abbott, Esq., forwarding Commission. 12 October, 1878.....	4
11. Same to James Thomson, Esq., forwarding copy of Commission, and similar letter sent to George Ranken, Esq. 12 October, 1878.....	4
12. Secretary, Lands and Survey Departments Commission, to the Under Secretary for Lands, respecting arrangements to meet expenses of the Commission, with minute thereon. 29 October, 1878	5
13. Same to same respecting same, with Minister's decision in the matter thereon. 1 November, 1878	5
14. Printed copy of correspondence in reference to the resignation of Mr. James Thomson	5
15. Minute for Executive Council, recommending that the remaining gentlemen constitute the Commission. 25 November, 1878	8
16. James Thomson, Esq., to Under Secretary for Lands with reference to his resignation. 25 November, 1878	8
17. Copy of Commission at present in existence. 25 November, 1878	8
18. Under Secretary for Lands to James Thomson, Esq., in reply. 27 November, 1878	9
19. Same to R. P. Abbott, Esq., forwarding fresh Commission. 28 November, 1878.....	9
20. James Thomson, Esq., to the Under Secretary for Lands, in explanation respecting his withdrawal from Commission. 9 December, 1878	9
21. Secretary, Lands and Survey Departments Commission, to the Under Secretary for Lands, enclosing vouchers for expenses incurred by the Commission, with Minister's minute thereon. 23 December, 1878	12
22. Under Secretary for Lands to the Secretary, Lands and Survey Departments Commission, in reply to above, No. 21. 2 January, 1879	14
23. Same to same calling for a Progress Report. 10 January, 1879	14
24. Secretary, Lands and Survey Departments Commission to Under Secretary for Lands, in reply to above, No. 23. 14 January, 1879.....	14
25. Secretary, Lands and Survey Departments Commission, to Under Secretary for Lands, forwarding Vouchers. 5 February, 1879.....	14
26. Minute by the Cabinet <i>in re</i> Commission. 6 February, 1879	16
27. Under Secretary for Lands in reply to Letter No. 25. 10 February, 1879.....	16
28. Minute by Executive Council respecting the Commission. 10 February, 1879.....	16
29. Under Secretary for Lands to R. P. Abbott, Esq., respecting above No. 28. 12 February, 1879	17
30. Secretary to the Commission to Under Secretary for Lands, acknowledging receipt of above. 13 February, 1879 ...	17
31. Secretary, Lands and Survey Departments Commission, to Under Secretary for Lands, forwarding vouchers. 18 February, 1879	17
32. Under Secretary for Lands in reply to No. 31. 18 February, 1879.....	18

LANDS AND SURVEY DEPARTMENTS.

No. 1.

Minute by The Secretary for Lands.

The following Minute to be prepared for the Executive Council.

I BEG to recommend to His Excellency the Governor and the Executive Council that a Board be appointed to inquire into and report as to the administration and working of the "Lands and Survey Departments in all their respective branches; also as to the alleged inefficiency and delays in the transaction of the business of those departments, the causes thereof should they be found to exist, and the proper remedy to applied." I further recommend that the following* gentlemen constitute the said Board, viz. :—

J.S.F., 9/9/78.

* For the names
of the gentlemen
See No. 2.

No. 2.

Minute Paper for the Executive Council.

Subject—Appointment of a Board to inquire into the working of the Lands and Survey Departments.

Department of Lands, Sydney, 7 September, 1878.

I BEG to recommend to His Excellency the Governor and the Executive Council that a Board be appointed to inquire into and report as to the administration and working of the "Lands" and Survey Departments in all their respective branches, also as to the alleged inefficiency and delays in the transaction of the business of those Departments, the causes thereof, should they be found to exist, and the proper remedy to be applied.

I further recommend that the following gentlemen constitute the said Board, viz. :—

R. P. Abbott, Esquire, Chairman,
James Thomson, Esquire, and
George Ranken, Esquire.

JAMES FARNELL.

The Executive Council advise that a Board to consist of the gentlemen herein named be appointed to inquire into and report upon the working, &c., of the Lands and Survey Departments.—A. C. BUDGE, Clerk of the Council.

Minute 70/39, 9/9/78. Confirmed, 16/9/78. Approved.—H.R., 9/9/78.

No. 3.

The Under Secretary for Lands to R. P. Abbott, Esq.

Sir,

Department of Lands, Sydney, 14 September, 1878.

The Government having decided upon appointing a Board for the purpose of inquiring into and reporting upon the working and administration of the "Lands" and Survey Departments in their respective branches, also as to the delays said to exist in the transaction in the business devolving upon those departments, and should such delays, or any inefficiency, such as has been alleged be found to exist, the causes thereof, and the proper remedy to be applied,—I am desired by the Secretary for Lands to inquire whether you are willing to act as a member of the said Board.

The gentlemen whom it is proposed to associate with you on the Board are as follows :—

Edward Flood,
George Ranken,
James Thomson,
R. Jones, Esquires.

I have, &c.,
W. W. STEPHEN.

P.S.—An early answer will oblige.

Similar letters sent to G. Ranken, E. Flood, R. Jones, and J. Thomson, Esquires.

3

No. 4.

G. Ranken, Esq., to The Under Secretary for Lands.

Sir,

8, Cambridge-terrace, Chippendale, 16 September, 1878.

I am in receipt of yours of the 14th instant, in which you inquire whether "I am willing to act as a member of a Board to be appointed for the purpose of inquiring into and reporting on the working and administration of the Lands and Survey Departments."

In reply, I shall hold myself prepared to act as a member of the proposed Board when required.

I have, &c.,

GEORGE RANKEN.

Seen.—J.S.F.

No. 5.

R. P. Abbott, Esq., to The Under Secretary for Lands.

Sir,

King-street, Sydney, 16 September, 1878.

I do myself the honor to acknowledge the receipt of your letter of the 14th instant, requesting me to act on a Board to inquire into and report upon the working and administration of the Lands and Survey Departments, and in reply I beg to inform you that I shall be happy to undertake the duty.

I have, &c.,

R. P. ABBOTT.

Seen.—J.S.F.

Mr. Abbott to be appointed Chairman of the Board.—J.S.F.

No. 6.

R. Jones, Esq., to The Under Secretary for Lands.

Sir,

Stoneleigh, Darlinghurst, Sydney, 16 September, 1878.

I have the honor to acknowledge the receipt, to-day, of your letter of the 14th instant, inquiring, by direction of the Honorable the Secretary for Lands, whether I am willing to act as a Member of a Board about to be appointed to inquire into the working and administration of the Lands and Survey Departments.

I regret that I have to say that I am unable to comply with the request of the Honorable the Secretary for Lands. The engagements I have now to fulfil I find to be as much as my health and strength are equal to, and I feel that I cannot safely undertake, in addition to my present work, the serious and difficult labour involved in the inquiry about to be made.

I have, &c.,

R. JONES.

For the information of the Minister.—W.W.S., 17 September.

Seen.—J.S.F.

No. 7.

J. Thomson, Esq., to The Under Secretary for Lands.

Sir,

The Treasury, 17 September, 1878.

In acknowledging the receipt of your letter of the 14th instant, informing me that the Minister for Lands desires to know whether I am willing to act as a member of a Board for inquiring into and reporting upon the working and administration of the Lands and Survey Departments, I do myself the honor to state, for his information, that, being engaged at present in the preparation of Estimates of Revenue and Expenditure and other financial papers required by the Treasurer in connection with the Budget Speech, shortly to be made, it will, I fear, be impossible for me to do so until after the delivery of that speech.

If however the meeting of the Board could be delayed till then, or if my services would then be accepted, it would afford me much pleasure to act as a member, and do what lay in my power, in conjunction with the other members of the Board, to carry out the views of the Government with respect to the proposed inquiry.

Referring to the constitution of the Board, as intimated to me in your letter of above date, I venture, with all due respect, to submit for the consideration of the Honorable the Secretary for Lands whether it would not be advisable to add one or two more officers of the Service, as members, in order to counteract the undue preponderance which four non-official members to one official member must necessarily possess. If allowed, I would suggest, as a fair arrangement for all concerned, a Board consisting of three official and four non-official members; or one of two official and three non-official, either of which will give the preponderance to the non-official members, which is doubtless desirable.

I have, &c.,

JAMES THOMSON.

Seen.—J.S.F.

No. 8.

E. Flood, Esq., to The Under Secretary for Lands.

Sir,

Blackwall Stores, Sydney, 18 September, 1878.

I have the honor to acknowledge the receipt of your letter of the 14th instant, in which you advise me of the Government having decided upon the appointment of a Board for the purpose of inquiring into and reporting upon the working and administration of the Lands and Survey Departments in their respective branches, also as to the delays said to exist in the transaction of the business devolving upon those Departments; and, should such delays, or any inefficiency such as has been alleged, be found to exist, the causes thereof and the proper remedy to be applied—desires to know whether I am willing to act as a member of the said Board.

Looking to the great importance of such an inquiry, it would be quite impossible for me to undertake the duties of such an office at the present time, as I feel quite certain that I should not be able to give satisfaction to the Government nor the public, and must therefore, with great reluctance, decline the honor which the Government wish to confer upon me; I am, however, willing to be examined before the Board upon any matter touching the inquiry contemplated.

In conclusion, I respectfully request that you will be pleased to tender my best thanks to the Government for the confidence they wish to repose in me.

I have, &c.,
EDW. FLOOD.

Seen.—J.S.F.

No. 9.

Minute for the Executive Council.

Department of Lands, Sydney, 7 October, 1878.

WITH reference to the minute of the Executive Council of the 9th September last, appointing R. P. Abbott, George Ranken, and James Thomson, Esquires, to be a Board for inquiring into and reporting upon the working of the Lands and Survey Departments, I now beg to recommend, having in view the importance of the matter, as also the practice generally adopted on such occasions, that the gentlemen named be appointed a "Commission" under the hand and seal of His Excellency the Governor, for the purpose of carrying out the duty entrusted to them.

JAMES S. FARNELL.

The Executive Council advise that the gentlemen herein named be appointed the members of a Commission to inquire into and report upon matters relating to the Lands and Survey Departments, said Commission to be issued under the hand and seal of His Excellency the Governor, and to take the place of the Board already appointed.—ALEX. C. BUDGE, Clerk of the Council.

Approved.—H.R., 7/10/78. Min. 78/44, 7/10/78. Confirmed.—11/10/78.

No. 10.

The Under Secretary for Lands to R. P. Abbott, Esq.

Sir,

Department of Lands, 12 October, 1878.

George Ranken.
James Thomson

I am directed to enclose herewith an instrument under the hand of His Excellency the Governor and the Great Seal of the Colony appointing you, in conjunction with the gentlemen named in the margin, to be a Commission for the purpose of enquiring into and reporting upon the administration and working of the Lands and Survey Departments, and appointing you further to be President of the said Commission.

I have, &c.,
W. W. STEPHEN.

No. 11.

The Under Secretary for Lands to J. Thomson, Esq.

Sir,

Department of Lands, 12 October, 1878.

R. P. Abbott,
Esq.
George Ranken,
Esq.

I am directed to enclose herewith a copy of an instrument under the hand of His Excellency the Governor and the Great Seal of the Colony, appointing you, in conjunction with the gentlemen named in the margin to be a Commission for the purpose of enquiring into and reporting upon the administration and working of the Land and Survey Departments, and further appointing R. P. Abbott, Esq., to be President of the said Commission.

I have, &c.,
W. W. STEPHEN.

[Similar letter sent to George Ranken, Esq.]

No. 12.

The Secretary of the Commission to The Under Secretary for Lands.

Sir,

New Public Works Office, Sydney, Bridge-street, 29 October, 1878.

I have the honor, by direction of the Commissioners to request that you will be so good as to invite the Honorable the Minister for Lands to cause them to be informed as to what arrangements, if any, have been made to meet the expenses of the Commission, and as to the manner in which it is proposed payment shall be made for the services which the Commissioners may from time to time obtain to enable them to carry out the objects for which they have been appointed.

I have, &c.,

CHAS. ROBINSON,

Secretary.

Inform that the Minister will leave it to the Commissioners to propose their own fees, which, with any amounts for other services or expenses incurred by the Commission, will be paid by the Treasury, at such times as they may desire.—W.W.S., by direction of the Minister, 30 October.

No. 13.

The Secretary of the Commission to The Under Secretary for Lands.

Sir,

New Public Works Office, Bridge-street, Sydney, 1 November, 1878.

Referring to your letter of the 30 October, intimating that the Minister for Lands would leave it to the Commissioners to propose their own fees, I have the honor, by direction of the Commissioners, to request that you will have the goodness to represent to the Minister that the Commissioners would prefer that the Government should name such compensation as the Government might deem adequate. I am also to intimate that the Commissioners believe that course to be in accordance with precedent in such cases.

I have, &c.,

CHAS. ROBINSON,

Secretary.

The fees to the Commission should be the same as those paid to other Commissions of a similar kind. The fees to non-official Commissioners should be three guineas per diem for each sitting, one guinea per diem to official Commissioner, and three guineas per diem to Secretary, and the taking of evidence, and one shilling per folio for transcribing evidence. These were the fees paid to the Parrima Commission.—J.S.F., 4/11/78.

In this case the fees for Secretary can be fixed by the Commission.—J.S.F., 6/11/78.

No. 14.

RETURN of Correspondence in reference to the resignation of Mr. James Thomson of his appointment as a Member of the Royal Commission appointed to inquire into and report upon the working of the Lands and Survey Departments.

(No. 1.)

J. Thomson, Esq., to The Under Secretary for Lands.

Sir,

The Treasury, 4 November, 1878.

Referring to my appointment as a member of the Commission recently appointed by His Excellency the Governor "to make inquiry into, and report as to the administration and working of the Lands and Survey Departments in their respective branches," I do myself the honor to request that you will have the goodness to intimate to the Honorable the Secretary for Lands my desire to withdraw from the Commission.

In making this request, which I do with extreme regret, it is right that I should state, for the information of Mr. Farnell, my principal reasons for a request of such an unusual character; they are as follows:—

- 1st. Being the only official member on the Commission, I find my position is reduced to that of a nonentity by the preponderance being altogether on the side of my non-official colleagues, who have, consequently, the business entirely in their own hands.
- 2nd. The examination of the first witness, which has already lasted five days, is being conducted in a manner altogether opposed to my views, as well as to the practice which has hitherto obtained in Royal Commissions in this Colony, and which now obtains in connection with Select Committees of Parliament. The result of the present mode of procedure cannot fail, in my opinion, to unnecessarily and unduly prolong the sittings of the Commission, and thus retard the important and pressing business with which it has been entrusted.
- 3rd. The President monopolizes nearly the whole of the time set apart by the Commission for the examination of witnesses, and has besides assumed a bearing towards myself which, as a Commissioner with co-ordinate powers, I cannot submit to.
- 4th. On the occasion of the first examination he declined to allow me to put a question to the witness which occurred to my mind at the time, and which I believe, if answered, would have had the effect of correcting an erroneous impression that might otherwise have been formed by one of his answers.

5th.

5th. At the sitting of the Commission on Friday last, which was monopolized entirely by the President, who used papers only that day submitted to the Commission, and which I had not perused, he insulted me in the presence of Mr. Ranken, my colleague, the Secretary to the Commission, the short-hand writer, and the witness, Mr. Stephen, by rudely refusing to allow me to interpose a question, notwithstanding that I asked his permission to do so.

These are some of the reasons which induce me to seek to be relieved from a position which, under the present constitution of the Commission, I feel to be worse than useless. Under other circumstances my services might, from my knowledge of official business generally, and my long experience in duties of a somewhat kindred nature, have proved useful to the Government.

I feel confident, however, that when the Honorable the Premier has read this letter he will see that I could not, consistently with the respect due to myself as a Commissioner, and the position I hold in the Public Service, continue the colleague of a gentleman who arrogates powers which have not been conferred upon him by the Commission of His Excellency the Governor. I also feel confident that he will acquit me of any desire to shirk the duties and responsibilities of the position to which he did me the honor to nominate me, or of any intention to embarrass the Government by withdrawing from the Commission at this early stage of its proceedings.

I have, &c.,

JAMES THOMSON.

(No. 2.)

The Under Secretary for Lands to The Secretary of the Commission.

Sir,

Department of Lands, Sydney, 14 November, 1878.

See No. 1.

I am directed by the Minister for Lands to forward, for the information of the Lands and Survey Departments Commission, the enclosed letter from Mr. James Thomson, resigning his appointment as a member of that Commission.

2. Mr. Farnell would be glad to receive any observations which the Commission may see fit to make as to the statements contained in Mr. Thomson's letter.

I have, &c.,

W. W. STEPHEN.

(No. 3.)

The Secretary of the Commission to The Under Secretary for Lands.

Sir,

New Public Works Office, Bridge-street, Sydney, 15 November, 1878.

See No. 2.

I have the honor to acknowledge the receipt of your letter of the 14th November, forwarding the letter of Mr. James Thomson, of 4th November, resigning his appointment as a member of this Commission, and to intimate that Mr. Thomson's letter has this day been returned by the Commissioners to the Honorable the Secretary for Lands.

I have, &c.,

CHAS. ROBINSON,
Secretary.

(No. 4.)

R. P. Abbott, Esq. (President), and G. Ranken, Esq. (Commissioner), to The Secretary for Lands.

Sir,

New Public Works Office, Bridge-street, Sydney, 15 November, 1878.

See No. 1.

We have the honor to return herewith Mr. Thomson's letter of the 4th November, which was transmitted to us yesterday, with an intimation from the Under Secretary to the Department of Lands that you would be glad to receive any observations which the Commission may see fit to make upon the statements contained therein. Mr. Thomson's representations appear to us to be somewhat vague; but it may be convenient that we should reply to his letter categorically, and meet his allegations as specifically as their ambiguity will permit.

1. In his first paragraph, Mr. Thomson states that he is the only official member of the Commission, and implies that his position is, therefore, that of a nonentity. In a conversation which the Commissioners had, with a view to determine the course of their procedure, Mr. Thomson said—"You must remember that I am the only official member of the Commission, and I am bound to see that the officials get fair play;" but we were unwilling at that time to allow its full meaning to the remark; and we are still reluctant to conclude that Mr. Thomson supposed the Commission had been appointed in the interests of the Civil Servants as opposed to those of the public. It never occurred to us to recognize Mr. Thomson as an official, or otherwise than in his capacity as a member of the Commission, having co-ordinate powers with those conferred on us.

2. In his second paragraph Mr. Thomson states that the examination is being conducted in a manner altogether opposed to his views, as well as to the practice which obtains in Royal Commissions and the Select Committees of Parliament. We affirm, however, that the examination has been conducted in a manner identical with that adopted by Select Committees of Parliament and Royal Commissions. The questions of the Commissioners and the answers of the witness have been taken down in short-hand, and, when transcribed, sent to the witness for revision. This method was assented to by Mr. Thomson. We do not therefore understand what he means by the assertion that this course of procedure cannot fail to unduly prolong the sittings of the Commission, unless it be that reference is made to an opinion which Mr. Thomson expressed during the preliminary conference already referred to, to the effect that the witnesses should be required to answer strictly "yes" or "no."

3. The evidence transcribed abundantly disproves the allegation which Mr. Thomson makes in the third paragraph, and shows conclusively that he has fully exercised his power of examination. It never occurred to us to question his right to do so. After the first day's examination Mr. Thomson remarked that the questions put by the President left him nothing to ask, and the President thereupon desired that Mr. Thomson should begin the examination of any witness, and have priority in examining upon any point he pleased; but it was unanimously agreed that it would be neither seemly nor desirable that the examination of a witness by one Commissioner should be interrupted by questions interposed by either of the others.

4. Mr. Thomson is in error when he states in his fourth paragraph that the President declined to allow him to put a question on the first day of examination. The President did not refuse to allow Mr. Thomson to ask any question; and the fact is, that Mr. Thomson asked ninety-five of the 237 questions put to the witness on that day; and that he broke in upon the President's examination not less than twenty times. Mr. Thomson himself admitted the inconvenience of this course, and it was Mr. Thomson's proposal, made before examination of witnesses was entered upon, that the President should take precedence in examining witnesses, and that the other Commissioners should continue the examination in the order of their appointment.

5. The statements contained in Mr. Thomson's fifth paragraph are inaccurate. The facts are these:—The examination of the witness on the 30th October was conducted exclusively by Mr. Thomson, without any interruption by us. The witness then handed in several lengthy papers which the Commissioners did not think it desirable to print; and it was therefore arranged that each Commissioner should read them in turn. The President was requested to read the papers first—a request which he understood to be made by Mr. Thomson as well as by Mr. Ranken. When the witness was further examined on Friday, the 1st of November, that being the following day of sitting, the President asked Mr. Thomson if he desired to continue the examination which he had conducted at the last meeting; and it was only upon Mr. Thomson declining that the President, following the order of examination which had been agreed upon, examined the witness upon the papers submitted (not at that meeting, as Mr. Thomson erroneously avers), but at the previous meeting when he was present. We understood that this was done with the perfect acquiescence of Mr. Thomson, who certainly made not the slightest objection. We are at a loss to understand how Mr. Thomson should have so far forgotten the facts as to allege that the President entirely "monopolized" the sitting, and used papers only that day submitted. Mr. Thomson did interpose a question, and when (at variance with the understanding previously come to) Mr. Thomson requested to again ask a question, the President replied—"Excuse me, Mr. Thomson, I have not yet done with my examination of Mr. Stephen."

We have read Mr. Thomson's letter with much surprise and regret. We are wholly unable to understand what valid reason he can have for the misconception under which he has written it; and until we heard of this communication we were under the impression that perfect harmony subsisted between us.

We have, &c.,

R. P. ABBOTT, President.

GEORGE RANKEN, Commissioner.

(No. 5.)

G. Ranken, Esq., to The Secretary for Lands.

Sir,

Sydney, 15 November, 1878.

Mr. Thomson having in his letter of the 4th instant, appealed to me by name, as witness of an alleged "insult" offered him by Mr. Abbott, I wish to state that the matter referred to occurred precisely as stated in the letter herewith from the members of the Commission, and that the words used were exactly as therein set down. See No. 1.

After submitting to interruptions which were decidedly irregular according to the rule adopted by the Commission, Mr. Abbott at length declined to allow the line of inquiry to be interfered with, but his decision to this effect was expressed in the most courteous terms.

Further, I state emphatically that Mr. Thomson's charges preferred against Mr. Abbott of rudeness and arrogance have no foundation whatever in fact.

I have, &c.,

GEORGE RANKEN.

(No. 6.)

The Under Secretary for Lands to J. Thomson, Esq.

Sir,

Department of Lands, Sydney, 19 November, 1878.

With reference to your letter of the 4th instant, tendering your resignation as a member of the Lands and Survey Commission, I am directed by the Minister for Lands to inform you that His Excellency the Governor has approved of such resignation being accepted. No. 1.

I have, &c.,

W. W. STEPHEN.

(No. 7.)

The Under Secretary for Lands to The Secretary of the Commission.

Sir,

Department of Lands, Sydney, 19 November, 1878.

I am directed by the Minister for Lands to inform you that Mr. James Thomson has tendered his resignation as a member of the Lands and Survey Departments Commission, the acceptance of which has been approved by His Excellency the Governor.

I have, &c.,

W. W. STEPHEN.

No. 15.

Minute Paper for the Executive Council.

Subject—Lands and Survey Departments Commission.

Department of Lands, Sydney, November 25, 1878.

MR. James Thomson having tendered his resignation as a member of the Commission appointed to enquire into and report upon the working of the Lands and Survey Departments, the acceptance of which has been approved by His Excellency the Governor, I now beg to recommend to His Excellency the Governor and the Executive Council, that the following remaining gentlemen of the said Commission be empowered to conduct and carry out the duty entrusted to them, viz., R. P. Abbott, Esq. (President), and George Ranken, Esq. (Commissioner).

JAMES S. FARNELL.

The Executive Council advise, for the reason herein stated, that Messrs. Abbott and Ranken be empowered to conduct the enquiry into the Lands and Survey Departments, and that a Commission for that purpose be issued to them accordingly.—ALEX. C. BUDGE, Clerk of the Council.

Confirmed, 21/12/78. Approved.—H.R., 25/11/78. Min. 78/50, 25/11/78.

No. 16.

J. Thomson, Esq., to The Under Secretary for Lands.

Sir,

The Treasury, New South Wales, Sydney, 25 November, 1878.

As my late colleagues were afforded the opportunity of making observations on my letter of the 4th instant, intimating my desire to withdraw from the Lands Commission, for the reasons therein given, and as they have in their letter to the Secretary for Lands denied some of my statements, and in other respects said things damaging to my character, I do myself the honor to request that you will obtain for me the sanction of Mr. Farnell to my replying to their communication.

I have, &c.,

JAMES THOMSON.

Submitted.—W.W.S., 26.

Approved.—J.S.F., 27/11/78.

No. 17.

Copy of Commission.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the same, and so forth.

To our trusty and well-beloved ROBERT PALMER ABBOTT and GEORGE RANKEN, both of Sydney, in our Colony of New South Wales, Esquires, greeting:

Know ye that we, reposing great trust and confidence in your ability, zeal, industry, discretion, and integrity, do by these presents authorize and appoint you, as hereinafter mentioned, to make inquiry into and report as to the administration and working of the Lands and Survey Departments in their respective branches; also as to the alleged inefficiency and delays in the transaction of the business of those departments, the causes thereof—should they be found to exist—and the proper remedy to be applied; and also with the view of offering such further suggestions or recommendations as may, after due enquiry into the premises, seem to you desirable. We do by these presents give and grant to you, at any meeting or meetings to which both of you shall have been summoned, full power and authority to call before you all such persons as you may judge necessary, by whom you may be better informed of the truth in the premises, and to require the production of all such books, papers, writings, and all other documents as you may deem expedient, and to visit and inspect the same at the offices or places where the same or any of them may be deposited. And our further will and pleasure is that you, after the completion of the said inquiry, do and shall certify to us, in the office of our Secretary for Lands, under your hands and seals, what you shall find touching the premises. And this Commission shall continue in full force, although the proceedings thereunder shall not be continued, by adjournment from time to time, and you may from time to time, if you shall see fit, without waiting for your full and complete report, certify your several proceedings into our said office as the same shall be respectively perfected. And we hereby command all Government officers, and all other persons whomsoever within our said Colony, that they may be assistant to you and each of you in the execution of these presents. And we appoint you the said Robert Palmer Abbott to be President of this our Commission, and do give you power, at your discretion, to procure such clerical and other assistance as you may deem necessary for enabling you to execute this our Commission.

In testimony whereof we have caused these our Letters to be made patent, and the Great Seal of our Colony to be hereunto affixed.

Witness our trusty and well beloved SIR HERCULES GEORGE ROBERT ROBINSON, Knight Grand Cross of our Most Distinguished Order of Saint Michael and Saint George, our Governor and Commander-in-Chief of our Colony of New South Wales, at Government House, Sydney, in our said Colony, this twenty-fifth day of November, in the year of our Lord one thousand eight hundred and seventy-eight, and in the forty-second year of our reign.

By His Excellency's command,

JAMES S. FARNELL.

HERCULES ROBINSON.

Entered on record by me in Register of Patents, No. 11, page 6, this twenty-fifth day of November, one thousand eight hundred and seventy-eight.

M. R. ALLAN,

For the Colonial Secretary and Registrar of Records.

No. 18.

The Under Secretary for Lands to J. Thomson, Esq.

Sir,

Department of Lands, 27 November, 1878.

In compliance with the request contained in your letter of the 25th instant, I am directed to inform you that Mr. Secretary Farnell has approved of your replying to the communication of your late colleagues in reference to your resignation of your appointment as a member of the Commission appointed to inquire into and report upon the working of the Lands and Survey Departments.

I have, &c.,

W. W. STEPHEN.

No. 19.

The Under Secretary for Lands to R. P. Abbott, Esq.

Sir,

Department of Lands, 28 November, 1878.

I am directed to enclose herewith an instrument under the hand of His Excellency the Governor and the Great Seal of the Colony, appointing you, in conjunction with Mr. George Ranken, to be a Commission for the purpose of inquiring into and reporting on the administration and working of the Lands and Survey Departments, and appointing you further to be President of the said Commission.

I have, &c.,

W. W. STEPHEN.

No. 20.

J. Thomson, Esq., to The Under Secretary for Lands.

Sir,

The Treasury, 9 December, 1878.

Availing myself of the permission of the Honorable the Secretary for Lands, as conveyed to me in your letter of the 27th ultimo, in reply to the observations of my late colleagues, Messrs. Abbott and Ranken, on my letter of the 4th instant, intimating my desire to withdraw from the Lands Commission for the reasons therein given, I do myself the honor to submit, for the information of Mr. Farnell, the following statements with respect to those observations.

2. Before however dealing with these in detail, I desire to say that as my late colleagues have, in their letter of the 15th instant to the Secretary for Lands, not only impugned the accuracy of my statements but actually perverted some of the remarks made by me at one of our meetings, I trust Mr. Farnell will not consider I overstep the bounds of official propriety by endeavouring to clear myself from the imputations, so unfairly, in my estimation, cast upon me by these gentlemen. I trust he will also admit that I am entitled to some forbearance in doing this when I point out to him that it is likely to be inferred from the papers recently submitted to the Legislative Assembly that the acceptance of my resignation by His Excellency the Governor was consequent upon the statements contained in the letters of Messrs. Abbott and Ranken, as the notification of that acceptance is dated the 19th November, that is four days subsequent to the date of their letters to the Minister. With these few preliminary remarks I now proceed to deal with their observations *seriatim*.

3. In the first paragraph of their joint letter my late colleagues speak of the vagueness and ambiguity of my representations. Now, although this remark is of small moment, it is one nevertheless for which there is no good foundation, as the reasons assigned by me for desiring to withdraw from the Commission are, I think, clearly and definitely stated, and as free from ambiguity as it was possible to make them.

4. In their second paragraph they state "That in a conversation which the Commissioners had with a view to determine the course of their procedure, Mr. Thomson said, 'You must remember that I am the only official member of the Commission, and I am bound to see that the officials get fair play.'" The first part of this statement is, I admit, quite correct, but the latter part is somewhat distorted. In referring to this remark in the manner they have done, it would seem as if my late colleagues intended to convey the impression that it was entirely uncalled for, and therefore altogether out of place. In all fairness however the circumstances which called it forth should also have been given. As this has not been done by these gentlemen, I consider that I have a right, in justice to myself, to state them fully. They are as follows:—

- 1st. The manner in which the examination was conducted during the first two days not being satisfactory to me, and the President having prevented me from interposing a question that I was anxious to put to the witness (which by the way I have since found from a perusal of the evidence occurred at the second sitting and not the first as stated in my previous letter), I took the opportunity of bringing the subject before the Commission at the opening of the third day's proceedings, by stating that I was not satisfied with the preceding day's arrangement, the President having occupied fully an hour and a half of the two hours set apart for examination of witnesses, leaving thereby only half an hour between Mr. Ranken and myself. After what occurred at the previous meeting—that is after having been prevented by the President from interposing questions—I strongly insisted upon the propriety and the right of asking such questions as might occur to my mind during the examination of a witness, but Mr. Abbott as strongly objected to such an arrangement, in which objection he was supported by Mr. Ranken.
- 2nd. I then made, what I considered a very fair proposal, and that was, that I was quite willing to allow the President to take the lead in the examination of witnesses, during which I should abstain from interposing questions, if he would consent to give his colleagues an opportunity of putting questions at the close of his examination on any particular point and before commencing a new subject. To this proposition he also objected, and was again sustained in his objection by Mr. Ranken.

3rd. Mr. Abbott then suggested that we should take turn about in examining witnesses, and, I freely admit, even offered to allow either Mr. Ranken or me to begin first, on the understanding, however, that there was to be no interposing of questions. I reluctantly consented to give this arrangement a trial, there being no alternative, stating, however, my belief that it would not work well, as it could not fail to lead to much waste of time, for the simple reason that questions of a similar character would very likely be asked by each of us, although perhaps the phraseology might be somewhat varied.

4th. It was during the discussion of these matters that I remarked to my colleagues, "that they should remember that being the only official on the Commission it would naturally be expected by those public officers who should be called as witnesses, that I should see that no injustice was done to them." This remark I made in consequence of the determination of my colleagues not to allow me to interpose questions which I might consider necessary to elucidate a point or prevent an erroneous impression being formed from an unguarded answer. With these explanations it will, I think, be seen and acknowledged, that my remark wears an entirely different complexion from that given to it by Messrs. Abbott and Ranken, in their letter to the Premier. I also had a very strong impression at the time, which may, however, have been formed without just cause, that my colleagues were inclined to hold Mr. Stephen responsible for far more than his fair share of the alleged delays and mismanagement of the Lands Department.

5. It was also, if I mistake not, at the same meeting of the Commission that I suggested to my colleagues the propriety of confining the witness to concise and direct answers to our questions, as I considered diffuse statements led away from the point without being attended with any corresponding advantage.

Both the President and Mr. Ranken objected to my suggestion—the former stating that a witness should never be stopped in his evidence—I endeavoured to combat this view, but to no purpose, as both my colleagues were against me. It is, I presume, with regard to this suggestion that they have tried to bring ridicule upon me by stating in the second paragraph of their letter that I expressed an opinion "that the witnesses should be requested to answer strictly 'yes' or 'no'." As such an opinion as that could only emanate from the mind of an insane man, I pass the matter over by simply denying that I ever expressed an opinion so absurd, feeling satisfied that I have not yet arrived at that state of mental imbecility which my colleagues, statement naturally implies.

6. In stating in my letter that the result of the present mode of procedure could not fail in my opinion to unnecessarily and unduly prolong the sittings of the Commission, and thus retard the important and pressing business with which it had been entrusted, I meant precisely what I said, for I found that the only mode of examination which my colleagues would agree to led as, I anticipated, to a waste of time. On the last day I was present, Mr. Abbott commenced the examination of the witness on one of the points I had dealt with on the previous sitting day, thereby ignoring what I had done and elaborating the subject to a painful degree. It was on this day I was rudely, and I again affirm it, notwithstanding Mr. Ranken's certificate to the contrary, refused by the President to interpose a question which I felt impelled to put. Not only was Mr. Abbott's refusal curt, but to me at least his manner was positively offensive. This refusal was rendered all the more obnoxious from the fact that not many minutes previously Mr. Ranken asked his permission to put a question, which he at once granted, and under that permission he (Mr. Ranken) asked several questions. When I asked a similar indulgence, if a right can be so termed, and received a rude refusal, my first impulse was to rise and walk out. On reflection, however, and not wishing to have a scene, I quietly kept my place until 4, the hour of closing and then retired, much annoyed to find that the President had not even the courtesy to leave me a single minute to ask the question I had sought his permission to put.

7. When Mr. Ranken and Mr. Abbott state, as they do in the third paragraph, that it was unanimously agreed that it would be neither seemly nor desirable that the examination of a witness by one Commissioner should be interrupted by questions interposed by either of the others, they state what is not the fact, for while I reluctantly agreed to give the arrangement proposed by the President a trial, I still maintained that it was not only right but even desirable to interpose questions. Holding these views I did, on one or two occasions interpose questions during the examinations conducted by the President, and I think it will be found that Mr. Ranken did the same. When my turn came to examine Mr. Stephen I told him I would be glad if he would let his answers be as direct and concise as possible, as I would endeavour to obtain all the information I wished from his answers to the questions I should put. This seemed to disturb the equanimity of my colleagues, as they thereupon had a private conversation together, and both of them studiously abstained from interposing questions while my examination of the witness lasted. Had they so interposed questions, however, it would have been rather pleasing to me than otherwise; for in listening to an examination conducted by another, an important point may be perceived by the listener, which it would be more advantageous to deal with at the time than postpone to a subsequent occasion when the connection would not be so obvious.

8. When my late colleagues affirm that the examination has been conducted in a manner identical with that adopted by Select Committees of Parliament and Royal Commissions, the questions of the Commissioners and the answers of the witness having been taken down in short-hand, and when transcribed sent to the witness for revision, they forget, seemingly, that very little credit is due to them for that arrangement. Had their views, as expressed at the first meeting of the Commission, been carried out, a very different state of matters would have existed, for the President then proposed, and Mr. Ranken concurred, that the witnesses should be informed that their evidence would be privileged. This proposition was so abhorrent to my nature that I stoutly resisted such an innovation, and would there and then have withdrawn from the Commission had it been carried out. Our excellent secretary (Mr. Robinson), however, came to the rescue by asking permission to state his views with regard to the proposal, as from his experience of both Parliamentary Committees and Commissions he could inform us what was the usual mode of conducting such inquiries. On his representations, more than from any arguments of mine, my colleagues gave way. Then they were next inclined to think that witnesses had no right to have an opportunity of revising their evidence, and they even questioned the propriety of, or necessity for, appending the evidence to our Report. I am, however, glad to say they did not insist upon having their way on these points. But in the face of these facts they have very little right, as I have already said, to take credit

credit for the proceedings having been conducted in a manner identical with that of other Commissions and Select Committees of Parliament. This is a matter I never intended to have alluded to, and would not have done so even now, had it not been for the prominence given to it in their letter.

9. Again, when my late colleagues state that "the evidence transcribed abundantly disproves the allegation which Mr. Thomson makes in the third paragraph, and shows conclusively that he has fully exercised his power of examination," they have, I presume, arrived at this conclusion by the number of questions I put, and not by the time occupied by me. The hint I threw out to the witness to give as concise and direct answers as possible enabled me, I have no doubt, to ask in a corresponding period of time nearly three times as many questions as the President did, so that my allegation that the greater part of the time set apart by the Commission for examination of witnesses was monopolised by Mr. Abbott is not disproved by their statement.

10. I now come to the statements contained in the fifth paragraph of my late colleague's joint letter, my comments on which will necessarily be somewhat lengthy, notwithstanding that I have already referred to some of them in a general way. They say that "the examination of the witness on the 30th October was conducted exclusively by Mr. Thomson, without any interruption by us." I have already acknowledged the correctness of the latter part of that statement, but in the former part there is what I can look upon as nothing less than a *suppressio veri*. True, there was no regular examination of the witness (Mr. Stephen) by anyone but myself, but there was what may be styled an irregular examination of Mr. A. O. Moriarty, of which, however, I make no complaint, as it was, under the circumstances, very necessary. Now, the facts are these, as far as I recollect them: Not having completed my examination of the witness on the 28th October, which I commenced at a quarter to 4 only, I continued it for about half an hour, or at most three quarters on the 30th, stopping intentionally to allow my colleagues to have their share of the time set apart for the examination of witnesses. To my surprise however neither of them availed themselves of the opportunity; but they informed that before I came in it had been proposed, or arranged, to request Mr. Moriarty to come up, and explain why certain information asked for by Mr. Ranken could not be furnished without much trouble and great delay, which the Secretary had ascertained was the case. I may here mention that when this return was first proposed to be called for, I pointed out the very voluminous nature of it, and expressed my belief that it would take a very long time to have it prepared; I even went so far as to say that I was afraid the Commission would, by casting such labour on an already overtasked department, prove a curse rather than a blessing to it. The examination of Mr. Moriarty proved the correctness of my views; for when asked how long it would take to furnish the information, he said about six months; and I believe he was quite within the mark. The result was that in place of a six months return, embracing the transactions of twenty-six conditional land sales all over the Colony, one was agreed to embracing the transactions of only three. The Commission rose early on the 30th in consequence of this interpolated examination. The statement made by my late colleagues that the examination of the 30th was exclusively conducted by me is therefore not strictly true, and appears to have been made with the intention of misleading.

11. They also say in the same paragraph that the papers which I refer to as having been used by the President in the course of his examination on Friday, the 1st November, were not submitted that day, but on the 30th October, the day of the previous meeting. Well, if that were so, it made the impropriety of their use by Mr. Abbott still more objectionable, inasmuch as he had had time to make himself thoroughly acquainted with their contents, while I was entirely ignorant of them, and therefore at a disadvantage as compared with himself during the examination conducted by him, from taking part in which I was excluded by what I have characterized as a rude refusal of the President to allow me to interpose a question.

12. In the last paragraph they say that they have read my letter with much surprise and regret. This may be so; I cannot disprove it; although I doubt the sincerity of the statement, feeling confident that if I had been President, and treated a colleague as Mr. Abbott did me, I would have been quite prepared for such a result, and in fact would have expected nothing else from any man who had a proper respect for himself and the position he filled. Their concluding remark that until they heard of my communication they were under the impression that perfect harmony subsisted between the Commissioners, is scarcely justified by the position of affairs just described by me.

13. Before concluding, I desire to say a few words with respect to Mr. Ranken's special letter to the Secretary for Lands. In that letter he says I appealed to him by name. Now, if I understand the words "appealed to" rightly, then I say I made no appeal to him. I only said the rude refusal of the President took place in the presence of himself and the others I referred to. I should never have thought of asking Mr. Ranken to come forward and verify my statements, because from the first I believed there was an understanding between him and Mr. Abbott as to the conduct of the business, into which I was not allowed to enter, and therefore did not consider him sufficiently unbiassed to induce me to make any special appeal to him. He says also "the matter referred to occurred precisely as stated in the letter herewith from the members of the Commission, and that the words used were exactly as therein set down." I have already denied the correctness of this statement; and I can with confidence appeal to those who have known me officially for upwards of twenty years as to whether I am so unreasonable a mortal as to refuse to accept a reply couched in the comparatively mild terms said to have been used on the occasion, namely, "Excuse me, Mr. Thomson, I have not yet done with my examination of Mr. Stephen." Although even that reply, had it been given, is not so courteous to a colleague as it might have been, still, I would have accepted it willingly, and waited patiently until the President gave me an opportunity to put my question. Now with respect to this alleged answer, it announces a fact of which I was well aware, namely, that he was not done with his examination of Mr. Stephen. Had he been done it is not likely that I should have asked his permission to put the question. In the very next paragraph Mr. Ranken makes a statement which almost goes the length of disproving his former assertion, for he says "After submitting to interruptions, which were decidedly irregular according to the rule adopted by the Commissioners, Mr. Abbott at length declined to allow his line of inquiry to be interfered with." Finding that this was rather a strong admission, and not likely to bear out the previous part of the letter, he has thought it well to qualify it by adding, "But his decision to this effect was expressed in the most courteous terms." My ideas of courtesy and Mr. Ranken's differ widely; and it comes with an ill grace from him to talk of interruptions "decidedly irregular," when not 10 minutes previously to the snubbing I got, he, with the President's permission, put two or three questions to the witness himself.

14. Mr. Ranken concludes by saying "I state emphatically that Mr. Thomson's charges preferred against Mr. Abbott of rudeness and arrogance have no foundation whatever in fact." A reference to my letter will prove however that I preferred no charge of arrogance against Mr. Abbott. I certainly said that Mr. Abbott arrogated powers which had not been conferred upon him by the Commission of His Excellency the Governor; but that cannot, I think, be held as tantamount to preferring a charge of arrogance. It was my opinion at the time, and it is so still, that in presuming to prevent a colleague from interposing questions, was an assumption of powers he did not possess.

15. In conclusion, I desire to express the deep regret which I feel in having to trouble the Premier with these long explanations regarding a matter of such a personal nature, but I felt that I could not remain under the stigma cast upon me by the statements of my late colleagues without at least endeavouring to vindicate my character, and justify the course I adopted in connection with this painful and unpleasant affair. Whether Mr. Farnell approves or disapproves of my action, I am conscious of having done that which I consider right. It will, no doubt, be within your recollection that when I accepted the offer of a seat on the Commission, as originally proposed, I took the liberty of suggesting the appointment of a Board consisting of two official to three non-official members, or one of three official to four non-official, thus giving the preponderance to the latter, which I stated might be desirable. This I did because I was afraid that one official only on the Board would have little say in the management of the business, and consequently his services as a member would be of no material benefit to the Government or the public.

I have, &c.,
JAMES THOMSON.

Seen, 11/12/78. Need not be referred to the Commission.—J.S.F. The previous correspondence on this subject was copied, and laid before Parliament, and ordered to be printed. Is the same course to be followed in regard to this?—O.R. Submitted.—W.W.S., 19 Decr. No necessity to lay these papers before Parliament.—J.S.F., 19/12/78.

No. 21.

Commission—	£ s.	£ s.
R. P. Abbott...	59 17	
Geo. Ranken...	59 17	
J. Thomson ...	7 7	
Secretary	44 15	

The Secretary of the Commission to The Under Secretary for Lands.

New Public Works Office,
Bridge-street, Sydney, 23 December, 1878.

Short-hand Writers—		171 16
Chas. Robinson	51 3	
Edwin Burton.	9 9	
W. T. Tarplee..	8 4	

Sir,
I have the honor to enclose herewith the vouchers noted in the margin for expenses incurred by this Commission, and to request that you will have the goodness to take such steps as may be necessary for the payment of amounts therein named.

I have, &c.,
CHARLES ROBINSON,
Secretary.

68 16

£240 12

Submitted for approval of the Minister before sending on for payment. They are at the rates authorized.—W.W.S., 27 Dec.

As the rates specified are what my predecessor Mr. Farnell agreed should be paid, I approve of this payment being made, but I purpose making inquiry, with the view of ascertaining whether this Commission should be continued.—J.H., 27/12/78.

Vouchers forwarded to Treasury for payment this day. Mr. Rich,—Mr. Robinson informed, 2 Jan., 1879.

Copies of Vouchers—Lands and Survey Departments Commission—forwarded to Treasury for payment.

NEW SOUTH WALES.

Series B.—Contingency Form No. 1.

Pay Voucher No.

Head of Service—Lands. Contingent Expenses—Department of Lands.

Sub-head of Estimate—Lands and Survey Commission.

Date or period of supply or service.		Rate.	Amount.
1878.	Claimant—R. P. Abbott, for the undermentioned services :—	£ s. d.	£ s. d.
31 December ...	R. P. Abbott, 7th October to 20th December (19 sittings) ...	3 3 0	59 17 0
	Total ...	£	59 17 0

NEW SOUTH WALES.

Series B.—Contingency Form No. 1.

Pay Voucher No.

Head of Service—Lands. Contingent Expenses—Department of Lands.

Sub-head of Estimate—Lands and Survey Commission.

Date or period of supply or service.		Rate.	Amount.
1878.	Claimant—George Ranken, for the undermentioned services :—	£ s. d.	£ s. d.
31 December ...	George Ranken, 7th October to 20th December (19 sittings)...	3 3 0	59 17 0
	Total ...	£	59 17 0

Series B.—Contingency Form No. 1.

NEW SOUTH WALES.

Pay Voucher No.

Head of Service—Lands. Contingent Expenses—Department of Lands.

Sub-head of Estimate—Lands and Survey Commission.

Date or period of supply or service.		Rate.	Amount.
1878.	Claimant—J. Thomson, Treasury, for the undermentioned services :—	£ s. d.	£ s. d.
31 December ...	J. Thomson, 1st October to 1st November (7 sittings)	1 1 0	7 7 0
	Total	£	7 7 0

Series B.—Contingency Form No. 1.

NEW SOUTH WALES.

Pay Voucher No.

Head of Service—Lands. Contingent Expenses—Department of Lands.

Sub-head of Estimate—Lands and Survey Commission.

Date or period of supply or service.		Rate.	Amount.
1878.	Claimant—C. Robinson, for the undermentioned services :—	£ s. d.	£ s. d.
31 December ...	C. Robinson, salary, 31 October to 20 December ... ..	.....	44 15 0
	Total	£	44 15 0

Series B.—Contingency Form No. 1.

NEW SOUTH WALES.

Pay Voucher No.

Head of Service—Lands. Contingent Expenses—Department of Lands.

Sub-head of Estimate—Lands and Survey Commission.

Date or period of supply or service.		Rate.	Amount.
1878.	Claimant—C. Robinson, for the undermentioned services :—	£ s. d.	£ s. d.
31 December ...	C. Robinson, transcript, taking evidence ... ..	.....	51 3 0
	Total	£	51 3 0

Series B.—Contingency Form No. 1.

NEW SOUTH WALES.

Pay Voucher No.

Head of Service—Lands. Contingent Expenses—Department of Lands.*

Sub-head of Estimate—Lands and Survey Commission.

Date or period of supply or service.		Rate.	Amount.
1878.	Claimant—E. Burton, for the undermentioned services :—	£ s. d.	£ s. d.
31 December ...	E. Burton, 25th October, transcript of evidence, &c. (147 folios) ... ..	.....	9 9 0
	Total	£	9 9 0

Series B.—Contingency Form No. 1.

NEW SOUTH WALES.

Pay Voucher No.

Head of Service—Lands. Contingent Expenses—Department of Lands.

Sub-head of Estimate—Lands and Survey Departments Commission.

Date period of supply or service.		Rate.	Amount.
1878.	Claimant—W. J. Tarplee, for the undermentioned services :—	£ s. d.	£ s. d.
31 December ...	W. J. Tarplee, 1st November, transcript of evidence, &c. (122 folios) ... ..	.....	8 4 0
	Total	£	8 4 0

No. 22.

Commission— £ s. £ s.
 R. P. Abbott ... 59 17
 Geo. Ranken ... 59 17
 Jas. Thomson ... 7 7
 Secretary 44 15

The Under Secretary for Lands to The Secretary of the Commission.

Sir,

Department of Lands, Sydney, 2 January, 1879.

Short-hand Writers—
 Chas. Robinson... 51 3
 Ed. Burton 9 9
 W. J. Tarplee... 8 4

Referring to your letter of the 23rd ultimo, enclosing vouchers, noted in the margin, for expenses incurred by the Lands and Survey Departments' Commission, and requesting payment of the amounts named therein, I am directed to inform you that the accounts have been duly approved by the Minister for Lands, and forwarded on to the Treasury for payment.

Total.....£240 12

I have, &c.,
 W. W. STEPHEN.

No. 23.

The Under Secretary for Lands to The Secretary of the Commission.

Sir,

Department of Lands, Sydney, 10 January, 1879.

I am directed to state, for the information of the Commission appointed by His Excellency the Governor and the Executive Council, to inquire into and report upon the working of the Lands and Survey Departments, that the Government are desirous of having a Progress Report as to the matters submitted for their consideration.

2. I am desired therefore by the Secretary for Lands to invite the Commission to favour him with such report as early as convenient.

I have, &c.,
 W. W. STEPHEN.

No. 24.

The Secretary of the Commission to The Under Secretary for Lands.

Sir,

New Public Works Office, Bridge-street, Sydney, 14 January, 1879.

I have the honor to acknowledge the receipt of your letter of 10th instant, intimating that the Government are desirous of obtaining from the Commission a Progress Report.

The Commissioners desire that you will be so good as to inform the Honorable the Secretary for Lands that they will have pleasure in submitting a Progress Report as requested with the least possible delay.

I have, &c.,
 CHAS. ROBINSON,
 Secretary.

For the information of the Minister.—W.W.S., 14/1/79. Seen.—J.H., 16/1/79.

No. 25.

Abstract of vouchers enclosed—

The Secretary of the Commission to The Under Secretary for Lands.

£ s. £ s.
 R. P. Abbott... 40 19
 Geo. Rankin ... 40 19

Sir,

New Public Works Office,

Bridge-street, Sydney, 5 February, 1879.

Secretary 81 18
 Short-hand writers—
 Chas. Robinson 61 8
 Edwd. Burton 26 18
 W. T. Tarplee.. 17 10

I have the honor, by direction of the Commissioners, to forward herewith, vouchers (as per abstract noted in the margin) for expenses incurred by the Commission, and to request that you will have the goodness to take such steps as may be necessary for the payment of the same.

I have, &c.,
 CHAS. ROBINSON,
 Secretary.

Total.....£ 221 6

Submitted for approval, being in accordance with authorized rates.—W.W.S., 7th. Approved.—J.H., 8/2/79.

NEW SOUTH WALES.

Series B.—Contingency Form No. 1.

Pay Voucher No.

Head of Service—Lands. Contingent Expenses—Department of Lands.

Sub-head of Estimate—Lands and Survey Departments Commission.

Date or period of supply or service.		Rate.	Amount.
1879.	Claimant—R. P. Abbott, for the undermentioned services:—	£ s. d.	£ s. d.
January 6/31 ...	To attendance at Lands and Survey Commission—13 sittings, at	3 3 0	40 19 0
	Total	£	40 19 0

NEW SOUTH WALES.

Series B.—Contingency Form No. 1.

Pay Voucher No.

Head of Service—Lands. Contingent Expenses—Department of Lands.
Sub-head of Estimate—Lands and Survey Departments Commission.

Date or period of supply or service.		Rate.	Amount.
1879.	Claimant—G. Ranken, for the undermentioned services :—	£ s. d.	£ s. d.
January 6/31 ...	To attendance at Lands and Survey Commission—13 sittings, at	3 3 0	40 19 0
	Total	£	40 19 0

NEW SOUTH WALES.

Series B.—Contingency Form No. 1.

Pay Voucher No.

Head of Service—Lands. Contingent Expenses—Department of Lands.
Sub-head of Estimate—Lands and Survey Departments Commission.

Date or period of supply or service.		Rate.	Amount.
1878.	Claimant—C. Robinson, for the undermentioned services :—	£ s. d.	£ s. d.
Dec. 21/31	To attendance at Lands and Survey Commission ... ..	.....	7 7 0
1879.			
Jan. 2/31	Do. do. ... ..	.....	26 5 0
	Total	£	33 12 0

NEW SOUTH WALES.

Series B.—Contingency Form No. 1.

Pay Voucher No.

Head of Service—Lands. Contingent Expenses—Department of Lands.
Sub-head of Estimate—Lands and Survey Departments Commission.

Date or period of supply or service.		Rate.	Amount.
1878.	Claimant—C. Robinson, for the undermentioned services :—	£ s. d.	£ s. d.
Dec. 18/20	To attendance at Lands and Survey Commission ... ..	.....	18 10 0
1879.			
Jan. 8/28	Do. do. taking evidence ... ..	.....	42 18 0
	Total	£	61 8 0

NEW SOUTH WALES.

Series B.—Contingency Form No. 1.

Pay Voucher No.

Head of Service—Lands. Contingent Expenses—Department of Lands.
Sub-head of Estimate—Lands and Survey Departments Commission.

Date or period of supply or service.		Rate.	Amount.
1879.	Claimant—E. Burton, for the undermentioned services :—	£ s. d.	£ s. d.
January 15/30...	E. Burton, to attendance at Lands and Survey Commission, taking evidence ... ..	.....	26 18 0
	Total	£	26 18 0

NEW SOUTH WALES.

Series B.—Contingency Form No. 1.

Pay Voucher No.

Head of Service—Lands. Contingent Expenses—Department of Lands.
Sub-head of Estimate—Lands and Survey Departments Commission.

Date or period of supply or service.		Rate.	Amount.
1879.	Claimant—W. J. Tarplee, for the undermentioned services :—	£ s. d.	£ s. d.
January 10/29...	W. J. Tarplee, to attendance at Lands and Survey Commission, taking evidence ... ..	.....	17 10 0
	Total	£	17 10 0

No. 26.

Minute of The Cabinet.

On taking charge of the Department of Lands I made some inquiries to inform myself of the proceedings of the Board or Commission appointed to inquire into the working of this department on the 7th of September last, and to enable me to see more clearly the scope and objects of the inquiry I caused a communication to be made on the 10th of January to the gentlemen forming the Board or Commission, calling for a Progress Report. This communication was acknowledged on the 14th of January, and the reply stated that the Commissioners would "have pleasure in submitting a Progress Report, as requested, with the least possible delay." Up to the present date no further notice has been taken of my request.

It appears, from the official documents, that, on the recommendation of the late Secretary for Lands, Mr. R. P. Abbott, Mr. James Thomson, and Mr. George Ranken were appointed by the Governor in Council a Board to inquire into and report upon the administration and working of the "Lands" and "Survey" Department in all their branches, and the inquiry was to extend to suggesting the proper remedy for the causes of any inefficiency and delays in the transaction of business which might be found to exist. On the 7th of October the same gentlemen were appointed by the same authority a Commission. Soon afterwards Mr. Thomson resigned, and, on the recommendation of the same Minister, Mr. Abbott and Mr. Ranken, on the 25th of November, were, by the Governor in Council, constituted the Commission to continue the inquiry. The words "Lands" and "Survey" in inverted commas are so used in the first minute paper for the Executive Council, apparently to designate two separate departments, though by the long-recognized administrative arrangements the Department of Lands includes the Survey Office. Both minute papers submitted to the Executive Council are silent on the remuneration of the members of the Board or Commission. I find, however, that on the 30th of October the Commissioners were informed that the Minister would leave to them to propose their own fees, which, with any other expenses that might be incurred, would be paid by the Treasury at such times as they might desire. The Commissioners appear to have declined to act on this suggestion, and on the 4th of November Mr. Farnell fixed their remuneration at three guineas for each sitting for the non-official and one guinea for the official members of the Commission.

It will be seen that though I have been in office now forty-eight days I cannot learn from this body what has been done in the matter of the inquiry in so irregular a manner, as I venture to think, entrusted to them, while at the same time the assistance of high officers in the department is withheld from me to the detriment of the public interest, on the ground that they are summoned to give evidence before these Commissioners. I have not been able to reconcile to my sense of propriety the appointment of a Board or Commission by the ministerial head of a department of Government to inquire into the administration of that department, and to suggest remedies for any inefficiency in its working. The thing appears to me to be contrary to the spirit of ministerial responsibility and altogether unsound. I should have been willing to obtain from the Commissioners some information as to what they have actually been doing before submitting the matter to the Cabinet, if that had been practicable, but as the Commissioners disregard the communication of my wishes made to them nearly a month ago, and as I believe that they never ought to have been appointed, and that their proceedings are really calculated to produce difficulty and embarrassment in the department placed under me, I have arrived at the conclusion that the inquiry ought to be terminated.

J.H., 6/2/79.

Cabinet approves.—H.P., 6/2/79.

No. 27.

R. P. Abbott.....	£	s.	£	s.
Geo. Rankin	40	19		
	—	—	81	18
Secretary .....	...	...	33	12
Shorthand Writers—				
C. Robinson ...	61	8		
E. Burton	26	18		
W. T. Tarplee ..	17	10		
	—	—	105	16
Total	£221	6		

The Under Secretary for Lands to The Secretary to the Commission.

Sir,
Department of Lands, Sydney, 10 February, 1879.
Referring to your letter of the 5th instant, enclosing vouchers noted in the margin, for expenses incurred by the Lands and Survey Departments' Commission, and requesting payment of the amounts named therein, I am directed to inform you that the accounts have been duly approved by the Minister for Lands, and forwarded to the Treasury for payment.

I have, &c.,
W. W. STEPHEN.

No. 28.

Minute by the Executive Council.

Subject:—Recommending termination of proceedings of Lands and Survey Departments Commission.

Department of Lands, Sydney, 10 February, 1879.
In reference to the proceedings of the Executive Council on the 25th November last, whereat R. P. Abbott and George Ranken, Esquires, were appointed a Commission to inquire into and report upon the working of the Lands and Survey Departments, I now beg to recommend to His Excellency the Governor and the Executive Council, for the reasons set forth in the enclosed Cabinet minute of the 6th instant, that the proceedings of the said Commission be brought to a termination, and that the Commissioners should be accordingly informed to that effect; and also, that the Government are desirous that the inquiry should close from and after Monday, the 17th instant.

JAMES HOSKINS.

Approved.—H.R., 10/2/79.

17

No. 29.

The Under Secretary for Lands to The President of the Commission.

Sir,

Department of Lands, Sydney, 12 February, 1879.

I am directed by the Secretary for Lands to inform you that the Commission (consisting of yourself and Mr. George Ranken) appointed to inquire into and report upon the administration and working of the Lands and Survey Departments, has received the serious consideration of the Government, and it has been decided to terminate the inquiry.

As the above decision has now been formally ratified by the Executive Council, I am desired by Mr. Secretary Hoskins to request you to close the inquiry not later than Monday, the 17th instant.

I have, &c.,

W. W. STEPHEN.

No. 30.

The Secretary to the Commission to The Under Secretary for Lands.

Sir,

New Public Works Office, Bridge-street, Sydney, 13 February, 1879.

I have the honor, by direction of the Commissioners, to acknowledge the receipt of your letter to the President of 12th instant, intimating that the Government have decided to terminate the inquiry, and requesting that it may be closed not later than Monday, 17th instant.

I have, &c.,

CHAS. ROBINSON,

Secretary.

No. 31.

The Secretary to the Commission to The Under Secretary for Lands.

Commissioners—	£ s.
R. P. Abbott	15 15
Geo. Rankin	15 15
Secretary	14 14
Shorthand Writers—	
Chas. Robinson	15 19
W. J. Tarplee	4 15
	<u>£ 66 18</u>

Sir,

New Public Works Office,

Bridge-street, Sydney, 18 February, 1879.

I have the honor, by direction of the Commissioners, to enclose herewith vouchers, as per margin, for expenses incurred by the Commissioners, and to request that you will have the goodness to invite the Honorable the Secretary for Lands to take such 4 15 steps as may be necessary for the payment of the same.

I have, &c.,

CHAS. ROBINSON,

Secretary.

Submitted for approval.—W.W.S., 18th.

Approved.—J.H., 18/2/79.

NEW SOUTH WALES.

Series B.—Contingency Form No. 1.

Pay Voucher No.

Head of Service—Lands. Contingent Expenses—Department of Lands.
Sub-head of Estimate—Lands and Survey Departments Commission.

Date or period of supply or service.		Rate.	Amount.
		£ s. d.	£ s. d.
1879.	Claimant—R. P. Abbott, Esq., Sydney, for the undermentioned services:—		
3 February ...	To five attendances at sittings of Commission on the dates named		
5 " ...	herein, at £3 3s. per diem, as per Under Secretary's letter of		
7 " ...	6th November, 1878		15 15 0
11 " ...			
12 " ...			
	Total	£	15 15 0

NEW SOUTH WALES.

Series B.—Contingency Form No. 1.

Pay Voucher No.

Head of Service—Lands. Contingent Expenses—Department of Lands.
Sub-head of Estimate—Lands and Survey Departments Commission.

Date or period of supply or service.		Rate.	Amount.
		£ s. d.	£ s. d.
1879.	Claimant—George Rankin, Esq., Sydney, for the undermentioned services:—		
3 February ...	To five attendances at sittings of Commission on the dates named		
5 " ...	herein, at £3 3s. per diem, as per Under Secretary's letter of the		
7 " ...	6th November, 1878		15 15 0
11 " ...			
12 " ...			
	Total	£	15 15 0

NEW SOUTH WALES.

Series B.—Contingency Form No. 1.

Pay Voucher No.

Head of Service—Lands. Contingent Expenses—Department of Lands.

Sub-head of Estimate—Lands and Survey Departments Commission.

Date or period of supply or service.		Rate.	Amount.
1879.	Claimant—Chas. Robinson, Secretary, Ashfield, for the undermentioned services :—	£ s. d.	£ s. d.
1 to 17 Feb.....	To fourteen days' attendance at	1 1 0	14 14 0
	Total	£	14 14 0

NEW SOUTH WALES.

Series B.—Contingency Form No. 1.

Pay Voucher No.

Head of Service—Lands. Contingent Expenses—Department of Lands.

Sub-head of Estimate—Lands and Survey Departments Commission.

Date or period of supply or service.		Rate.	Amount.
1879.	Claimant—Chas. Robinson, Shorthand Writer, Ashfield, for the undermentioned services :—	£ s. d.	£ s. d.
3 February	To taking evidence... ..		2 2 0
3 "	" transcription, 116 folios, at	0 1 0	5 16 0
5 "	" taking evidence		2 2 0
5 "	" transcription of 119 folios, at	0 1 0	5 19 0
	Total	£	15 19 0

NEW SOUTH WALES.

Series B.—Contingency Form No. 1.

Pay Voucher No.

Head of Service—Lands. Contingent Expenses—Department of Lands.

Sub-head of Estimate—Lands and Survey Departments Commission.

Date or period of supply or service.		Rate.	Amount.
1879.	Claimant—W. J. Tarplee, Sydney, for the undermentioned services :—	£ s. d.	£ s. d.
7 February	Attendance at Lands Commission		2 2 0
	Transcription, 53 folios, at	0 1 0	2 13 0
	Total	£	4 15 0

No. 32.

The Under Secretary for Lands to The Secretary to the Commission.

Commissioners—	£ s.	Sir,	Department of Lands, Sydney, 18 February, 1879.
R. P. Abbott	15 15		Referring to your letter of this day's date, enclosing vouchers as noted in the
Geo. Rankin	15 15		margin, for expenses incurred by the Lands and Survey Departments Commission, and
Secretary ...	14 14		requesting payment of the amounts therein named, I am directed to inform you, that
Shorthand Writers—			the accounts have been duly approved by the Minister for Lands, and will be at once
Chas. Robinson	15 19		forwarded to the Treasury for payment.
W. J. Tarplee	4 15		I have, &c.,
	<u>£ 66 18</u>		W. W. STEPHEN.

Vouchers forwarded to day to Treasury for payment accordingly.—W.W.S., 18 Feb., /79.

1878.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

ROYAL COMMISSION, LANDS DEPARTMENT.

(RESIGNATION OF MR. JAMES THOMSON—CORRESPONDENCE.)

*Ordered by the Legislative Assembly to be printed, 20 November, 1878.**(Laid upon Table in accordance with promise made in answer to Question 6, Votes No. 36, 15 Nov., 1878.)*

RETURN of Correspondence in reference to the resignation of Mr. James Thomson of his appointment as a Member of the Royal Commission appointed to inquire into and report upon the working of the Lands and Survey Departments.

(Mr. J. Davies, for Mr. Bowman.)

SCHEDULE.

NO.	PAGE.
1. Mr. James Thomson to Under Secretary for Lands, resigning his appointment as a member of the Lands and Survey Departments Commission. 4 November, 1878	2
2. Under Secretary for Lands to Secretary of above-mentioned Commission, forwarding No. 1 for information of the Commission. 14 November, 1878	2
3. Secretary of Commission to Under Secretary for Lands on the subject. 15 November, 1878	2
4. R. P. Abbott, Esq. (President), and G. Ranken, Esq. (Commissioner), to Secretary for Lands, in reply to No. 1. 15 November, 1878	3
5. G. Ranken, Esq., to Minister for Lands, in reference to No. 1. 15 November, 1878	3
6. Under Secretary for Lands to Mr. James Thomson—that resignation has been accepted. 19 November, 1878	4
7. Under Secretary for Lands to the Secretary of Commission, to same effect. 19 November, 1878	4

ROYAL COMMISSION, LANDS DEPARTMENT.

No. 1.

James Thomson, Esq., to The Under Secretary for Lands.

Sir,

The Treasury, 4 November, 1878.

Referring to my appointment as a member of the Commission recently appointed by His Excellency the Governor "to make inquiry into, and report as to the administration and working of the Lands and Survey Departments in their respective branches," I do myself the honor to request that you will have the goodness to intimate to the Honorable the Secretary for Lands my desire to withdraw from the Commission.

In making this request, which I do with extreme regret, it is right that I should state, for the information of Mr. Farnell, my principal reasons for a request of such an unusual character; they are as follows:—

- 1st. Being the only official member on the Commission, I find my position is reduced to that of a nonentity by the preponderance being altogether on the side of my non-official colleagues, who have, consequently, the business entirely in their own hands.
- 2nd. The examination of the first witness, which has already lasted five days, is being conducted in a manner altogether opposed to my views, as well as to the practice which has hitherto obtained in Royal Commissions in this Colony, and which now obtains in connection with Select Committees of Parliament. The result of the present mode of procedure cannot fail, in my opinion, to unnecessarily and unduly prolong the sittings of the Commission, and thus retard the important and pressing business with which it has been entrusted.
- 3rd. The President monopolizes nearly the whole of the time set apart by the Commission for the examination of witnesses, and has besides assumed a bearing towards myself which, as a Commissioner with co-ordinate powers, I cannot submit to.
- 4th. On the occasion of the first examination he declined to allow me to put a question to the witness which occurred to my mind at the time, and which I believe, if answered, would have had the effect of correcting an erroneous impression that might otherwise have been formed by one of his answers.
- 5th. At the sitting of the Commission on Friday last, which was monopolized entirely by the President, who used papers only that day submitted to the Commission, and which I had not perused, he insulted me in the presence of Mr. Ranken, my colleague, the Secretary to the Commission, the short-hand writer, and the witness, Mr. Stephen, by rudely refusing to allow me to interpose a question, notwithstanding that I asked his permission to do so.

These are some of the reasons which induce me to seek to be relieved from a position which, under the present constitution of the Commission, I feel to be worse than useless. Under other circumstances my services might, from my knowledge of official business generally, and my long experience in duties of a somewhat kindred nature, have proved useful to the Government.

I feel confident, however, that when the Honorable the Premier has read this letter he will see that I could not, consistently with the respect due to myself as a Commissioner, and the position I hold in the Public Service, continue the colleague of a gentleman who arrogates powers which have not been conferred upon him by the Commission of His Excellency the Governor. I also feel confident that he will acquit me of any desire to shirk the duties and responsibilities of the position to which he did me the honor to nominate me, or of any intention to embarrass the Government by withdrawing from the Commission at this early stage of its proceedings.

I have, &c.,
JAMES THOMSON.

No. 2.

The Under Secretary for Lands to The Secretary of the Commission.

Sir,

Department of Lands, Sydney, 14 November, 1878.

I am directed by the Minister for Lands to forward, for the information of the Lands and Survey Departments Commission, the enclosed letter from Mr. James Thomson, resigning his appointment as a member of that Commission.

2. Mr. Farnell would be glad to receive any observations which the Commission may see fit to make as to the statements contained in Mr. Thomson's letter.

I have, &c.,
W. W. STEPHEN.

No. 3.

The Secretary of the Commission to The Under Secretary for Lands.

Sir,

New Public Works Office, Bridge-street, Sydney, 15 November, 1878.

I have the honor to acknowledge the receipt of your letter of the 14th November, forwarding the letter of Mr. James Thomson of 4th November, resigning his appointment as a member of this Commission, and to intimate that Mr. Thomson's letter has this day been returned by the Commissioners to the Honorable the Secretary for Lands.

I have, &c.,
CHAS. ROBINSON,
Secretary.

No. 4.

No. 4.

R. P. Abbott, Esq. (President), and G. Ranken, Esq. (Commissioner), to The Secretary for Lands.

Sir,

New Public Works Office, Bridge-street, Sydney, 15 November, 1878.

We have the honor to return herewith Mr. Thomson's letter of the 4th November, which was transmitted to us yesterday, with an intimation from the Under Secretary to the Department of Lands that you would be glad to receive any observations which the Commission may see fit to make upon the statements contained therein. Mr. Thomson's representations appear to us to be somewhat vague; but it may be convenient that we should reply to his letter categorically, and meet his allegations as specifically as their ambiguity will permit. See No. 1.

1. In his first paragraph, Mr. Thomson states that he is the only official member of the Commission, and implies that his position is, therefore, that of a nonentity. In a conversation which the Commissioners had, with a view to determine the course of their procedure, Mr. Thomson said—"You must remember that I am the only official member of the Commission, and I am bound to see that the officials get fair play;" but we were unwilling at that time to allow its full meaning to the remark; and we are still reluctant to conclude that Mr. Thomson supposed the Commission had been appointed in the interests of the Civil Servants as opposed to those of the public. It never occurred to us to recognize Mr. Thomson as an official, or otherwise than in his capacity as a member of the Commission, having co-ordinate powers with those conferred on us.

2. In his second paragraph Mr. Thomson states that the examination is being conducted in a manner altogether opposed to his views, as well as to the practice which obtains in Royal Commissions and the Select Committees of Parliament. We affirm, however, that the examination has been conducted in a manner identical with that adopted by Select Committees of Parliament and Royal Commissions. The questions of the Commissioners and the answers of the witness have been taken down in short-hand, and, when transcribed, sent to the witness for revision. This method was assented to by Mr. Thomson. We do not therefore understand what he means by the assertion that this course of procedure cannot fail to unduly prolong the sittings of the Commission, unless it be that reference is made to an opinion which Mr. Thomson expressed during the preliminary conference already referred to, to the effect that the witnesses should be required to answer strictly "yes or no."

3. The evidence transcribed abundantly disproves the allegation which Mr. Thomson makes in the third paragraph, and shows conclusively that he has fully exercised his power of examination. It never occurred to us to question his right to do so. After the first day's examination Mr. Thomson remarked that the questions put by the President left him nothing to ask, and the President thereupon desired that Mr. Thomson should begin the examination of any witness, and have priority in examining upon any point he pleased; but it was unanimously agreed that it would be neither seemly nor desirable that the examination of a witness by one Commissioner should be interrupted by questions interposed by either of the others.

4. Mr. Thomson is in error when he states in his fourth paragraph that the President declined to allow him to put a question on the first day of examination. The President did not refuse to allow Mr. Thomson to ask any question; and the fact is, that Mr. Thomson asked ninety-five of the 237 questions put to the witness on that day; and that he broke in upon the President's examination not less than twenty times. Mr. Thomson himself admitted the inconvenience of this course, and it was Mr. Thomson's proposal, made before examination of witnesses was entered upon, that the President should take precedence in examining witnesses, and that the other Commissioners should continue the examination in the order of their appointment.

5. The statements contained in Mr. Thomson's fifth paragraph are inaccurate. The facts are these:—The examination of the witness on the 30th October was conducted exclusively by Mr. Thomson, without any interruption by us. The witness then handed in several lengthy papers which the Commissioners did not think it desirable to print; and it was therefore arranged that each Commissioner should read them in turn. The President was requested to read the papers first—a request which he understood to be made by Mr. Thomson as well as by Mr. Ranken. When the witness was further examined on Friday, the 1st of November, that being the following day of sitting, the President asked Mr. Thomson if he desired to continue the examination which he had conducted at the last meeting; and it was only upon Mr. Thomson declining that the President, following the order of examination which had been agreed upon, examined the witness upon the papers submitted (not at that meeting, as Mr. Thomson erroneously avers), but at the previous meeting when he was present. We understood that this was done with the perfect acquiescence of Mr. Thomson, who certainly made not the slightest objection. We are at a loss to understand how Mr. Thomson should have so far forgotten the facts as to allege that the President entirely "monopolized" the sitting, and used papers only that day submitted. Mr. Thomson did interpose a question, and when (at variance with the understanding previously come to) Mr. Thomson requested to again ask a question, the President replied—"Excuse me, Mr. Thomson, I have not yet done with my examination of Mr. Stephen."

We have read Mr. Thomson's letter with much surprise and regret. We are wholly unable to understand what valid reason he can have for the misconception under which he has written it; and until we heard of this communication we were under the impression that perfect harmony subsisted between us.

We have, &c.,

R. P. ABBOTT, President.

GEORGE RANKEN, Commissioner.

No. 5.

G. Ranken, Esq., to The Secretary for Lands.

Sir,

Sydney, 15 November, 1878.

Mr. Thomson having, in his letter of the 4th instant, appealed to me by name, as witness of an alleged "insult" offered him by Mr. Abbott, I wish to state that the matter referred to occurred precisely as stated in the letter herewith from the members of the Commission, and that the words used were exactly as therein set down. See No. 1.
After

4:

After submitting to interruptions which were decidedly irregular according to the rule adopted by the Commission, Mr. Abbott at length declined to allow his line of inquiry to be interfered with, but his decision to this effect was expressed in the most courteous terms.

Further, I state emphatically that Mr. Thomson's charges preferred against Mr. Abbott of rudeness and arrogance have no foundation whatever in fact.

I have, &c.,
GEORGE RANKEN.

No. 6.

The Under Secretary for Lands to James Thomson, Esq.

Sir,

Department of Lands, Sydney, 19 November, 1878.

No. 1.

With reference to your letter of the 4th instant, tendering your resignation as a member of the Lands and Survey Commission, I am directed by the Minister for Lands to inform you that His Excellency the Governor has approved of such resignation being accepted.

I have, &c.,
W. W. STEPHEN.

No. 7.

The Under Secretary for Lands to The Secretary of the Commission.

Sir,

Department of Lands, Sydney, 19 November, 1878.

I am directed by the Minister for Lands to inform you that Mr. James Thomson has tendered his resignation as a member of the Lands and Survey Departments Commission, the acceptance of which has been approved by His Excellency the Governor.

I have, &c.,
W. W. STEPHEN.

Sydney: Thomas Richards, Government Printer.—1878.

[3d.]

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

CONDITIONAL PURCHASES OF M. BRENNAN AND MISS HARRINGTON.

(PAPERS AND PLANS.)

Ordered by the Legislative Assembly to be printed, 20 February, 1879.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 25 January, 1878, That there be laid upon the Table of this House,—

“Copies of all Papers and Plans relative to the Conditional Purchases of
“M. Brennan and Miss Harrington on the Yanko Reserve; also, all
“Papers as to conflicting improvement applications made by Robertson
“Brothers, lessees of the run upon which the Conditional Purchases were
“made or applied for.”

(Mr. Garrett.)

SCHEDULE.

NO.	PAGE.
1. Application by Ellen Harrington for the conditional purchase of 640 acres, under the 13th section, parish of Bingagong, county of Urana, with Minutes thereon. 19 October, 1876	3
2. Application by Joseph Harrington for the conditional purchase of 320 acres, under the 21st section, parish and county as above, with Minutes thereon. 19 October, 1876	3
3. Application by Martin Brennan for the conditional purchase of 640 acres, under the 13th section, parish and county as above, with Minutes thereon. 26 October, 1876.....	3
4. Application by Angus Robertson and Brothers to purchase, in virtue of improvements, 47 acres, parish and county as above, with Minutes thereon. 29 January, 1877	4
5. Application by same to purchase 48 acres, parish and county as above, with Minutes thereon. 29 January, 1877...	4
6. Application by same to purchase 53 acres, parish and county as above, with Minutes thereon. 29 January, 1877...	5
7. Application by same to purchase 55 acres, parish and county as above, with Minutes thereon. 29 January, 1877...	5
8. Licensed Surveyor E. W. Turner to the Surveyor General, transmitting plan of four portions, containing 640 acres, applied for by Martin Brennan. (See No. 3.) 31 January, 1877	5
9. Same to same, transmitting plan of eight portions of land, containing 640 acres, applied for by Ellen Harrington—see No. 1—with Enclosures A and B. 19 February, 1877	6
10. Same to same, transmitting plan of four portions of land, containing 320 acres, applied for by Joseph Harrington. (See No. 2.) 19 February, 1877	6
11. Joseph Harrington to Mr. Bolton, with reference to the survey of his land. 23 February, 1877	6
12. Licensed Surveyor E. W. Turner to the Surveyor General, transmitting plan of two portions of land, containing 94 acres, applied for by Messrs. Robertson Brothers, in virtue of improvements. 19 March, 1877	6
13. Same to same, transmitting plan of two portions of land, containing 95½ acres, applied for by Messrs. Robertson Brothers, in virtue of improvements. 19 March, 1877	7

NO.	PAGE.
14. District Surveyor Bolton to the Surveyor General, with reference to Licensed Surveyor Turner's survey of the Harringtons' selections. 30 March, 1877.....	7
15. Same to same, with reference to Licensed Surveyor Turner's survey of Messrs. Robertson Brothers' purchases in virtue of improvements, with Minutes thereon. 30 March, 1877	7
16. Joseph Harrington to the Minister for Lands, with reference to the disputed survey of the Harringtons' and Robertson Brothers' land. 9 May, 1877.....	7
17. Same to same, with reference to same. 1 June, 1877	8
18. Same to same, drawing attention to former letter. (See Nos. 16 and 17.) 20 June, 1877.....	8
19. Ellen Harrington to the Minister for Lands, with reference to residence on her selection of 640 acres. 20 June, 1877	8
20. Memorandum by the Deputy Surveyor General, <i>in re</i> J. and E. Harrington <i>v.</i> Robertson Brothers, with explanatory tracing and Minister's decision thereon. 31 July, 1877	8
21. Messrs. Wilson and Ranken to the Minister for Lands, on behalf of Robertson Brothers, drawing attention to position of Ellen Harrington's conditional purchase. 5 September, 1877.....	9
22. Joseph Harrington to the Minister for Lands, further respecting above-mentioned dispute. 10 September, 1877 ...	9
23. Chief Commissioner of Conditional Sales to Land Agent, Urana, intimating reduction of Ellen Harrington's selection of 640 acres. 15 September, 1877	9
24. Same to the Under Secretary for Finance and Trade, transmitting similar information. 15 September, 1877.....	9
25. Same to Ellen Harrington, as above, with Enclosure. 15 September, 1877	10
26. Same to Land Agent, Urana, intimating the voiding of Joseph Harrington's selection of 320 acres. 15 September, 1877	10
27. Same to Under Secretary for Finance and Trade, transmitting similar information. 15 September, 1877	10
28. Same to Joseph Harrington, as above, with Enclosure. 15 September, 1877.....	10
29. Application by Angus Robertson and Brothers for Volunteer Order selection, parish of Bingagong, county of Urana, with Minute thereon. 23 October, 1877	11
30. Inspector R. J. Mackenzie to Chief Commissioner of Conditional Sales, reporting on Ellen Harrington's selection of 640 acres. 10 November, 1877.....	11
31. H. H. Brown & Co. to Minister for Lands, advocating the claims of Ellen and Joseph Harrington, with Minister's decision thereon. 11 December, 1877.....	11
32. A. O. Moriarty, Chief Commissioner, to H. H. Brown & Co., in reply to above (No. 31.) 26 February, 1878	12
33. Same to Messrs. Robertson Brothers, conveying the Minister's decision above-mentioned. (See No. 31.) 26 February, 1878	12
34. Same to Under Secretary for Finance and Trade, transmitting similar information. 26 February, 1878	12
35. Under Secretary for Finance and Trade to Under Secretary for Lands, <i>in re</i> Harringtons' conditional purchases. 5 March, 1878.....	13
36. G. H. Holmes to Minister for Lands, returning Refund Vouchers on Harringtons' conditional purchases. 2 April, 1878	13
37. Messrs. Wilson & Ranken to the Minister for Lands, on behalf of Robertson Brothers, objecting to the Harringtons' selections being allowed. 12 June, 1878	13
38. Minute of the Secretary for Lands, <i>in re</i> disputed claims in question. 1 July, 1878	13
39. A. O. Moriarty, Chief Commissioner, to J. Harrington, conveying above decision of Minister (No. 38.) 10 August, 1878	13
40. Same to Land Agent, Urana, conveying Minister's decision respecting J. Harrington's case. 15 August, 1878.....	14
41. Same to Ellen Harrington, conveying above decision of Minister (No. 38.) 23 August, 1878.....	14
42. Statement by Mr. C. E. Finch, respecting areas of the Harringtons' selections. 23 August, 1878	14
43. A. O. Moriarty, Chief Commissioner, to Joseph Harrington, forwarding Refund Order. 23 August, 1878	15
44. Same to Ellen Harrington, forwarding Refund Order. 23 August, 1878	15
45. Same to Land Agent, Urana, conveying Minister's decision respecting Ellen Harrington's case. 28 August, 1878...	15
46. Same to Under Secretary for Finance and Trade, intimating reduction of Harringtons' selections. 28 August, 1878	15
47. N. H. Whitelaw, Hon. Sec. "County of Urana Farmers' Association," to George Day, Esq., M.P., forwarding letter from that Association, addressed to the Minister for Lands, <i>in re</i> Harrington's case, with Minute thereon. 16 September, 1878.....	16
48. A. O. Moriarty, Chief Commissioner, to George Day, Esq., M.P., in reply to above (No. 47.) 27 September, 1878	16

CONDITIONAL PURCHASES OF M. BRENNAN AND MISS HARRINGTON.

No. 1.

(D.) [Alienation Act—Sections 13, 14, and 19.]

Application for the Conditional Purchase, without competition, of unimproved Crown Land.

District of Urana.

No. 198 of 1876.

APPLICATION by Ellen Harrington for the conditional purchase, without competition, of 640 acres unimproved Crown Land, under section 13.

Received by me, with a deposit of £160, this 19th day of October, 1876, at 10 o'clock.

CHARLES L. C. BADHAM,

Agent for the Sale of Crown Lands at Urana.

Sir,

19 October, 1876.

I am desirous of purchasing, without competition, under the Crown Lands Alienation Act of 1861, the portion of unimproved Crown Land hereunder described, containing 640 acres; and I herewith tender the sum of £160, being a deposit at the rate of 5s. per acre on the area for which I apply.

I am, &c.,

ELLEN HARRINGTON,

Urana.

To the Agent for the Sale of Crown Lands, at Albury.

DESCRIPTION.

County of Urana, parish of Bingagong, 640 acres, joining portions 25 and 24, running west and having frontage to Yanko Creek, and bounded on the north by J. Harrington's A.C.P. of this date, and on the south by a line to include area.

[Minutes on No. 1.]

Mr. Licensed Surveyor Orr,—To measure if unobjectionable.—W.A.T., *pro* Surveyor General, 13 Nov., '76. Transferred to Mr. Licensed Surveyor Turner.—WILLIAM ORR, 25 Dec., '76.

No. 2.

(G.) [Alienation Act—Sections 21 and 22.]

Application by Joseph Harrington for the Conditional Purchase without competition of 320 acres, unimproved Crown Land, under section 21 of the Crown Lands Alienation Act of 1861.

No. 199, 1874.

RECEIVED by me, with a deposit of £80, this 19th day of October, 1876, at 10 o'clock.

CHARLES L. C. BADHAM,

Agent for the Sale of Crown Lands at Urana.

Sir,

19 October, 1876.

I am desirous of purchasing without competition, under the 21st section of the Crown Lands Alienation Act of 1861, the portion of unimproved Crown Land hereunder described, containing 320 acres, which adjoins my conditional purchase of 320 acres, upon which I am now residing, and I herewith tender the sum of £80, being a deposit at the rate of five shillings (5s.) per acre on the area for which I apply.

This is the first selection made by me in virtue of my conditional purchase of 320 acres.

I am, &c.,

JOSEPH HARRINGTON,

Urana.

To the Agent for the Sale of Crown Lands at Urana.

DESCRIPTION.

County of Urana, parish of Bingagong, 320 acres, west of portions 23 and 22, and extending to Reserve 1,682, having a frontage to the Yanko Creek, and south by a line to include area.

[Minutes on No. 2.]

Mr. Licensed Surveyor Orr,—If first conditional purchase is satisfactory, to measure if unobjectionable.—W.A.T., *pro* Surveyor General, 13 Nov., '76. Transferred to Mr. Licensed Surveyor Turner.—WILLIAM ORR, Dec., '76.

No. 3.

(D.) [Alienation Act—Sections 13, 14, and 19.]

Application for the Conditional Purchase, without competition, of unimproved Crown Land.

District of Urana.

No. 276 of 1876.

APPLICATION by Martin Brennan for the conditional purchase, without competition, of 640 acres, unimproved Crown Land, 13th section.

Received by me, with a deposit of £160, this 26th day of October, 1876, at 3:40 o'clock.

CHARLES L. C. BADHAM,

Agent for the Sale of Crown Lands at Urana.

Sir,

Sir,

26 October, 1876.

I am desirous of purchasing without competition, under the Crown Lands Alienation Act of 1861, the portion of unimproved Crown Land hereunder described, containing 640 acres; and I herewith tender the sum of £160, being a deposit at the rate of 5s. per acre on the area for which I apply.

I am, &c.,

MARTIN BRENNAN,

Urana.

To the Agent for the Sale of Crown Lands at Urana.

DESCRIPTION.

County of Urana, parish of Bingagong, 640 acres: Commencing on Yanko Creek, at north boundary of Reserve No. 1,321, running north along the creek 1 mile, including measured portions 69, 70, and 71—boundaries as per Regulations, excising 12 acres provisionally protected and Volunteer Land Order.

[Minutes on No. 3.]

Mr. Licensed Surveyor Orr,—To measure up portions 69, 70, and 71 to the area herein applied for, if unobjectionable.—W.A.T. for Surveyor General, 17 Nov., /76. Transferred to Mr. Licensed Surveyor Turner, 25 Dec., /76.—WILLIAM ORR.

No. 4.

(A.)

[Lands Acts Amendment Act, 1875.]

Application for the purchase of improved Crown Lands.

Sir,

Yarrabee, Urana, 29 January, 1877.

Having erected the improvements detailed below, and which we estimate to be worth £47, we have the honor to apply that we may be permitted to purchase without competition, under the provisions of the Crown Lands Acts Amendment Act of 1875, the Crown Lands on which they stand, and which are described hereunder.

The improvements referred to are now in our possession.

We have, &c.,

ANGUS ROBERTSON & BROS.

(WILSON & RANKEN, Agents.)

The Minister for Lands, Sydney.

Nature of Improvements: Wire-fencing.

DESCRIPTION.

County of Urana, parish of Bingagong, west of and adjoining allotment 25, Bingagong, 47 acres, to include above improvements. Bingagong Run, Murrumbidgee District.

[Minutes on No. 4.]

Bingagong Run, district of Murrumbidgee, is held under promise of lease by John Peter.—G.M., Occupation of Lands, 3 February, 1877. Mr. Long, 8/2/77. Mr. Licensed Surveyor Orr,—For measurement if unobjectionable.—G.L., for Surveyor General, 9/2/77. Transferred to Mr. L.-S. Turner, 24th February, 1877.—WILLIAM ORR.

No. 5.

(A.)

[Lands Acts Amendment Act, 1875.]

Application for the purchase of improved Crown Lands.

Sir,

Yarrabee, Urana, 29 January, 1877.

Having erected the improvements detailed below, and which we estimate to be worth £48, we have the honor to apply that we may be permitted to purchase without competition, under the provisions of the Crown Lands Acts Amendment Act of 1875, the Crown Lands on which they stand, and which are described hereunder.

The improvements referred to are now in our possession.

We have, &c.,

ANGUS ROBERTSON & BROS.

(WILSON & RANKEN, Agents.)

The Minister for Lands, Sydney,

Nature of Improvements: Wire-fencing.

DESCRIPTION OF LAND.

County of Urana, parish of Bingagong, west of and adjoining allotment 22. Wire-fencing, situated adjoining portion 22, Bingagong, held by J. Harrington as a conditional purchase, containing 320 acres. Bingagong Run, Murrumbidgee District.

[Minutes on No. 5.]

Bingagong Run, district of Murrumbidgee, is held under promise of lease by John Peter.—G.M., Occupation of Lands, 3 Feb., 1877. Mr. Long, 8/2/77. Mr. Licensed Surveyor Orr,—For measurement if unobjectionable.—G.L., for Surveyor General, 9/2/77. To Mr. Licensed Surveyor Turner, 24 Feb., /77.—WILLIAM ORR.

5

No. 6.

(A.) [Lands Acts Amendment Act, 1875.]

Application for the purchase of improved Crown Lands.

Sir,

Yarrabee, Urana, 29 January, 1877.

Having erected the improvements detailed below, and which we estimate to be worth £53, we have the honor to apply that we may be permitted to purchase without competition, under the provisions of the Crown Lands Acts Amendment Act of 1875, the Crown Lands on which they stand, and which are described hereunder.

The improvements referred to are now in our possession.

We have, &c.,

ANGUS ROBERTSON & BROS.
(WILSON & RANKEN, Agents.)

The Minister for Lands, Sydney.

Nature of Improvements : Wire fencing.

DESCRIPTION OF LAND.

County of Urana, parish of Bingagong, west of and adjoining allotment, 23, 53 acres, including above improvements. Bingagong Run, Murrumbidgee District.

[Minutes on No. 6.]

Bingagong Run, district of Murrumbidgee, is held under promise of lease by John Peter.—G.M., Occupation of Lands, 3 Feb., 1877. Mr. Long, 8/2/77. Mr. Licensed Surveyor Orr,—For measurement if unobjectionable.—G.L., for Surveyor General, 9/2/77. To Mr. Licensed Surveyor Turner, 24 February, 1877.—WILLIAM ORR.

No. 7.

(A.) [Lands Acts Amendment Act, 1875.]

Application for the purchase of improved Crown Lands.

Sir,

Yarrabee, Urana, 29 January, 1877.

Having erected the improvements detailed below, and which we estimate to be worth £55, we have the honor to apply that we may be permitted to purchase without competition, under the provisions of the Crown Lands Acts Amendment Act of 1875, the Crown Lands on which they stand, and which are described hereunder.

The improvements referred to are now in our possession.

We have, &c.,

ANGUS ROBERTSON & BROS.
(WILSON & RANKEN, Agents.)

The Minister for Lands, Sydney.

Nature of Improvements : Wire fencing.

DESCRIPTION OF LAND.

County of Urana, parish of Bingagong, west of and adjoining allotment 24, 55 acres, to include above improvements. Bingagong Run, Murrumbidgee District.

[Minutes on No. 7.]

Bingagong Run, district of Murrumbidgee, is held under promise of lease by John Peter.—G.M., Occupation of Lands, 3 Feb., 1877. Mr. Long, 8/2/77. Mr. Licensed Surveyor Orr,—For measurement if unobjectionable.—G.L., for Surveyor General, 9/2/77. To Mr. Licensed Surveyor Turner, 24 February, 1877.—WILLIAM ORR.

No. 8.

Mr. Licensed Surveyor Turner to The Surveyor General.

Sir,

Yarrabee, Narrandera, 31 January, 1877.

I have the honor to transmit herewith, the *plan of four portions of land containing 640 acres, numbered 69, 70, 71, and 81, in the parish of Bingagong, county of Urana, applied for by Martin Brennan under the 13th section of the Crown Lands Alienation Act of 1861, and surveyed in accordance with instructions dated 17th November, 1876, to Mr. Licensed Surveyor Orr, transferred to me 25th December, 1876.

The applicant is camped on the ground. There are no improvements.

Survey completed 19 January ; portions 69, 70, 71 were measured by Mr. Licensed Surveyor Loxton.

I have, &c.,
E. W. TURNER.

No. 9.

No. 9.

Mr. Licensed Surveyor Turner to The Surveyor General.

Sir,

Yarrabee, Urana, 19 February, 1877.

*Enclosure A.
Appendix B.

I have the honor to transmit herewith the *plan of eight portions of land containing 640 acres, numbered 98, 100, 102, 104, 108, 121, 122, and 135, in the parish of Bingagong, county of Urana, applied for by Ellen Harrington under the 13th section of the Crown Lands Alienation Act of 1861, and surveyed by me in accordance with instructions dated 25th December, 1876, transferred by Mr. Licensed Surveyor Orr to me. The applicant is not personally resident on the ground, owing, I am informed by her brother, to temporary ill health. Workmen are camped on portion 98, and are making preparations to fence.

See enclosure B.

An objection by the applicant to the form of the survey is attached. Her objection has reference to the improvement purchase portions Nos. 118, 119, 120, left in virtue of a new and substantial fence recently erected along the boundary of Dunn and Kennedy's selections by Robertson Bros. This fence is placed about 2 links on the western side of the boundary lines, and Miss Harrington is anxious to obtain possession of it. The fence is of exceptional value, consisting of six wires and 600 posts per mile, and I value it at £72 per mile.

I have, &c.,

E. W. TURNER.

[Enclosure B to No. 9.]

Miss Ellen Harrington to Mr. Licensed Surveyor Turner.

Sir,

1 February, 1877.

With respect to my conditional purchase of 640 acres, situated in the county of Urana, parish of Bingagong, not being in accordance with my application made at Urana on the 19th of October, 1876, I therefore object to the survey made by Mr. Surveyor Turner, as it is quite contrary to my application. I will not recognize it on any consideration as legal.

Yours, &c.,

ELLEN HARRINGTON.

No. 10.

Mr. Licensed Surveyor Turner to The Surveyor General.

Sir,

Yarrabee, Urana, 19 February, 1877.

* Appendix C.

I have the honor to transmit herewith, the *plan of four portions of land containing 320 acres, numbered 115, 111, 113, and 116, in the parish of Bingagong, county of Urana, applied for by Joseph Harrington under the 21st section of the Crown Lands Alienation Act of 1861, and surveyed by me in accordance with instructions dated 25th December, 1876, transferred from Mr. Licensed Surveyor Orr to me.

Applicant has a tenement on portion 23, which he states is his original purchase, and not portion 22 as shown on lithograph, 22 being M. A. Kennedy's selection. This tenement is used as a sleeping apartment only. The improvements consist of about a mile of fencing, stated by applicant to have been erected by him, and the hut above mentioned, of the value of—

Fencing	...	...	...	...	...	...	...	...	£70
Hut	...	...	...	...	...	...	...	...	£15

I have, &c.,

E. W. TURNER.

No. 11.

Mr. J. Harrington to Mr. District Surveyor Bolton.

Dear Sir,

23 February, 1877.

With reference to your letter to Mr. Turner, the Surveyor, your promise to me you have not fulfilled with regard to the survey of the land. Turner has been waiting up to last Tuesday on your letter and received no instructions. Now he has surveyed the land, and allowed 9 chains along the fence, which cuts my land right off from my additional purchases, which causes me to hold my land illegally. At the time Mr. Garrett issued the Circular against Improvements on Crown Lands this fence was not erected. If allowed for improvement it ought to have been cancelled on the late maps before the land was selected. I have lodged a written objection against the whole survey, which I intend to send to head quarters as soon as I receive your advice on the matter. You will greatly oblige,

Yours, truly,

JOSEPH HARRINGTON.

No. 12.

Mr. Licensed Surveyor Turner to The Surveyor General.

Sir,

Yarrabee, Urana, 19 March, 1877.

* Appendix D.

I have the honor to transmit herewith the *plan of two portions of land containing 94 acres, numbered 117 and 118, in the parish of Bingagong, county of Urana, applied for by Messrs. Robertson Bros. to purchase in virtue of improvements, and measured in accordance with instructions dated 9/2/77 to Mr. (L.S.) Orr, transferred to me 24/2/77.

The improvement in virtue of which the land is measured is a substantial new wire fence worth £72 per mile.

I have, &c.,

E. W. TURNER.

No. 13.

No. 13.

Mr. Licensed Surveyor Turner to The Surveyor General.

Sir,

Yarrabee, Urana, 19 March, 1877.

I have the honor to transmit herewith, the *plan of two portions of land containing 95½ *Appendix E. acres, numbered 119 and 120, in the parish of Bingagong, applied for by Messrs. Robertson Bros. in virtue of improvements, and measured in accordance with instructions dated 9/2/77 to Mr. (Licensed Surveyor) Orr, transferred to me 24/2/77.

The improvement in virtue of which the land is measured is a substantial new wire fence worth £72 per mile.

I have, &c.,

E. W. TURNER.

No. 14.

Mr. District Surveyor Bolton to The Surveyor General.

Sir,

District Surveyor's Office, Wagga Wagga, 30 March, 1877.

I beg to forward herewith Mr. L.-S. Turner's letters Nos. 77-12 and 13, and the accompanying plans, and I do myself the honor to draw your attention to mode in which Mr. Turner has measured the conditional purchases the plans represent. I allude to the measurement of the detached part of the conditional purchases in separate portions. This course was perhaps the best to adopt under the circumstances, for it would obviously be unfair to expect a surveyor to measure one of those conditional purchases composed of a number of detached pieces for the fee to be paid for a single portion of a size equal to the aggregate area of such detached portions; again, in event of the conditions failing to be complied with, the portions as measured can be the more readily sold by auction or otherwise. I would therefore recommend that the survey be adopted; and if the conditional purchases are permitted in their present form, that the portions be consolidated at head quarters. With regard to H. M. Taylor's conditional purchase, it is not so objectionable in form as some others. As to Ellen Harrington's conditional purchase, I cannot see that it can be legally held in the form it has assumed by the prior measurements of Volunteer Land Orders. As to Joseph Harrington's additional conditional purchase, he takes exception to it on account of portion 117 being measured in virtue of Messrs. Robertsons' improvements, see my letter No. 77/47. I would further point out that such additional conditional purchase seems to have been taken as adjoining his wife's (Mary A. Harrington, formerly Kennedy) original conditional purchase.

I have, &c.,

C. F. BOLTON,

District Surveyor.

No. 15.

Mr. District Surveyor Bolton to The Surveyor General.

Sir,

District Surveyor's Office, Wagga Wagga, 30 March, 1877.

I do myself the honor to forward herewith Mr. Licensed Surveyor Turner's plans of portions 117, 118, 119 and 120, parish of Bingagong, county of Urana, with his letters Nos. 77-18 and 77-19. The portions alluded to have been measured, on the application of Messrs. Robertson Bros, in virtue of certain fencing erected on the Yanko Reserve, but the applications were lodged subsequently to the land having been conditionally purchased by one Joseph Harrington, under the 21st section of the Crown Lands Alienation Act, and he now protests against the measurements of these portions for the Robertsons, first, because the land was previously applied for by him; and, secondly, because the effect of granting the land to the Robertsons would be to sever the remainder of his additional conditional purchase from his original conditional purchase, and thus invalidate his additional conditional purchase altogether. Independently of these measurements, Harrington's additional conditional purchase has, from force of circumstances, assumed a form which it is questionable whether the law admits of his holding it in. Again, Harrington, at the time he took the additional conditional purchase, was married to M. A. Kennedy, who has a conditional purchase of 320 acres, which, with Harrington's, gave them a holding of 640 acres, without the additional conditional purchase. It is of importance that this matter should be dealt with as early as practicable, so that a conclusion may be come to as to whether Mr. Turner should be paid for the survey, made as it was with a knowledge of the land having been conditionally purchased by Harrington, and in the face of Mr. Garrett's decision with respect to improvements effected on reserves.

I have, &c.,

C. F. BOLTON.

The portions of land herein referred to are improved to the required value by the lessee, and he is entitled to purchase the land in virtue thereof, provided the form of measurement is not objectionable, as the land on both sides of the fence is under lease to applicant.—G.L., 9 May, 1877.

The question is submitted, as to whether the Messrs. Robertson are to be permitted to purchase in right of improvements made within the Yanko Reserve, and also whether the form of measurement made to include sufficient improvement is to be allowed.—R. D. FITZGERALD, for Surveyor General, 9 May, 1877.

No. 16.

Mr. J. Harrington to the Secretary for Lands.

Dear Sir,

9 May, 1877.

I now write to you to obtain the particulars of the disputed survey between Harringtons and Robertson Bros. of Yarrabee. The land is situated in the parish of Bingagong, county of Urana, and is in dispute by a fence erected by Robertsons along the front of my land on the Yanko Reserve, before it was thrown open for selection, as a mere block to prevent me from an additional conditional purchase.

Surveyor

Surveyor Turner surveyed the land. I objected to the survey, and reported it to Mr. Bolton, District Surveyor, of which he sent full particulars to head quarters, Sydney, I have not heard anything about it since. Please let me know what decision you come to about the land, as I am waiting to go on with improvements. The fence was not completed till after it was withdrawn from lease. Please reply at once.

Yours, &c.,

JOSEPH HARRINGTON.

No. 17.

Mr. J. Harrington to The Secretary for Lands.

Dear Sir,

Bingagong, Urana, 1 June, 1877.

With reference to the land in dispute between me, *J. Harrington* and *Ellen Harrington*, with Robertson Bros., of Yarrabee, I write to know what decision you have come to in the matter, as I am awaiting to go on with improvements.

Honorable dear Sir, I have represented the whole case to you a month ago, and am daily waiting for a reply. The land in dispute is situated on Bingagong, surveyed by Surveyor Turner, in county Urana. The dispute is a wire fence erected along the front of my conditional purchases on the Yanko Reserve, which fence blocks my additional conditional purchase of 320 acres and makes my land perfectly useless.

The fence was erected last July as a mere block to prevent me and others from selecting on the reserve, for which Turner has given the lessee of run a strip of land 9 chains along the fence for an improvement block, which I think is illegal, and which survey I do not acknowledge or recognize, and disputed it with Surveyor Turner and the District Surveyor Bolton, who sent the whole particulars to head quarters, which is now nearly three months and no decision come to about it yet.

I now trust to the Honorable the Minister for Lands.

Yours, &c.,

JOSEPH HARRINGTON,

Bingagong, *vid* Urana.

No. 18.

Mr. J. Harrington to The Secretary for Lands.

Honorable dear Sir,

20 June, 1877.

See Nos. 16 and 17.

I have written two letters concerning the land in dispute between me (Harrington) and Robertson Bros. of Yarrabee, in dispute by a fence put up as a mere block to prevent me from getting my land, situated on Bingagong on the Yanko Reserve.

Honorable dear Sir, will you be kind enough to let me know what decision you have come to in the matter, as I am awaiting to go on with improvements and it is keeping me in suspense.

Honorable dear Sir, I am daily waiting a reply.

Yours, &c.,

JOSEPH HARRINGTON,

Bingagong, *vid* Urana.

No. 19.

Miss Ellen Harrington to The Secretary for Lands.

Honorable dear Sir,

20 June, 1877.

It having been reported to the Department of Lands, Conditional Sales Branch, Sydney, on the 30th April, 1877, that I was not resident on my selection of 640 acres made by me at Urana on the 19th day of October, 1876, in County Urana, parish of Bingagong, by Surveyor Turner,—

Honorable dear Sir, I write to inform you that I was resident on my selection at all times that the Act required me, except at the time of survey, when I was on a visit to Wagga Wagga and was laid up with the sandy blight and could not attend without the risk of losing my eye-sight, which was explained to Surveyor Turner by an acting agent on the ground.

Honorable dear Sir, I now inform you that I have made it my continuous *bond fide* residence ever since the survey, and before it at the time the Land Act required me, and I am living on my land now at the present time, and improving it as the Act requires me to do so.

This evidence I can substantiate by the signatures of two respectable inhabitants of the district residing close by, they now sign their names to the said deposition declaring this evidence to be true and correct.

Honorable dear Sir, by you holding a Court of Inquiry on my selection it would put me to great inconvenience, as the roads are in a bad state and the distance is 80 miles to the District Court. I humbly trust that this evidence will prevent you, Honorable dear Sir, from putting me to this great inconvenience and trouble which Courts of Inquiry cause.

Yours, &c.,

ELLEN HARRINGTON.

Witnesses—

JOHN KENNEDY.

MICHAEL KENNEDY.

No. 20.

Memorandum by The Deputy Surveyor General.

J. & E. Harrington v. Robertson Bros.

See minute on No. 15.

Plan, Appendix P.

JOSEPH Harrington's C.P. (76/199, 21st cl.) and Ellen Harrington's C.P. (76/198, 13th cl.) are submitted with reference to my B. C. of 9th May, herewith. The form of survey adopted for the improvement purchase measurements, portions 117, 118, 119, 120, is objectionable; and as the lessee's improvements cannot be included in portions of 40 acres or upwards, measured according to Regulations, containing

containing improvements to the value of £1 per acre,—it is submitted that the improvements for which the portions referred to were measured do not constitute a bar to conditional purchase; and therefore Ellen Harrington and Joseph Harrington are entitled to the land so measured as parts of their respective conditional purchases, which should be measured accordingly.

Explanatory tracing herewith. The form of measurement to be adopted for the C.P.'s., although apparently objectionable, cannot be avoided, on account of the prior alienation of land under Volunteer Land Orders.

31st July, 1877.

ROBERT D. FITZGERALD,
(For Surveyor General.)

The improvements upon portions 117, 118, 119, and 120 bar conditional purchase; therefore J. Harrington's additional conditional purchase must be declared void. As to Ellen Harrington's application, under 13th clause, it is objectionable owing to the form as a whole, but she may retain portions 121, 122. The improvement purchases may stand on their merits, the form being unavoidable. Send refund.—T.G., 6/9/77.

No. 21.

Messrs. Wilson & Ranken to The Secretary for Lands.

Sir,

On behalf of Messrs. A. Robertson & Bros., lessees of Bingagong, Murrumbidgee District, we beg to draw your attention to the fact that Ellen Harrington's conditional purchase, No. 76/198, Urana, besides extending in one direction more than 2 miles, occupies both sides of the main road from Narrandera to Jerilderie, and would respectfully suggest that she should be called on to decide whether she will retain that portion on the north or that on the south side of the road, as it is decidedly illegal her holding both.

We have, &c.,
WILSON & RANKEN.

No. 22.

Mr. J. Harrington to The Secretary for Lands.

Honorable Sir,

With regard to the wire fence erected by Robertson Bros., of Yarrabee, along the front of my selection, which Surveyor Turner granted, a strip of land along the fence 9 chains wide, which cuts my additional selection right in two, and makes it illegal according to the Act, not being joining, and makes my land perfectly useless to me, as I cannot cross the improvement purchase to go to it without committing a trespass on it.

Honorable dear Sir, I think this to be the greatest piece of injustice ever done to any man since the framing of the Land Act. Will you be kind enough to inform me if my selection will be allowed me in such a ridiculous case as this, or have you the power to grant it. The land I refer to is situated in county Urana, parish of Bingagong, on Yanko Reserve, which you have all the papers connected with in Sydney.

Honorable dear Sir, will you be kind enough to inform me by return of post.

Yours, &c.,
JOSEPH HARRINGTON,
Bingagong, *via* Urana.

No. 23.

The Chief Commissioner of Conditional Sales to The Land Agent, Urana.

Sir,

Department of Lands, Conditional Sales Division, Sydney, 15 September, 1877.
With reference to Ellen Harrington's conditional purchase, of the 19th October, 1876, I am directed to inform you, that the area thereof having been found on measurement to be only 230 acres, instead of 640 acres as stated in her applications, she has been informed that she is entitled to a refund of £102 10s., the amount of deposit upon the 410 extra acres paid in excess, for which the necessary refund form has been forwarded.

I have, &c.,
W. BLACKMAN,
(For Chief Commissioner.)

No. 24.

The Chief Commissioner of Conditional Sales to The Under Secretary for Finance and Trade.

Conditional Purchase. Revenue Refunded. C.P. No. 76-198.

Sir,

Lands Department, Conditional Sales Branch,
Sydney, 15 September, 1877.

District—Urana.
Name—Ellen Harrington.
Date of Selection, 19th October,
1876.

I am directed to inform you, that the area of the conditional purchase noted in the margin, having been reduced from 640 acres to 230 acres, you will be good enough to refund the amount of deposit, viz., £102 10s., on the area paid for in excess.

2. I am to add, that a receipt form for the disposal of the money has been forwarded to the applicant, with instructions to fill up same and transmit it to the Treasury.

See enclosure to
No. 25.

I have, &c.,
W. BLACKMAN,
(For Chief Commissioner.)

10

No. 25.

The Chief Commissioner of Conditional Sales to Miss Ellen Harrington.

Madam, Department of Lands, Conditional Sales Division, Sydney, 15 September, 1877.

Deposit paid—
£100.
Deposit to be
refunded—
£102 10s.

I am directed to inform you that the application made by you at Urana, on the 19th October, 1876, for the conditional purchase of 640 acres of land, is void to the extent of 410 acres, on account of the form of the C.P. being objectionable.

2. Enclosed is a form which, on being filled up in accordance with the instructions thereon, and forwarded to the Treasury, Sydney, will enable you at once to obtain the refund of your deposit.

I have, &c.,

WM. BLACKMAN,
(For Chief Commissioner.)

[Enclosure to No. 25.]

CONDITIONAL PURCHASE.—REVENUE REFUNDED.

New South Wales.

Pay Voucher No.

Sydney, 15th September, 1877.

Department of Lands, Conditional Sales Division, Dr. to Ellen Harrington.

For the following Refund, viz., C.P. No. 76-198.

		Amount to be refunded.	
		£	s. d.
Land Office at Urana.			
Date of Selection—19th day of October, 1876.			
Deposit paid on 640 acres.			
Selection void to the extent of 410 acres.		102	10 0
Deposit to be refunded on 410 acres		£	102 10 0

No. 26.

The Chief Commissioner of Conditional Sales to The Land Agent, Urana.

Sir, Department of Lands, Conditional Sales Division, Sydney, 15 September, 1877.

I am directed to inform you that the application of Joseph Harrington, on the 19th October, 1876, for the conditional purchase of 320 acres of land, is void, as the land applied for contains improvements.

2. A form for refund of deposit has been forwarded for the signature of the applicant, the nature of which you will be so good as to explain to him if required.

I have, &c.,

W. BLACKMAN,
(For Chief Commissioner.)

No. 27.

The Chief Commissioner of Conditional Sales to The Under Secretary for Finance and Trade.

Conditional Purchase. Revenue Refunded. C.P. No. 76-199.

Sir, Department of Lands, Conditional Sales Division, Sydney, 15 September, 1877.

I am directed to inform you that the conditional purchase noted in the margin, being void, as the land applied for contains improvements, you will be good enough to refund to the selector the sum of £80, being the deposit money paid thereon.

2. I am to add, that a receipt form for the disposal of the money has been forwarded to the applicant, with instructions to fill up same and transmit it to the Treasury.

I have, &c.,

W. BLACKMAN,
(For Chief Commissioner.)

District—Urana.
Name—Joseph Harrington.
Date of selection—19th October, 1876.
Area—320 acres.
Deposit—£80.

See enclosure to
No. 28.

No. 28.

The Chief Commissioner of Conditional Sales to Mr. J. Harrington.

Sir, Department of Lands, Conditional Sales Division, Sydney, 15 September, 1877.

Deposit paid, £80

I am directed to inform you that the application made by you at Urana, on the 19th October, 1876, for the conditional purchase of 320 acres of land, is void, as the land applied for contains improvements.

2. Enclosed is a form which, on being filled up in accordance with the instructions thereon, and forwarded to the Treasury, Sydney, will enable you at once to obtain the refund of your deposit.

I have, &c.,

WM. BLACKMAN,
(For Chief Commissioner.)

[Enclosure

11

[Enclosure to No. 28.]

CONDITIONAL PURCHASE.—REVENUE REFUNDED.

New South Wales.

Pay Voucher No.

Sydney, 15 September, 1877.

Department of Lands, Conditional Sales Division, Dr. to Joseph Harrington.

For the following Refund, viz., C.P. No. 76-199.

	Amount to be refunded.
Land Office at Urana.	
Date of selection—19th October, 1876.	£ s. d.
Deposit paid on 320 acres	80 0 0
Selection void to the extent of 320 acres.	
Deposit to be refunded on 320 acres	£ 80 0 0

No. 29.

Application by Angus Robertson & Brothers.

VOLUNTEER ORDER SELECTION.

APPLICATION by Angus Robertson, Duncan Robertson, and D. S. Robertson, of Yarrabee, for a grant of 50 acres of land, under clauses 44 and 45 of the "Volunteer Regulation Act of 1867."

Received with certificate 77-168, this 24th day of October, 1877, at 10 o'clock, by

CHARLES L. C. BADHAM,
Land Agent for Urana District.

Sir,

Urana, 23 October, 1877.

In virtue of the enclosed Certificate, 77/168, we hereby apply for a grant of 50 acres of unimproved Crown land, hereunder described.

We are, &c.,
ANGUS ROBERTSON & BROS.,
Yarrabee, Urana.

The Crown Lands Agent, Urana.

DESCRIPTION.

County of Urana, parish of Bingagong, on east side Yanko Creek: Commencing at south corner of V.L.O. 76/385, running S.-E., N., and W. to embrace area.

Minute on No. 29.

C. S. Branch,—Has Ellen Harrington's C.P. 76/198 of 640 acres been measured and approved? If so, please state action.—JNO. H., 20 November, 1877.

No. 30.

Mr. Inspector Mackenzie to The Chief Commissioner of Conditional Sales.

REPORT by R. J. Mackenzie, Inspector of Conditional Purchases, respecting the selection of Ellen Harrington, made at Urana on 19th October, 1876.

Sir,

Colombo Creek, 10 November, 1877.

I have the honor to report that I visited and inspected the above-described conditional purchase on the 3rd November, 1877, and that I found the selector then non-resident upon her selection.

The land, which consists of box-forest and plain, and comprises 640 acres, is occupied and used by E. Harrington as sheep run; and the selector, who follows the avocation of grazier, had at the time of my visit made the improvements hereunder particularly described, the value of which I estimate at the sums respectively stated, viz. :—

House 20 x 12, weatherboard, in course of erection, nearly complete, say £30.

From the appearance of the land, and the circumstances stated in the following remarks, I am of opinion that the selector has not been continuously resident upon the selection.

From appearance the intention is to form a homestead, the house will be a good building, and the fencing material for a great portion is on the ground ready to be put up. Although I could not see stock except some horses depasturing, from information gathered believe the selector intends keeping sheep on the property.

I have, &c.,

R. MACKENZIE,
Inspector of Conditional Purchases.

No. 31.

Messrs. H. H. Brown & Co. to The Secretary for Lands.

Sir,

21, Exchange Buildings, Pitt-street, Sydney, 11 December, 1877.

We respectfully submit for your consideration the matter of the conditional purchases of Joseph and Ellen Harrington, which cases were brought under the notice of the late Minister (Mr. Garrett), and upon which he acted.

We

We would point out to you that these cases have had the special attention of the whole of the Survey Department, and the Deputy Surveyor General has recommended the disallowance of the improvement purchase applications made by the lessees for portions Nos. 117, 118, 119, and 120, on the grounds that they cannot be included in areas of 40 acres and upwards measured in accordance with the Regulations.

It is moreover evident that this fence was erected for the sole purpose of preventing selection, and does not in any way render more beneficial the occupation and use of the land according to 3rd clause of the amended Act.

We therefore most urgently request that you will cancel the applications under the 2nd clause, and allow our clients their land.

We have, &c.,

H. H. BROWN & CO.

Minute on No. 31.

Minute by the Minister for Lands.

THE Minute of the Deputy Surveyor General of 31st July, 1877, appears to me to be the correct view of the matter in question. I am therefore of opinion that the recommendations contained in the minute herein referred to should be acted upon. The figures, as measured for the improvement purchases, are such as ought not to be allowed under this or any other circumstances of a similar character. They appear to me to be most objectionable. The idea of measuring improvement purchases by lines parallel to a fence, and so embracing the fence, should not be tolerated; and the principle, if carried out to the fullest extent, would be unjustifiable. A great deal might be said as to the impropriety of these kind of measurements, and as to what they might lead to if carried out to their fullest extent; but I have some delicacy in saying anything further, on account of my predecessor (Mr. Garrett) having formed a different opinion. It is sufficient for me to say, that the measurements are not in accord with any known approved survey in the Department—nor are they in accord with the practice, regulations, or law in such cases.

J.S.F., 19/2/78.

No. 32.

The Chief Commissioner of Conditional Sales to Messrs. H. H. Brown & Co.

Gentlemen, Department of Lands, Conditional Sales Division, Sydney, 26 February, 1878.

No. 31.

With reference to your letter of the 11th December last, respecting the two conditional purchases of Joseph and Ellen Harrington respectively, I am directed to apprise you that on further consideration of the circumstances of the case, Mr. Secretary Farnell does not consider that the improvements on portions No. 117, 118, 119, and 120 form a bar to conditional purchase. He has therefore approved of the cancellation of J. Harrington's selection being reversed; and as regards Ellen Harrington's purchase, the area of which was reduced from 640 acres to 230 acres, it is to stand for the area applied for.

Not with papers.

2. I am also to inform you that the measurement of these portions will be carried out, as nearly as the law will admit, in accordance with the applications, and as shown on the accompanying tracing.

3. I am to add that the proposed action will be carried out as soon as the parties interested have repaid the amount of deposit money into the Treasury.

I have, &c.,

A. O. MORIARTY,

Chief Commissioner.

No. 33.

The Chief Commissioner of Conditional Sales to Messrs. Robertson Brothers.

(Care of Messrs. Wilson & Ranken.)

Gentlemen, Conditional Sales Division, Department of Lands, Sydney, 26 February, 1878.

With reference to your application for the purchase of portions No. 117, 118, 119, and 120, parish of Bingagong, in right of improvements, which clash with the conditional purchase of Joseph and Ellen Harrington of prior date,—I am directed to apprise you that after full consideration of the circumstances of the case, the Minister for Lands does not consider that the improvements on these portions form a bar to conditional purchase; he has therefore approved of the cancellation of Joseph Harrington's purchase being reversed, and the selection of Ellen Harrington being allowed to stand for the full area applied for, viz., 640 acres, it having been reduced to 230 acres.

2. The measurement of these conditional purchases will be carried out, as nearly as the Law and Regulations will admit, in accordance with the applications.

3. In consequence of this, your improved applications will be declared void as soon as the proposed action is taken with regard to the conditional purchases, which is awaiting the repayment by the selectors of the deposit money into the Treasury.

I have, &c.,

A. O. MORIARTY,

Chief Commissioner.

No. 34.

The Chief Commissioner of Conditional Sales to The Under Secretary for Finance and Trade.

Sir, Department of Lands, Conditional Sales Division, Sydney, 26 February, 1878.

Urana, J. Harrington, 19th Oct., 1876, 320 acres.
Urana, E. Harrington, 19th Oct., 1876, 640 acres.

With reference to the conditional purchases made respectively by Joseph and Ellen Harrington, I am directed to apprise you that after a full consideration of the case, the Minister for Lands has approved of the cancellation of Joseph Harrington's selection being reversed, and the selection of Ellen Harrington being allowed to stand for the area applied for, viz., 640 acres, it having been reduced to 230 acres.

2. This action will not be carried out until the amount of deposit money in each case has been repaid into the Treasury, the receipt of which you will have the goodness to report to this Department.

I have, &c.,

A. O. MORIARTY,

Chief Commissioner.

No. 35.

13

No. 35.

The Under Secretary for Finance and Trade to The Under Secretary for Lands.

Sir,

The Treasury, New South Wales, Sydney, 5 March, 1878.

I have the honor to inform you that the deposits on the conditional purchases noted hereunder have not been refunded; and that the refund orders have consequently been cancelled, the purchases remaining good with respect to the full area applied for:—

J. Harrington, 19th October, 1876, *640 acres, Urana; £80 deposit.

(?) * 320 acres.

E. Harrington, 19th October, 1876, 640 acres, Urana; £102 10s. deposit upon the reduction of 410 acres.

I have, &c.,

G. EAGAR.

No. 36.

Mr. G. H. Holmes to The Secretary for Lands.

Sir,

21, Exchange Buildings, Pitt-street, Sydney, 2 April, 1878.

Enclosed I beg to hand you the refund vouchers on C.P's. by my clients, Mr. Joseph Harrington See No. 32 and Miss Ellen Harrington, as required in your letter of February 27th, 1878.

I have, &c.,

G. H. HOLMES.

No. 37.

Messrs. Wilson & Rankin to The Secretary for Lands.

Sir,

227, George-street, Sydney, 12 June, 1878.

Mr. J. Harrington made a conditional purchase at Urana, being an addition to his conditional purchase, under 13th clause, of 320 acres, the additional selection comprising the portions Nos. 116, 115, 111, and 113.

This additional selection was declared void by the late Minister for Lands (Mr. Garrett.)

After the selection was declared void, Messrs. Angus Robertson & Bros. selected, under Volunteer Certificates, portions 115, 111, and 113; but J. Harrington still claims these portions, notwithstanding their having been legally selected by Messrs. Angus Robertson and Brothers, and continues to trespass thereon.

We respectfully submit that there can be no doubt as to the illegality of the said additional conditional purchase, not only on account of the peculiarity of its shape, it being intersected by a main road 5 chains wide, but other reasons; and therefore request that Mr. Harrington may be informed that his additional conditional purchase is void, at least as far as these portions are concerned.

We have, &c.,

WILSON & RANKEN.

No. 38.

Minute of The Secretary for Lands.

WHEN I wrote my minute of the 19th February, 1878, the matter specially considered by me, and to which I gave special attention, was relative to Mr. A. Robertson's improvement purchases being a bar to the conditional purchases of the Harringtons. The question as to whether Harrington's conditional purchases should cross the main road, and embrace the lots intervening the V. L. Order purchases was scarcely considered by me. The matter of the selections crossing the main road, and embracing the alternate lots intervening the V. L. Order purchases, has been specially submitted. Mr. Garrett decided and declared the selections void, on the ground that Robertsons' improvement purchases were a bar to selection. I think it is obvious, for reasons pointed out in my minute (19/2/78) that the decision was not lawful, and I therefore decided that Mr. A. Robertson's purchases were invalid, and therefore were not a bar to selection, so far as the improvement purchases were involved. The question now is, ought the conditional purchase cross the road and embrace the alternate lots as aforesaid. However improper the taking of the V. L. Order selections in the position that they are now in may have been—(I do not think that I would have allowed them)—I am of opinion that it is not legal or proper that Harrington's selections should cross the main road, or that they should embrace the alternate lots intervening the V. L. Order purchases. In accordance with the decision of our Supreme Court, I do not think that the area forming part of the selections on the west side of the road could or would be upheld as being legal.

See minute on No. 31.

A conditional purchase should form a compact lot or portion, and should not be composed of a number of disconnected portions. The matter has been somewhat complicated by previous decisions; but, on the whole, to render substantial justice, and be within the meaning and intent of the law, I think the area comprising the selections situated on the eastern side of the main road should be upheld, and that the area on the western side of the road should be excluded from the whole area of the conditional purchases.

It is said the selections were declared void, and that subsequent to the voidance the alternate portions were taken up by V. L. Orders; but if that voiding was not legal, the portions were not open to selection by V. L. Orders, and the portions are Crown land.

J. S. F.,
1/7/78.

No. 39.

The Chief Commissioner of Conditional Sales to Mr. J. Harrington.

Sir,

Department of Lands, Conditional Sales Division, Sydney, 10 August, 1878.

With reference to my letter of the 26th February last, addressed to your agents, Messrs. H. H. Brown & Co., intimating that Mr. Secretary Farnell had, on reconsideration of the case of your conditional purchase of the 19th October, 1876, decided that in so far as the same was affected by certain measurement

measurement made for Messrs. Robertson in virtue of improvements, the cancellation thereof should be revoked, I have now the honor further to inform you that it appears on further examination that the conditional purchase would cross the 5-chain road from Jerilderie to Narrandera, and embrace both sides thereof, which would be contrary to law. The Minister has therefore further decided that your conditional purchase must be confined to the eastern side of the road in question, and that refund should be made to you of the proportion of your deposit money applicable to the land lying on the opposite side of the road.

An order for such refund will be prepared and forwarded to you without delay.

I have, &c.,

A. O. MORIARTY,
Chief Commissioner.

No. 40.

The Chief Commissioner of Conditional Sales to The Land Agent, Urana.

Sir,

Conditional Sales Division, Department of Lands, Sydney, 15 August, 1878.

Urana, 19th Oct.,
1876, 320 acres,
21 Sec., J.
Harrington.

With reference to the conditional purchase noted in the margin, I am to inform you that after a full consideration of the circumstances connected with this selection, the Minister for Lands has decided that that portion which lies to the west of the road which intersects it (leading from Jerilderie to Narrandera) shall be cancelled, the portion lying on the east side of the road in question being allowed to stand. The selector has been informed to this effect.

I have, &c.,

A. O. MORIARTY,
Chief Commissioner.

No. 41.

The Chief Commissioner of Conditional Sales to Miss E. Harrington.

Madam,

Department of Lands, Conditional Sales Division, Sydney, 23 August, 1878.

See No. 32.

With reference to my letter of the 26th February last, addressed to your agents Messrs. H. H. Brown & Co., intimating that Mr. Secretary Farnell had, on reconsideration of the case of your conditional purchase of the 19th October, 1876, decided that in so far as the same was affected by certain measurements made per Messrs. Robertson Bros. in virtue of improvements, the cancellation should be revoked,—I have now the honor further to inform you, that it appears on further examination that the conditional purchase would cross the 5-chain road from Jerilderie to Narrandera, and embrace both sides thereof, which would be contrary to law.

The Minister has therefore decided that your conditional purchase must be confined to the eastern side of the road in question, and that refund should be made to you of the proportion of your deposit money applicable to the land lying on the opposite side of the road. An order for such refund will be prepared and forwarded to you without delay.

I have, &c.,

A. O. MORIARTY,
Chief Commissioner.

No. 42.

Memorandum by Mr. C. E. Finch.

J. Harrington's C. P. 76-199:—

Area applied for	320 acres.	Within red edging.
Deduct areas of portions {	113.....64 acres	
	111.....39 "	151 "
	115.....48 "	
Remaining on east side of road	169 acres.	Shown by red line.

Ellen Harrington's C. P. 76-198:—

Area applied for	640 acres.	Purple edging.
Deduct areas of portions {	108.....50 acres	
	104.....44 "	
	102.....46 "	221 "
	100.....62 "	
	And part of	
	135.....19 "	
Remaining on east side of road	419 acres.	Red lines.

J. Harrington	169
E. Harrington	419
Total	588 acres.

Equal to sum of portions on east side of road, viz:—

Portion 116	169
" 117	43½
" 118	50½
" 121	95½
" 122	134½
" 119	42
" 120	53
Total	588 acres.

23 August, 1878.

C.E.F.

15

No. 43.

The Chief Commissioner of Conditional Sales to Mr. J. Harrington.

Sir, Department of Lands, Conditional Sales Division, Sydney, 23 August, 1878.

I am directed to inform you that the application made by you at Urana, on the 19th October, 1876, for the conditional purchase of 320 acres of land, is void to the extent of 151 acres, on account of embracing both sides of road.

Deposit paid, £80; deposit to be refunded, £37 15s.

2. Enclosed is a form which, on being filled up in accordance with the instructions thereon, and forwarded to the Treasury, Sydney, will enable you at once to obtain the refund of your deposit.

I have, &c.,

W. BLACKMAN,

(For Chief Commissioner.)

[Enclosure to No. 46.]

NEW SOUTH WALES.

Conditional Purchase—Revenue Refunded.

Pay Voucher No.

Sydney, 23 August, 1878.

Department of Lands, Conditional Sales Division, Dr. to Joseph Harrington.

For the following Refund, viz. :—

Land Office at Urana; date of selection, 19th day of October, 1876; deposit paid on 320 acres; selection void to the extent of 151 acres, on account of embracing both sides of road; deposit to be refunded on 151 acres

Amount to be refunded.

£ s. d.

37 15 0

No. 44.

The Chief Commissioner of Conditional Sales to Miss E. Harrington.

(Care of Mr. G. H. Holmes).

Madam, Department of Lands, Conditional Sales Division, Sydney, 23 August, 1878.

I am directed to inform you that the application made by you at Urana, on the 19th October, 1876, for the conditional purchase of 640 acres of land, is void to the extent of 221 acres, on account of embracing both sides of road.

Deposit paid, £160; deposit to be refunded, £55 5s.

2. Enclosed is a form which, on being filled up in accordance with the instructions thereon, and forwarded to the Treasury, Sydney, will enable you at once to obtain the refund of your deposit.

I have, &c.,

W. BLACKMAN,

(For Chief Commissioner.)

[Enclosure to No. 44.]

NEW SOUTH WALES.

Conditional Purchase—Revenue Refunded.

Pay Voucher No.

Sydney, 23 August, 1878,

Department of Lands, Conditional Sales Division, Dr. to Ellen Harrington.

For the following Refund, viz. :—

Land Office at Urana; date of selection, 19th day of October, 1876; deposit paid on 640 acres; selection void to the extent of 221 acres; deposit to be refunded on 221 acres

Amount to be refunded.

£ s. d.

55 5 0

No. 45.

The Chief Commissioner of Conditional Sales to The Land Agent, Urana.

Sir, Conditional Sales Division, Department of Lands, Sydney, 28 August, 1878.

With reference to the conditional purchase of Ellen Harrington, noted in the margin, I am to inform you that, after a full consideration of the case, the Minister for Lands has decided that that portion of the selection which lies to the west of the road which intersects it (leading from Jerilderie to Narrandera) shall be cancelled, the portion lying on the east side of the road in question being allowed to stand. The selector has been apprised through her agent of this decision.

Urana, C.P. 76/198, now 419 acres, E. Harrington. Now 419 acres.

I have, &c.,

A. O. MORIARTY,

Chief Commissioner.

No. 46.

The Chief Commissioner of Conditional Sales to The Under Secretary for Finance and Trade.

Sir, Conditional Sales Division, Department of Lands, Sydney, 28 August, 1878.

Referring to the conditional purchases noted in the margin, I am to inform you that these selections have been reduced to the areas specified by a recent decision of the Minister for Lands, and intimations, together with refund vouchers for deposit moneys on cancelled areas, have been forwarded to the selectors.

Urana, C.P. 76/198, now 419 acres, E. Harrington. C.P. 76/199, now 189 acres, J. Harrington.

I have, &c.,

A. O. MORIARTY,

Chief Commissioner.

No. 47.

No. 47.

The Secretary of The Farmers' Association, Urana, to George Day, Esq., M.P.

Dear Sir,

Yanko Creek, 16 September, 1878.

See Enclosure.

At a meeting of the "County of Urana Farmers' Association," I was directed to forward you the enclosed address to the Hon. J. S. Farnell, and to request that you will be kind enough to read same and thereby get acquainted with the case. Seal and hand to Mr. Farnell.

It was considered that an apology was necessary for appealing to you on our troubles, but the monstrous injustice about to be perpetrated and the threatened ruin to nearly all the selectors on the Yanko must be our excuse.

I have, &c.,

N. H. WHITELOW,

Hon. Sec. "County of Urana Farmers' Association."

[Enclosure to No. 47.]

Sir,

Yanko Creek, 16 September, 1878.

I am directed, pursuant to a motion passed at a special meeting of the "County of Urana Farmers' Association," to respectfully solicit your consideration of the following facts concerning the disallowance of a portion of Ellen Harrington's conditional purchase, dated 9th October, 1876, situated county of Urana, parish of Bingagong.

The lessees appear to have had the power of influencing the local surveyor and to get their V.L. Orders measured as they wished, in solid blocks, regardless of description; in applications for such purchases the shreds and patches remaining had to be accepted by con. purchaser, who even then had to meet the opposition of the lessee to get what had been allotted to them. In verification of this I would refer you to the manner in which V.L.O's., 76/344, 17th October, 76/383, 17th October, have been surveyed, these blocks being placed in positions not at all identical with that of the land applied for in virtue of said V.L.O's.

At time of application the full complement of Crown Lands was there and available. The track in lieu of which a 5-chain road has since been surveyed need not of a necessity have been placed in its present position, thereby cutting off all Ellen Harrington's frontage to the creek, but might with equal directness and advantage to the public have been surveyed leaving the whole of Ellen Harrington's conditional purchase on the west side of it. The fact of the main Southern Road intersecting purchases of all sorts having frontages to the Murrumbidgee indicate that the usages of the Colony would have to be departed from in order to cancel a conditional purchase because a road of any width runs through it.

Finally, I beg most respectfully to place the following facts before you:—

1st. That at the date of Ellen Harrington's purchase sufficient Crown land was available to have her conditional purchase measured in strict accordance with the Rules and Regulations of the Survey Department.

2nd. Volunteer Land Orders were measured at a distance, and entirely apart from the positions described in the applications, which materially affects the position of E. Harrington's conditional purchase.

3rd. The road need not have been put through the conditional purchase.

4th. There was no road surveyed or proclaimed when the conditional purchase was applied for.

5th. The disallowing Ellen Harrington the full portion of 640 acres would be a precedent that would affect the majority of *bond fide* selectors on the Yanko Creek.

6th. Should the fact of a 5-chain road intersecting a conditional purchase annul the purchase on one side or the other, then it will bring ruin to the door of every selector having a frontage to the Yanko Creek. A very large majority of the land was measured before purchase, at the sole instance of the Government, and a 5-chain road reserved through the frontage portions on each side of the creek.

We therefore are impelled to consider the matter deserving your reconsideration, and earnestly beg that you may give it the attention its importance appears to require.

I have, &c.,

NORMAN H. WHITELOW,

Hon. Sec. "County of Urana Farmers' Association."

Minute on No. 47.

INFORM Mr. Day, M.P., that the petition presented by him from the Farmers' and Free Selectors' Association on the Yanko, that the prayer of the Petition will be considered.

J.S.F., 27/9/78.

No. 48.

The Chief Commissioner of Conditional Sales to George Day, Esq., M.P.

Department of Lands, Conditional Sales Division,
Sydney, 27 September, 1878.

Sir,

No. 47.

In reference to the communication of the 16th instant, presented by you from Norman H. Whitelaw, Esq., Honorary Secretary to the Farmers and Free Selectors' Association on the Yanko Creek, concerning the disallowance of a portion of Ellen Harrington's conditional purchase, situated in the parish of Bingagong, county of Urana, I am directed to inform you that the request contained therein will receive due consideration.

I have, &c.,

A. O. MORIARTY,

Chief Commissioner.

[Six plans.]

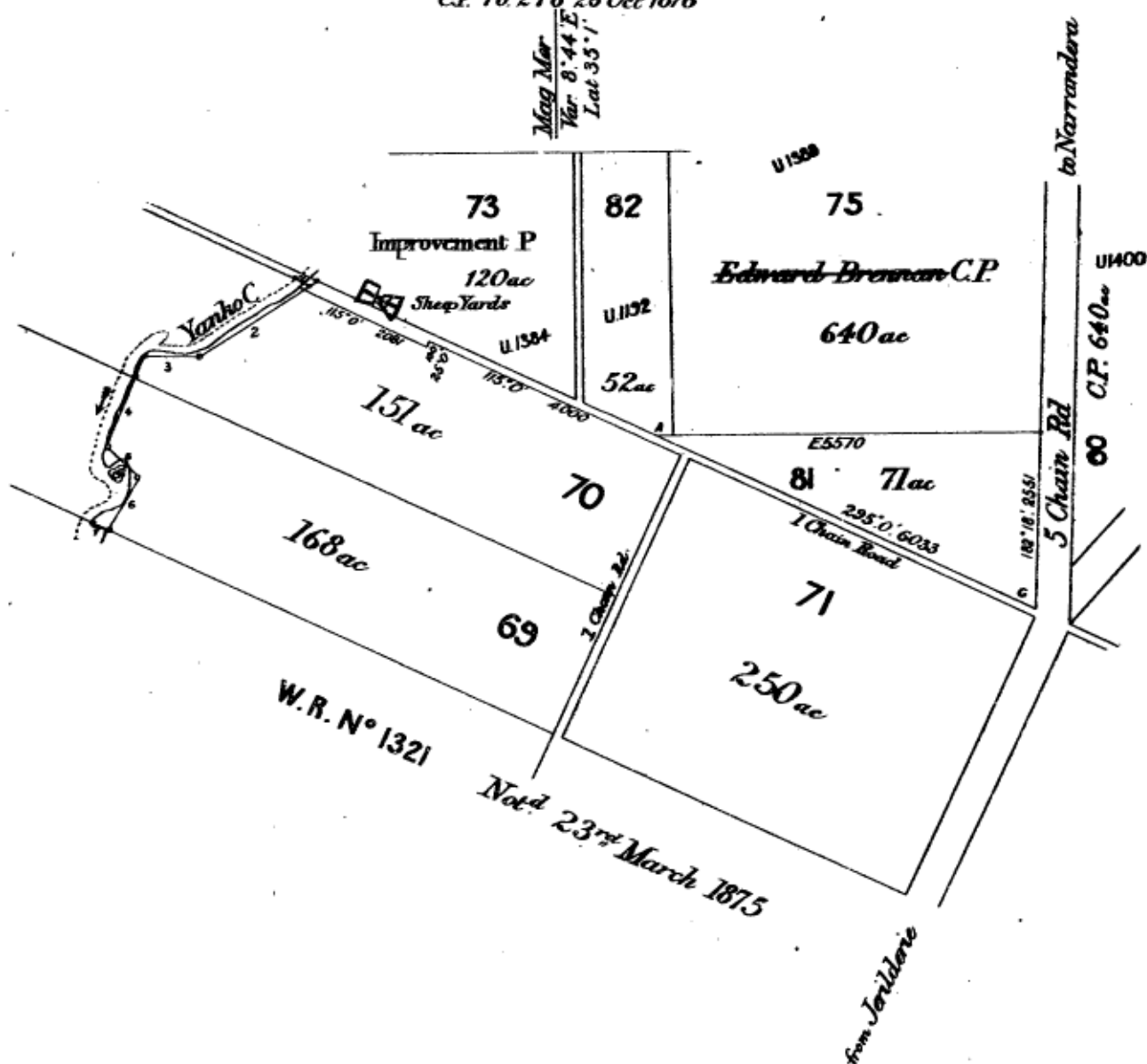


PLAN
of 4 portions N°s 69, 70, 71, 81
Parish of Bingagong
COUNTY OF URANA

Applied for under the 13th clause of the Crown Lands Alienation Act of 1861 by

Martin Brennan

C.P. 76 276 26 Oct 1876



Reference to Corners

Corner	Bearing	Dist	Links	N° - True
A	192° 10'	2000	41	81 82
B	108° 40'	"	35	81 75
C	200° 56'	"	54	81

Reference to Traverse

Line	Bearing	Distance
1	115° 0'	282
2	239° 21'	1900
3	263° 31'	800
4	203° 28'	1420
5	186° 35'	660
6	211° 9'	815
7	295° 0'	249

Scale 20 Chains to an Inch

Marked in accordance with regulations

Instrument used in Survey Theodolite

Date of Survey 19th Jan 1877

Value of Improvements Nil

Situated in the

Transmitted to the Surveyor General withing letter of the 31st Jan 1877

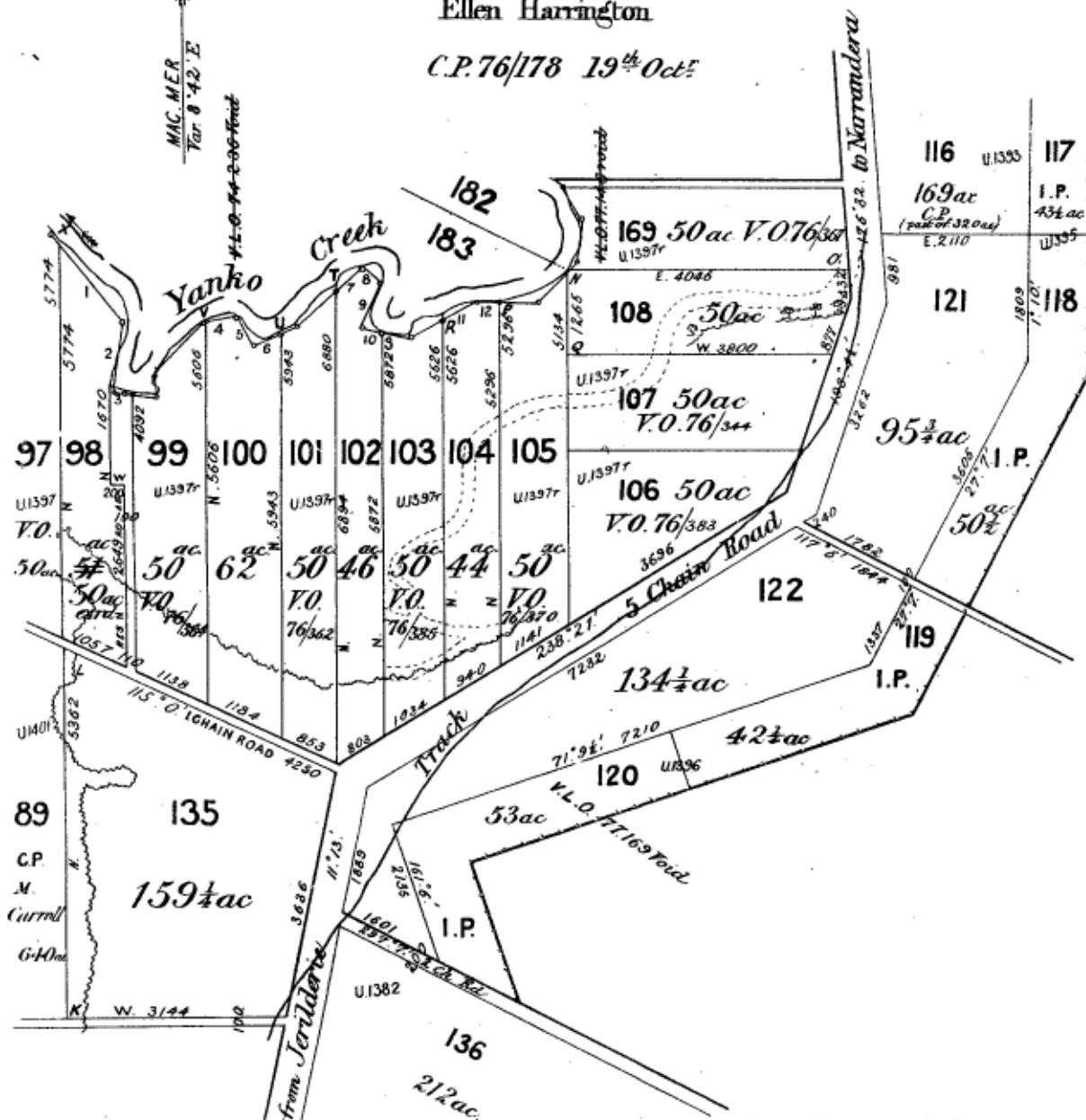
W. J. J. J.
Licensed Surveyor

(Sig. 492)

COUNTY OF URANA

Ellen Harrington

C.P. 76/178 19th Oct^r



Corner	Bearing	From	Look	From
K	134° 15'	BOX	64	89.135
L	256° 20'	"	131	"
N	555° 50'	GUM	42	108.100 160
O	136° 45'	"	47	"
P	38° 46'	"	78	104.105
Q	239° 40'	"	174	107.108
R	209° 30'	"	30	104.103
S	123° 45'	"	88	102 "
T	100° 40'	BOX	28	" 101
U	238° 30'	GUM	101	100 "
V	284° 6'	"	22	" 99
X	225° 0'	"	40	98.97

Line	Bearing	Distance
1	191° 2	1400
2	189° 15	1050
3	98° 22	313
4	77° 51	444
5	148° 23	500
6	65° 51	413
7	49° 13	564
8	127° 40	320
9	202° 54	750
10	102° 53	303
11	60° 2	530
12	89° 57	341

Situated in the Bingagong Run.

Transmitted to the Surveyor General with my letter of the 13th Feb. N^o 77/12

(Sig.492)

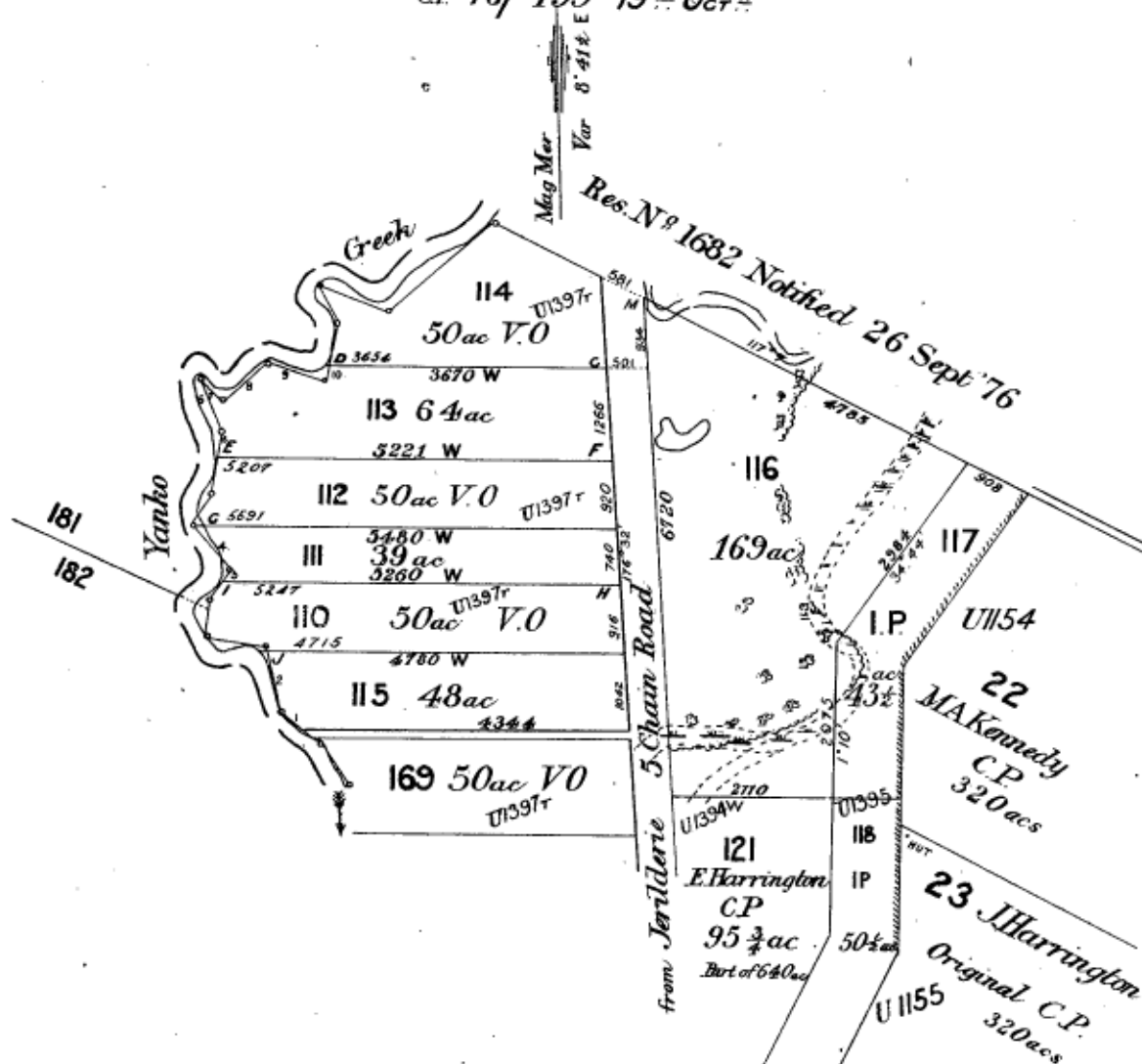
PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.

W. J. J. J. J.
Licensed Surveyor
F.B.N.V. 10 90



PLAN
of 4 portions N^{os} 115, 111, 113 and 116
Parish of Bingagong
COUNTY OF URANA

21st
Applied for under the 21st clause of the Crown Lands Alienation Act of 1861 by
Joseph Harrington
CP 76/ 199 19th Oct. 76



Reference to Corners

Corner	Bearing	From	Links	N ^o on Plan
D	34° 25'	CUM	45	118 114
C	13° 50'	"	60	" "
E	41° 50'	"	40	" 112
F	335° 50'	"	76	" "
G	181° 0'	BOX	27	111
H	216° 18'	"	68	111 110
I	145° 10'	CUM	37	" "
M	258° 50'	"	77	116

Reference to Traverse

Line	Bearing	Distance
1	301° 12'	546
2	346° 53'	853
3	36° 45'	195
4	81° 2'	772
5	9° 28'	317
6	358° 6'	800
7	165° 54'	430
8	49° 28'	800
9	107° 4'	800
10	12° 10'	237

Scale 20 Chains to an Inch

Marked in accordance with regulations

Instrument used in Survey Theodolite

Date of Survey 15th Feb 1877

Value of Improvements Nil.

Situated on the Bingagong Run

(Sig. 492)

PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.

Transmitted to the Surveyor General with my letter of the 19th Feb 1877
8th 11/13

W. J. Lumsden
Licensed Surveyor

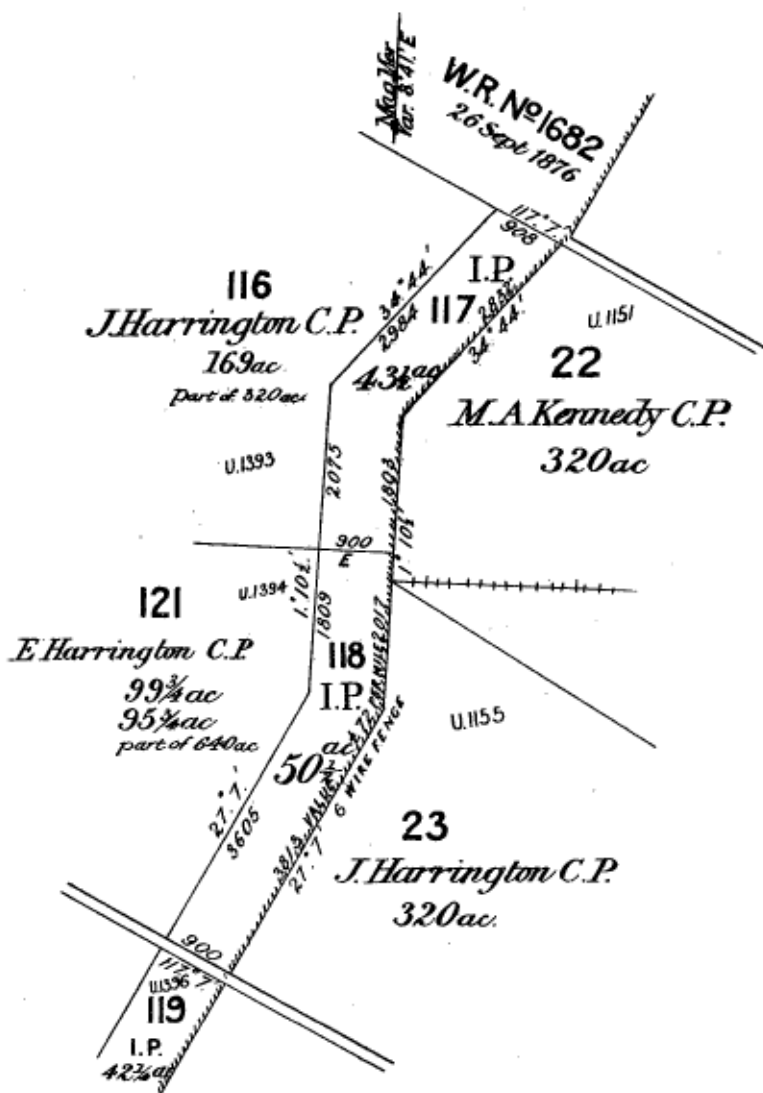
J. B. N. H. J. Harrison

PLAN
of 2 portions N^{os} 117, 118.
Parish of Bingagong
COUNTY OF URANA

Applied for under the 8th clause of the Crown Lands Alienation Act of 1861 by

Mess^{rs} Robertson Bros.

I.P.



Reference to Corners

Corner	Bearing	From	Distance	N ^o in the
No line near numbered posts at all corners.				

(Sig. 492)

Reference to Traverse

Line	Bearing	Distance

Scale 20 Chains to an Inch

Marked in accordance with regulations
Instrument used in Survey Theodolite
Date of Survey 10th Feb 1877
Value of Improvements, per 117 Fence 344
118 51
Situated in the Bingagong Run

Transmitted to the Surveyor General with my letter of the 19 March N^o 77/18

PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.

W. J. W. W.
Licensed Surveyor
JB IV.

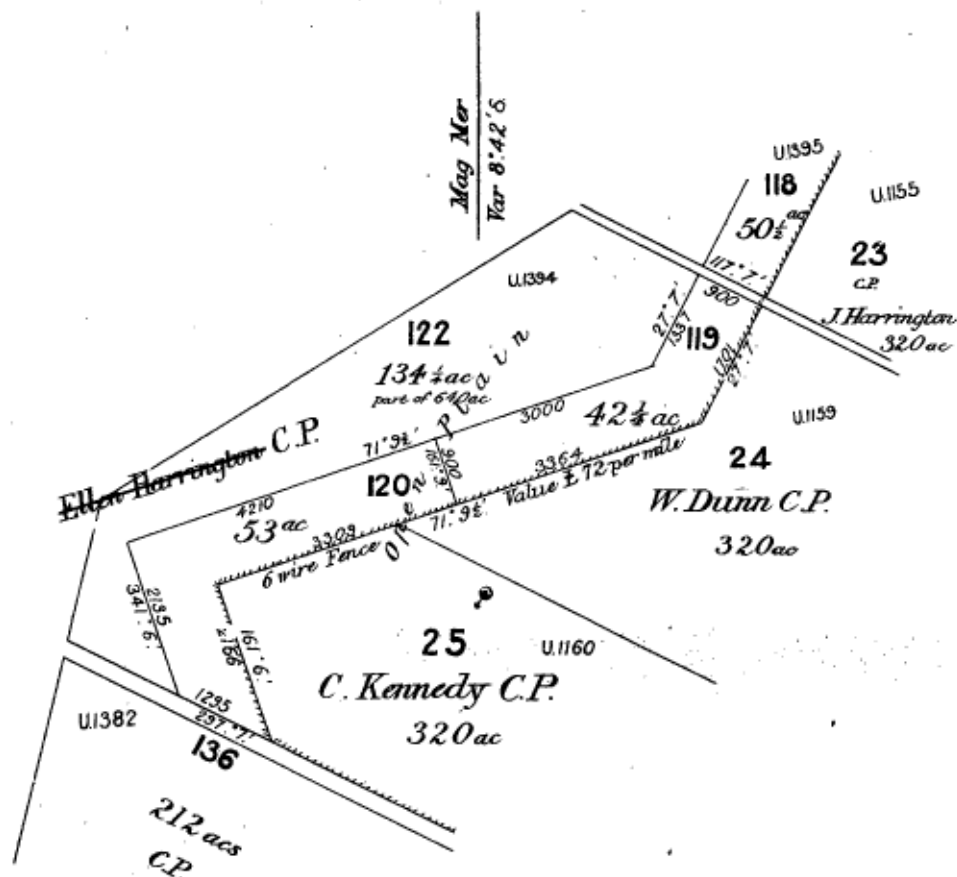
Enclosure to N^o 13

Appendix E.



PLAN
of 2 portions N^{os} 119, 120
Parish of Bingagong
COUNTY OF URANA

Applied for under the 8th Clause of the Crown Lands Alienation Act of 1861 by
Mess^{rs} Robertson Bros.



Reference to Corners

Corner	Bearing	From	Length N ^o on Plan
No lines near			
Numbered points at all			
corners			

(Sig. 492)

Reference to Traverse

Line	Bearing	Distance

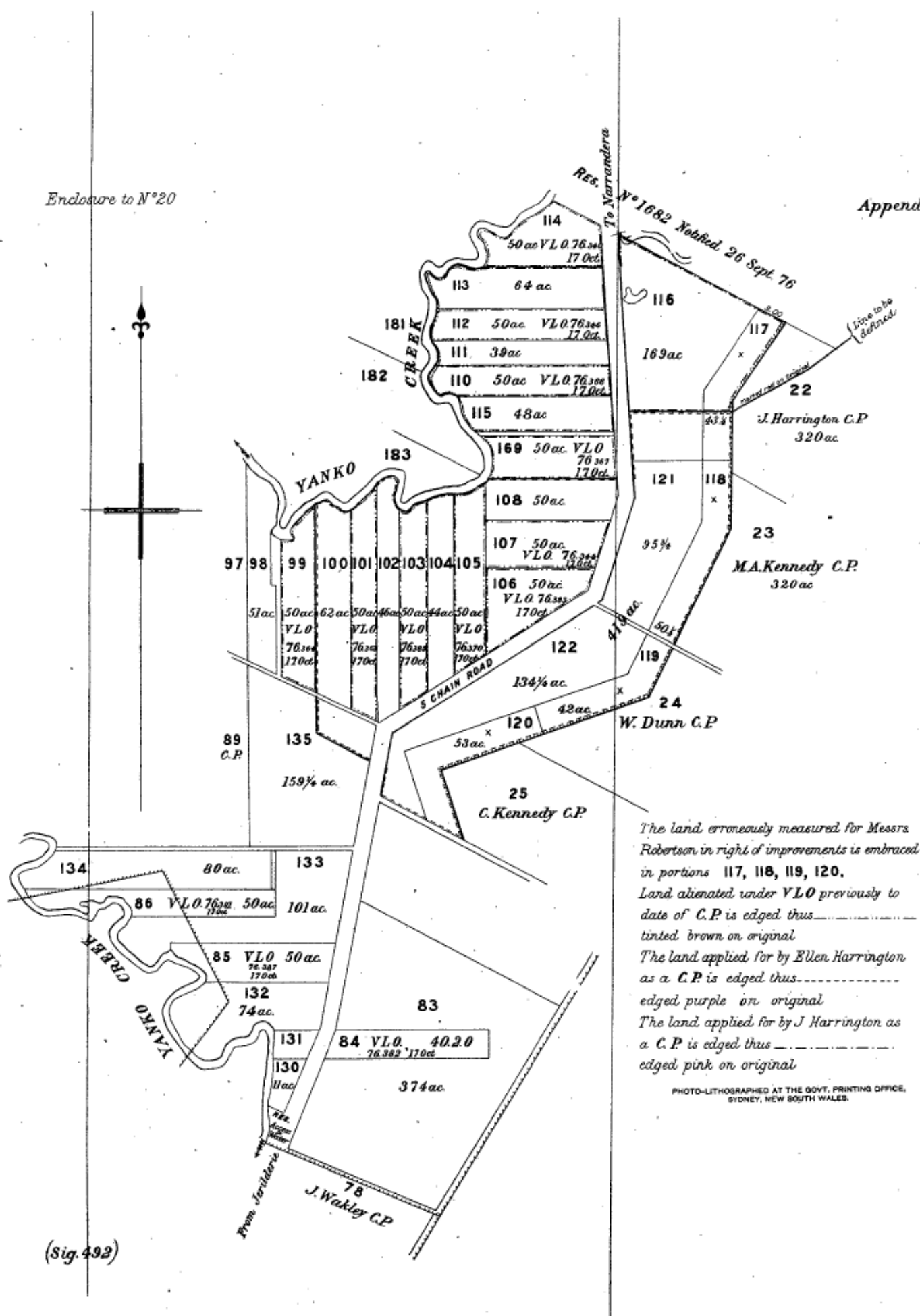
Scale 20 Chains to an Inch

Marked in accordance with regulations
Instrument used in Survey Theodolite
Date of Survey 10th Feb
Value of Improvements, per 100 Fences £ 53
Sited in the Bingagong Run.

Transmitted to the Surveyor General with my letter of the 19th March N^o 77/19

PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.

At Survey.
Licensed Surveyor
4B 1K



(Sig. 492)

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

CONDITIONAL PURCHASES ON GOLD FIELDS.

(AREA, NUMBER, &c.)

Ordered by the Legislative Assembly to be printed, 25 March, 1879.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 5th February, 1878,—

(1.) The total area and number selected under the 14th section of the Crown Lands Alienation Act of 1861, in the Colony of New South Wales, from the 1st day of January, 1862, to the 5th day of February, 1878, without distinguishing the Gold Fields or giving detailed particulars.

(2.) The number and area of such selections resumed by the Governor in Council for the purposes of gold-mining.

(3.) The number of times, and on what area of such lands, the Minister for Lands has authorized persons to dig and search for gold.

I.

AREA and number of conditional purchases under 14th section of Crown Lands Alienation Act of 1861.

No. of selections.

3,760.

Area.

428,767 acres.

II.

NUMBER and area of selections resumed for mining purposes by the Governor in Council.

No. of selections.

2.

Area.

80 acres.

III.

NUMBER of authorities to dig for gold issued by the Minister for Lands, and area of selections to search for gold on which such authorities were given.

Number.

47.

Area.

1,702½ acres.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

CONDITIONAL PURCHASES OF LAYFIELD, GRAY, AND OTHERS.

(MR. MORIARTY'S REPORT ON.)

Ordered by the Legislative Assembly to be printed, 30 April, 1879.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 16 April, 1878, That there be laid upon the Table of this House,—

“A Copy of the Report by Messrs. Moriarty and Fitzgerald on Selections
“made at Moama in 1876 by Layfield, Gray, Nolan, and others, and the
“conflicting claims of Sir John O'Shanassy to the land by virtue of
“improvements.”

(*Mr. Barbour.*)

CONDITIONAL PURCHASES OF LAYFIELD, GRAY, AND OTHERS.

R. D. Fitzgerald, Esq., A. O. Moriarty, Esq., and J. H. Wood, Esq., to The Under Secretary for Lands.

Sir,

Department of Lands, Sydney, 16 November, 1877.

We have the honor to state, that on completion of the duty entrusted to us by the late Minister for Lands as to the reserves on the Yanko and Colombo Creeks, we proceeded to the land in the vicinity of Moama, applied for by Sir John O'Shanassy in virtue of improvements erected prior to the revocation in October, 1876, of the reserves in that locality, and some of which have been in dispute with certain conditional purchasers.

We made a careful personal inspection of the various classes of improvements which are thickly placed over the country. The majority of them we found to be of comparatively recent date, and of a character admitting of speedy construction; and the case presented to us so many features illustrative of the question referred to us in connection with the reserves previously mentioned (as to the erection of improvements on reserved land for the purpose of defeating selection), that we have thought the present a convenient opportunity for considering that question.

We are warranted in stating that the practice alluded to is of recent development, if not of recent conception. For many years after the original enactment of the present Land Acts, the erection of improvements on reserved lands was held by the Department and known to the parties to be at the risk of the improver, who having full notice that the land was not open for sale could have been under no expectation that a claim to purchase could be maintained. We do not assert that such claims were never entertained, but the cancellation of a reserve for the purpose would certainly have been a rare and exceptional event. But the facility with which, during a later period, reserves were, with scarce a pretence of investigation, obtained (ostensibly for the protection of the public estate, but really for the protection of the runs against invasion by selectors) naturally in time diminished the jealousy with which reserved lands were guarded, and to such an extent that it became almost a matter of course to measure land out of a reserve when applied for in virtue of improvements. It is hardly surprising that in the circumstances, many lessees should have been led to think that the improvement, or quasi improvement of land would not only prevent its being selected on the revocation of the reserves, but enable them to purchase in virtue of the improvements without difficulty.

Certain provisions were made by the Act of 1875 for limiting such sales to fixed improvements and of a character to render more beneficial the use of the land; and these, which were but expressive of the obvious intent of the original Act, aided by a more stringent examination of claims to purchase, have perhaps checked some abuses. But where the improvements satisfy the prescribed conditions, the case rests upon the same footing as under the Act of 1861. We do not hesitate to say that the provisions of that Act, which are in substance embodied in the 2nd clause of the later Act, are sufficient to meet the case.

We would first point out, that the power of sale held by the Government as expressed by the words "may sell," is permissive—not obligatory; that sales must be made in accordance with a general subdivision; and that the law, while prescribing the maximum size of portions, has left the minimum to the discretion of its administrators. Thus, we find it discretionary with the Governor in Council to withhold assent to any sale, and with the Minister charged with the administration of the Crown Lands to make such subdivisions as may suit the public interest, and to limit the size of portions to such areas as may be deemed in any case expedient.

We are alive to the fact that in many instances reserves have included ordinary and necessary station improvements erected at an early date, or from time to time during the tenure of the land, for the utilization or improvement of its natural pasturage or capabilities. In such instances there may further have never been, until the reserves were revoked, the opportunity of securing the immediate land improved. It would be proper to deal liberally with such cases on their merits. But on the other hand, the greater part of the runs have now been occupied for periods ranging to over thirty years. For the last twenty years the run now in question, for example (in addition to the naturally excellent soil and pasturage), has possessed special advantages of situation (recently, by the construction of a railway through its midst, enormously increased) and great value. There has scarcely been a limit to the extent of land that might have been purchased at auction, and there has been abundant space for the erection on freehold land of all necessary station improvements—many such properties (all those, it may be said, in which such difficulties as those under consideration arise) being in fact "runs" no longer, but great freehold estates. And when in such a case the announcement of the intended revocation of a reserve has apparently been the signal for lavish expenditure of means and ingenuity, to place upon the land within a limited time improvements never thought necessary during the previous prolonged occupation, and not to be seen upon the adjacent freehold pastoral areas, the presumption is inevitable that not the use of the land, but the abuse of the law, has been the immediate object of their erection.

Whilst, therefore, we should have been the last to suggest the arbitrary refusal or curtailment of equitable claims to purchase improvements, we feel constrained to represent that certain cases can only properly be dealt with by an exercise of the powers of subdivision and measurement with circumspection, and of the power of sale with caution. Of course, pending measurement, improvements on Crown land will always prevent, to an extent corresponding to their value, such land being selected. And there is much to be said in favour of the operation of the law to this extent, especially in the case of land which has been reserved from sale until surveyed. Any tendency to abuse would probably be at once checked, if it were definitely known that the probable result would be either a refusal to sell land for such improvements, or the measurement of small areas, leaving the adjacent land open to selection.

Consistently

Consistently with the foregoing views, we have now to recommend that the claims of Sir John O'Shanassy to purchase in virtue of certain dams and similar useful improvements not of recent date, specified in the Appendix hereto marked A, be admitted to the extent usually heretofore allowed.

We recommend that the construction specified in Schedule B, not being of a fixed character as contemplated by the Act, be not recognized as conferring any claim to purchase, or as debarring the land from selection ; and we recommend that those specified in Schedule C be measured off from the adjacent land in blocks of (say) 10 acres, and brought to sale by auction on application, without any value being added for improvements which, though of a fixed character, are in our opinion calculated rather to retard the settlement of the land than to render its use and occupation practically more beneficial.

We have, &c.,

ROBT. D. FITZGERALD, Deputy Surveyor General.

A. O. MORIARTY, Chief Commissioner.

JAMES H. WOOD, District Surveyor.

Sydney : Thomas Richards, Government Printer.--1879.

[3d.]

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

CONDITIONAL PURCHASES OF ROBERT BARBOUR AND OTHERS.

(PAPERS IN REFERENCE TO FORFEITURE OF.)

Ordered by the Legislative Assembly to be printed, 8 May, 1879.

RETURN (in part) to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 25th January, 1878, That there be laid upon the Table of this House,—

“Copies of all Papers connected with the recently forfeited Conditional Purchases, in the Deniliquin District, of Thomas Kerr (or Fanny Barbour), of 160 acres; Robert Barbour, of 320 acres; Robert Barbour, of 320 acres; and Leighton Barbour, of 320 acres; including the evidence taken before the Commissioner’s Court, and the Commissioner’s report in each case.”

(Mr. Garrett.)

SCHEDULE.

NO.	PAGE.
1. Application by Thomas Kerr for the conditional purchase of 320 acres, parish of Banangalite, county of Townsend. 20 November, 1873	2
2. Report on above conditional purchase by Licensed-Surveyor Burdett, with minutes thereon. 4 August, 1874	2
3. Memorandum of instructions to Licensed-Surveyor Burdett for a report as to timber on said conditional purchase. 16 November, 1874	2
4. Notification of alienation of conditional purchase in question by Thomas Kerr to Peter Nestrom. 19 June, 1875 ...	3
5. Do. do. by Peter Nestrom to John Piccaver Burrows. 4 October, 1876 ...	3
6. Declaration of J. P. Burrows, as to residence and improvements on the conditional purchase in question. 29 December, 1876	3
7. Notification of alienation of the conditional purchase by J. P. Burrows to Robert Barbour. 29 December, 1876 ...	4
8. Henry Ricketson, per A. G. Blomfield, to the Minister for Lands, complaining against validity of the conditional purchase, with minutes thereon and enclosures. 23 July, 1877	4
9. A. G. Blomfield to the Minister for Lands, further respecting same, with enclosure. 6 August, 1877	5
10. Extract from Gazette notice, also respecting the conditional purchase. 13 August, 1877	5
11. Commissioner Rose to the Under Secretary for Lands, transmitting evidence taken at Court of Inquiry respecting conditional purchase in question	5
12. Robert Barbour, Esq., M.P., to the Minister for Lands, in reference to above evidence, with minutes thereon and enclosure. 2 February, 1878	7
13. A. O. Moriarty, Chief Commissioner, to Robert Barbour, Esq., M.P., in reply to above, No. 12. 18 February, 1878.	8
14. Same to same, also respecting above. 26 February, 1878	8
15. Same to Commissioner Rose, as to case in question being referred back for further inquiry. 26 February, 1878.....	8
16. Telegram from Commissioner Rose to R. Barbour, Esq., M.P. 15 March, 1878	8
17. Telegram from R. Barbour, Esq., M.P., to Commissioner Rose, in reply. 16 March, 1878	9
18. Commissioner Rose to the Chief Commissioner, respecting non-attendance of Mr. Barbour at Court of Inquiry, with minutes thereon. 27 July, 1878	9
19. Chief Commissioner to the Crown Solicitor, referring the case for opinion of Attorney General. 3 October, 1878...	9
20. Crown Solicitor in reply, transmitting the Attorney General’s opinion. 26 November, 1878	9
21. Robert Barbour, Esq., M.P., to the Minister for Lands, protesting against the action taken in this matter, with Minister’s decision thereon, and enclosure. 1 February, 1879	9
22. Chief Commissioner to R. Barbour, Esq., M.P., in reply to above, No. 21. 27 February, 1879.....	11

CONDITIONAL PURCHASES OF ROBERT BARBOUR AND OTHERS.

No. 1.

Application by Thomas Kerr.

Application by Thomas Kerr, for the conditional purchase without competition of 320 acres, unimproved Crown Land, under section 13 of the Lands Alienation Act of 1861.

Received by me, with a deposit of £80, this twentieth day of November, 1873, at 3.53 o'clock.

J. A. BROUGHTON,

Agent for the Sale of Crown Lands at Deniliquin.

Sir,

I am desirous of purchasing without competition, under the 13th section of the "Crown Lands Alienation Act of 1861," the portion of unimproved Crown Land hereunder described, containing 320 acres, and I herewith tender the sum of £80, being a deposit at the rate of 5s. per acre on the area for which I apply, and on which it is my intention to reside.

To the Agent for the Sale of Crown
Lands at Deniliquin.

I am, &c.,

THOMAS KERR,

By his agent, ROBT. BARBOUR,
Deniliquin.

DESCRIPTION.

County of Townsend, parish of Banangalite, containing 320 acres: Commencing at a point on the eastern side of water reserve No. 620, where the reserve intersects the road leading from Barratta to Deniliquin on the northern side of that road; thence by a line running north; thence by a line running east; thence by a line running south to the before-mentioned road; thence along that road to the commencing point, to enclose the 320 acres.

No. 2.

Report on Conditional Purchase.

REPORT on Conditional Purchase, County of Townsend, Police District of Deniliquin.

Land Office No.	Name of Purchaser.	Date of Purchase.	Section.	Area.	Situation.	Date of Inspection.	Nature of Improvements.	Value of Improvements.	Residence.	Remarks.
588/73	Thomas Kerr.	1873. 20 November	13	Acres. 320	County Town- send, parish Banangalite, portion No. 4.	1874. 8 June	Dam, two huts.	£ 25 30	Resident..	The resident has a wife and children and is about to erect a substantial dwelling-house in the place of the one now occupied. There is a portable steam-engine driving a circular saw, which is cutting the red-gum near by into slabs for whomsoever it may concern. The engine, however, can hardly be looked upon as a permanency.
							Total...£	55		

Transmitted to the Surveyor General, 4th August, 1874.

F. L. BURDETT,
L.S.

Minutes on No. 2.

Deputy Surveyor General,—

I have to draw your attention to the surveyor's report under column of remarks. It is almost needless to state that applicant's land adjoins a large reserve, No. 620, which contains partly gum and box.—T.H.L., 14 Nov., /74.

Memo. to surveyor as to whether the timber should be preserved.—R.D.F.G., 14 Nov., /74.

Memo. accordingly—J.R., 16/11/74.

No. 3.

Memorandum of Instructions.

Surveyor General's Office, Sydney, 16 November, 1874.

(To be returned with reply.)

Subject.

Mr. Licensed-Surveyor Burdett is requested at his early convenience to report as to whether the timber should be preserved on the land adjacent to Thomas Kerr's conditional purchase of 320 acres, No. 4, parish of Banangalite, county of Townsend.

P.F.A.,

18 Nov., /74.

Reply.

There is no timber fit for use adjacent to T. Kerr's conditional purchase.

The nearest is about 2 miles due south, upon the River Edwards, and I would not recommend that it be preserved on the land, as the red gum is much scattered and matured.

F. L. BURDETT, L.S.

No. 4.

3

No. 4.

Notification of Alienation of Conditional Purchase.

A.

(Alienation Act, section 13.)

Notification of Alienation of Conditional Purchase under the 13th section of the Crown Lands Alienation Act of 1861, where there is no additional Conditional Purchase in virtue thereof.

Notification of Alienation of Conditional Purchase by Thomas Kerr, in the District of Deniliquin.

I HEREBY notify to you, as the Agent for the sale of Crown Lands for the District of Deniliquin, that I have (after a residence thereon of at least twelve months) this day alienated to Peter Nestrom, of Banangalite, the 320 acres of land situated in the county of Townsend, parish of Banangalite, which I selected at Deniliquin, as a conditional purchase under the 13th section of the "Crown Lands Alienation Act of 1861," on the 20th November, 1873, having no additional conditional purchase in virtue thereof.

THOMAS KERR,

Deniliquin,

Care of Mr. Robert Barbour.

Dated at Banangalite, this 19th June, 1875.

To the Agent for the Sale of Crown Lands at Deniliquin.

I have duly registered the above notification of alienation in the records of this office.

J. A. BROUGHTON,

Agent for the Sale of Crown Lands.

Crown Land Sales Office, Deniliquin, 21 June, 1875.

No. 5.

Notification of Alienation of Conditional Purchase.

K.

(Alienation Act, sections 13, 14, 19, 21, and 22.)

Notification of Alienation of Conditional Purchase under the Crown Lands Alienation Act of 1861.

Notification of Alienation of Conditional Purchase by Peter Nestrom, in the District of Deniliquin.

I HEREBY notify to you, as the Agent for the sale of Crown Lands for the District of Deniliquin, that I have (after a residence thereon of at least twelve months) this day alienated to John Piccaver Burrows, of Banangalite, the 320 acres of land, situated in the county of Townsend, parish of Banangalite, which was selected at Deniliquin by Thomas Kerr as a conditional purchase, under the 13th section of the "Crown Lands Alienation Act of 1861," on the 20th November, 1873.

PETER NESTROM,

Banangalite.

Dated at Banangalite, this 4th October, 1876.

To the Agent for the Sale of Crown Lands at Deniliquin.

I have duly registered the above notification of alienation in the records of this office.

J. A. BROUGHTON,

Agent for the Sale of Crown Lands.

District of Deniliquin, Land Office, Deniliquin, 5 October, 1876.

No. 6.

Declaration by Mr. J. Burrows.

E.

(Alienation Act.)

Declaration of Conditional Purchaser under the 18th section of the Crown Lands Alienation Act of 1861.

I, JOHN PICCAVER BURROWS, of Banangalite, do solemnly and sincerely declare that I am the lawful owner, by conditional purchase under the 13th section of the "Crown Lands Alienation Act of 1861," of the land hereunder described, and that improvements consisting of fencing, dams, houses, and cultivation, and to the value of £320, have been made on such land; and I declare further that the said land has been the *bonâ fide* residence, continuously, of Thomas Kerr, Peter Nestrom, and myself, from the period of selection and first occupation to the present date (and that no alienation of the land has been made by any of the abovenamed holders, until after the residence thereon of such holder for a period of one whole year, each alienation having been notified to the Land Agent of the District within one month of its having been made). And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the ninth year of the reign of Her present Majesty, intituled "An Act for the more effectual abolition of oaths and affirmations taken and made in various departments of the Government of New South Wales and to substitute declarations in lieu thereof and for the suppression of voluntary and extra-judicial oaths and affidavits."

JOHN P. BURROWS.

Taken and declared at Deniliquin, this 29th day }
of December, 1876, before me,—

J. MAIR, J.P.

DESCRIPTION.

County of Townsend, parish of Banangalite, 320 acres, being conditional purchase No. 588 of 1873, in the district of Deniliquin, made on the 20th November, 1873.

No. 7.

No. 7.

Notification of Alienation.

K. (Alienation Act—Sections 13, 14, 19, 21, and 22.)

Notification of Alienation of Conditional Purchase under the Crown Lands Alienation Act of 1861.

Notification of Alienation of Conditional Purchase by John Piccaver Burrows, in the District of Deniliquin. I HEREBY notify to you, as the Agent for the sale of Crown Lands for the District of Deniliquin, that I have (after a residence thereon of at least twelve months) this day alienated to Robert Barbour, of Deniliquin, the 320 acres of land situated in the county of Townsend, parish of Banangalite, which was selected at Deniliquin as a conditional purchase under the 13th section of the "Crown Lands Alienation Act of 1861," on the 20th November, 1873.

JOHN P. BURROWS,
Deniliquin.

Dated at Deniliquin, this 29th December, 1876.
To the Agent for the Sale of Crown Lands at Deniliquin.

I have duly registered the above notification of alienation in the records of this office.

C.G.R. (pro J. A. BROUGHTON),

District of Deniliquin, Land Office,
Deniliquin, 29th December, 1876.

Agent for the Sale of Crown Lands.

No. 8.

Mr. H. Ricketson to The Secretary for Lands.

[Urgent.]

Sir,

Deniliquin, 23 July, 1877.

I have the honor to complain to you against the validity of a conditional purchase now standing in the name of Robert Barbour, on account of the non-fulfilment by the original purchaser (Thomas Kerr) of the residence required by the "Crown Lands Alienation Act of 1861."

The conditional purchase in question, which was for 320 acres of land in the parish of Banangalite, was originally taken up by one Thomas Kerr on the 20th November, 1873, under the 13th section of the "Crown Lands Alienation Act of 1861," and is numbered 588 in the books of the Land Agent at Deniliquin; and I have to inform you that the said Thomas Kerr did not reside on his said conditional purchase for over three months after the date thereof. And I further inform you that the said purchase was made by one Robert Barbour, without the knowledge or consent of the said Thomas Kerr.

I also inform you that the said Thomas Kerr, on 19th June, 1875, made an alienation of the said purchased land to one Peter Nestrom; and on the 4th October, 1876, Peter Nestrom again alienated the same land to John P. Burrows, who, on the 29th December, 1876, transferred to Robert Barbour.

I further inform you that Nestrom, during the time the land remained in this name of him, did not reside on the said land, but lived and resided on land distant more than a mile therefrom.

I have deposited £10, as required by the 25th section of the "Lands Act Amendment Act of 1875," the receipt wherefor by the Land Agent, Deniliquin, is annexed hereto, and I accompany this with a Declaration verifying my complaint, as required by the said Act.

I have the honor to request your immediate attention hereto, with a view of your forwarding instructions to Mr. Commissioner Rose in time for investigation at his Court of Inquiry, to be holden in August next.

I have, &c.,

HENRY RICKETSON,
(Per ALEX. BLOMFIELD),
Land Agent, Pitt-street.

Minutes on No. 8.

Now included in schedule for Commissioner. Selector and alienee informed by circulars.
B.C., 11 August, 1877. Commissioner Rose.

[Enclosure A to No. 8.]

(£10.)

3 October, 1876.

RECEIVED from Mr. Henry Ricketson the sum of ten pounds (£10), deposit for inquiry into complaint made by him against Robert Barbour, on original selection made by Thomas Kerr, under 25th section of "Crown Lands Act Amendment Act of 1875."

J. A. BROUGHTON,
Land Agent, Deniliquin.

[Enclosure B to No. 8.]

Declaration.

I, HENRY RICKETSON, of Barratta, in the Colony of New South Wales, settler, do solemnly and sincerely declare—

1. That I am the lessee of the Barratta Run, in the Murrumbidgee District, of the Colony of New South Wales.
2. That on the 20th day of November, in the year 1873, one Thomas Kerr conditionally purchased 320 acres in the parish of Banangalite, part of the said Barratta Run, under the 13th section of the "Crown Lands Alienation Act of 1861"; number in the Land Agent's book, Deniliquin, 588.

3. That the said Thomas Kerr did not reside on the said conditional purchase for over three months after the date thereof, and he has since informed me that one Robert Barbour made such purchase in his name without either his knowledge or consent.

4. That the said Thomas Kerr, on the 19th day of June, in the year 1875, alienated the said purchase to one Peter Nestrom, who, on the 4th day of October, in the year 1876, alienated the same to John P. Burrows, who again alienated the same land to Robert Barbour, the last alienation being made on the 29th day of December, in the year 1876.

5. That the said Peter Nestrom did not reside at the said purchased land during the time the same stood in his name, but lived regularly on land distant more than a mile from such selection.

See No. 4.

See No. 5.

See No. 7.

Enclosure A.
Enclosure B.

See No. 1.

See No. 4.

See No. 5.

See No. 7.

5

G. That on the 3rd day of October, in the year 1876, I deposited £10 with the Land Agent at Deniliquin, as security for any costs which may be awarded against me by the Commissioner under the 25th section of the "Crown Lands Act Amendment Act of 1875." And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the ninth year of the reign of Her present Majesty, intituled "*An Act for the more effectual abolition of Oaths and Affirmations taken and made in various departments of the Government of New South Wales to substitute Declarations in lieu thereof and for the suppression of voluntary extra-judicial oaths and affidavits.*" Taken and declared at Deniliquin, in the Colony of New South Wales, }
this 23rd day of July, in the year 1877, before me,—

HENRY RICKETSON.

JAS. WATSON,
A Justice of the Peace.

No. 9.

Mr. A. G. Blomfield to The Minister for Lands.

Sir,
Referring to the conditional purchase of Thomas Kerr, noted in the margin, and which has been referred to Mr. Commissioner Rose for inquiry, I herewith beg to enclose a statutory declaration made by Thomas Kerr respecting the said selection, which I have the honor to request may be sent on to Mr. Rose at once, to be placed with the other papers in the case, and also for his guidance with respect to the said conditional purchase when holding his inquiry.

Sydney, 6 August, 1877.

330 acres,
20 November,
1873,
Deniliquin.
Enclosed.

I am, &c.,
A. G. BLOMFIELD.

[Enclosure to No. 9.]

Declaration.

I, THOMAS KERR, of Boonoke, in the Colony of New South Wales, contractor, do solemnly and sincerely declare:—

1. That on the 20th day of November, in the year 1873, one Robert Barbour, without my knowledge or consent, conditionally purchased in my name 320 acres of land in the parish of Banangalite, and county of Townsend, such land being part of the Barratta Run.

2. That it was some time after the land was so purchased by the said Robert Barbour that he informed me of his having taken up the said land in my name.

3. That I did not reside on the said land for over three months after the date of the said purchase thereof by the said Robert Barbour.

4. That on the 19th day of June, in the year 1875, I alienated the said land to one Peter Nestrom.

See No. 4.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the ninth year of the reign of Her present Majesty, intituled, "*An Act for the more effectual abolition of Oaths and Affirmations taken and made in various departments of the Government of New South Wales to substitute declarations in lieu thereof and for the suppression of voluntary extra-judicial oaths and affidavits.*"

Taken and declared, Quismong, in the Colony of New South Wales, }
this 28th day of July, in the year 1877, before me,—

THOMAS KERR.

F. L. PARKER,
A Justice of the Peace.

No. 10.

Extract from Gazette Notice.

Department of Lands, Conditional Sales Branch, Sydney, 13 August, 1877.

It is hereby notified for the information of all parties interested, that information having been received to the effect that the conditions as to residence or improvements have not been, or are not being, fulfilled in respect to the undermentioned conditional purchases, the claims of the holders of such purchases have been severally referred to Commissioners for inquiry, pursuant to the "Lands Acts Amendment Act of 1875."

Due notice will be given by the respective Commissioners of the times and places appointed by them for holding such inquiries.

RICHARD DRIVER.

C.S. No.	C.P. No.	Name of Selector.	Date of Selection.	Area.	District.	County.	Parish.	Address.	Commissioner to whom referred.
*	73-12,297.	Kerr, Thomas (transferred to Peter Nestom; transferred to John Piccaver Burrows; now transferred to Robert Barbour).	20 Nov., 1873.	320 acres.	Deniliquin.	Townsend.	Banangalite.	Deniliquin.	A. C. S. Rose.
*	*	*	*	*	*	*	*	*	*

No. 11.

Commissioner Rose to The Under Secretary for Lands.

REPORT of an Inquiry held at Deniliquin on the 1st and 7th November, 1877, by A. C. S. Rose, Commissioner for the South-western Division, respecting the conditional purchase of Thomas Kerr, made at Deniliquin on the 20th November, 1873.

Sir,

I have the honor to transmit herewith for the consideration of the Honorable the Minister for Lands, minutes of evidence taken at an inquiry, under the "Lands Act Amendment Act of 1875," held by me in pursuance of the reference notified in the Gazette of the 13th August, 1877, in the matter of the above-described conditional purchase. See No. 10.

The claimant, having been duly served with notice of the time and place of holding the inquiry, was present thereat.

The

The following facts, bearing upon the fulfilment by the selector of the conditions of purchase, were elicited in evidence, viz. :—

The conditional purchaser and his alienee both deposed that they have not habitually resided upon this land.

I have, therefore, to report that I find such conditions not to have been fulfilled, and to recommend that this conditional purchase be forfeited.

I have, &c.,

A. C. S. ROSE,
Commissioner.

MEMO.—An inspection of the improvements is desirable.—A.C.S.R.

Minutes on above.

For forfeiture. It is apparent, on the evidence, that this selection was taken up, occupied, and used in the interest of Mr. Barbour, and that the conditions of selection, though declared to, were not fulfilled.—A.O.M., 11/12/77. E.A.B., 11/12/77. Selector informed by circular, 21 January, 1878.

[Enclosure to No. 11.]

Evidence.

Thomas Kerr, being duly sworn, saith : I am a tank sinker and fencer ; on the 20th of November, 1873, at the Land Office, Deniliquin, an area of 320 acres, situated in the county of Townsend, parish of Banangalite, was taken up in my name, and under the residence condition ; this area was taken up by Mr. Robert Barbour, without my knowledge or sanction ; I did not know that this land had been taken up until I arrived at the Murray, on the 28th of November, 1873 ; I helped to put a tent on this land about the 7th of December, 1873, and when I had done this (which was completed in a few hours) I left, and did not see the selection again till February, 1874 ; I was absent from the place, not on my own business but on Mr. Barbour's ; when I returned I went to live on the area of 320 acres ; I continued to live there until October, 1875 ; I then left the selection, as Mr. Barbour asked me to cancel an agreement we had made about some horses that I was to look after ; I agreed to do so, and I abandoned the selection ; I positively swear that I never at any time alienated or transferred this selection to a man named Peter Nestrom ; the signature now shown to me is mine ; on the 19th June, 1875, I was in the employment of Mr. Barbour ; about this time Mr. Barbour brought home a paper for the purpose of getting it signed ; I was at the saw-mill at Barratta at the time ; Mr. Barbour said to me, "Tom, I've brought you a paper to sign," I said, "What is it?" he said, "Why, one of the papers you signed on the Murray"; I believe he said one of the applications is lost, and I want you to sign this in place of it ; he then handed me a printed paper, and I signed it ; the signature on the paper now shown is mine ; the paper is like that I signed, but I cannot now say whether it is the same ; the signature shown to me on the other paper is mine ; I swear to it ; I am quite sure that it is mine ; I am quite sure that Peter Nestrom did not live on my selection at all during the period from the 17th of June, 1875, to October, 1875 ; I lived there myself with my wife and family ; when I left the selection in October, 1875, the improvements were as follows :—about 2 miles of post and 5-wire fencing, worth £60 per mile, £120 ; a four-roomed weatherboard house with iron roof, £40 ; a dam, £30 ; total £190 ; Mr. Barbour paid for all these improvements ; I did not know that I could stick to this land if I liked ; I positively swear that not a word was ever said to me about transferring this land to Peter Nestrom ; I never knew that this land had been transferred to Peter Nestrom until the last time I was here at the Court of Inquiry ; neither Nestrom himself nor Mr. Barbour ever spoke to me about any transfer of this land ; on looking more carefully at the signature now before me, I am sure it is not mine ; when I first saw it I did not closely examine it ; I am quite sure the other signature is mine ; if I had known the contents of this paper I should have signed it ; the land did not belong to me, and Mr. Barbour was at liberty to do what he liked with it.

Taken and sworn before me, at Deniliquin, this }
the 1st day of November, 1877,—

A. C. S. ROSE,
Commissioner.

THOMAS KERR.

Peter Nestrom, being duly sworn, saith : I am a *bona fide* selector ; I know an area of 320 acres at Banangalite, taken up in the name of Thomas Kerr ; I was in the employ of Mr. Barbour, of Curnalla, in 1873, when this selection was taken up ; in June, 1875, I was at Barratta ; I lived when there on Fanny Barbour's selection ; this place is about a mile and a half from Kerr's selection ; I stayed there only a few days, and then returned to Curnalla, where I stayed a little better than a week ; I then returned to Barratta, and remained there, on Fanny Barbour's selection, till September, 1876 ; during that time I was engaged fencing and building, and in other ways ; I stayed generally at Fanny Barbour's place—sometimes at other selections ; I did not live on Kerr's selection, but I was there nearly every day ; I had cattle there ; I slept there hardly once a month ; I had a good many meals there ; I signed an alienation of this selection in September, 1876 ; I did not know to whom it was transferred, and I did not care ; I was glad to get rid of this selection ; I wanted to get a selection of my own, and as long as I held the one we are speaking of I could not ; after I signed the alienation I came to Deniliquin for the purpose of selecting land ; this was on the 3rd of October, 1876 ; on the following day I went to the Land Office, and to my surprise found that my name was still in the Land Register, so that I was shut out from selecting ; I had signed the alienation paper quite three weeks previously ; I wrote a sharp letter to Mr. Barbour ; the land had been transferred to me without my knowledge, and I transferred it without knowing or caring to whom it was transferred ; I never slept on Kerr's selection from June to October, 1875 ; I might have had a snack at Kerr's place during that time, from June to October, 1875, but I never lived there during that time ; I was to have grass for thirty head of cattle from Mr. Barbour in addition to my wages, £125 a year ; I did not live on Kerr's selection continuously during the period from June, 1875, to October, 1876, that is fifteen months ; in October, 1876, I transferred the land to somebody, to Burrows as it afterwards turned out.

Taken and sworn before me, at Deniliquin, this }
the 1st day of November, 1877,—

A. C. S. ROSE,
Commissioner.

PETER NESTROM.

Robert Barbour, being duly sworn, saith : The application for a conditional purchase now shown to me is in my writing, and is signed by me for the applicant, Thomas Kerr ; at the time I presented this application to the Crown Land Agent at Deniliquin I had authority from Kerr to take up this land ; he gave me a verbal authority to take up 320 acres for him, and I believe it was at Curnalla this authority was given ; at that time Kerr was in my employment ; I engaged him in Melbourne ; the agreement about the land might have been made in Melbourne ; Kerr's evidence, that this area was taken up without his knowledge or sanction, is untrue ; the agreement about the land was made previous to the 20th November, 1873 ; the agreement was that I was to take up 320 acres for him as a conditional purchase, and that I was to have a lien upon it for the money advanced by me, and that if this money so advanced was not paid by a certain time, I was to have the land ; I cannot now say within what time the money was to be paid ; I believe there is some writing between Kerr and me about this matter, but I cannot positively say ; I believe that there is some writing signed at Curnalla ; some two years afterwards Kerr left my service ; he lived on that selection at the time he left my service ; part of Kerr's statement in the Court about some paper having been lost is true ; but it is certainly untrue that I said to him that one of the applications was lost ; I could not possibly have said this ; the writing in the document now shown to me is mine, that is, the main part of the writing ; I cannot say whether I got Kerr to sign this paper ; I cannot say whether or not I handed this paper to Mr. Broughton ; I cannot say when the date of alienation was inserted ; I can remember nothing about this document ; it bears date 19 June, 1875 ; I presume that it was drawn up then ; I believe that Kerr was living on the selection now under consideration from the 19th June, 1875, to October, 1875 ; I do not know whether the name of Peter Nestrom was in this document when it was signed by Thomas Kerr ; I do not remember ever having told Kerr that this land was to be transferred, or was transferred, to Peter Nestrom ;

Kerr's

Exhibit A. See
No. 4.
Exhibit B. See
No. 1.

See Mr. Barbour's
evidence.

Exhibit B. See
No. 1.
Exhibit A. See
No. 4.

Kerr's evidence on this point, now read to me, is untrue; I remember sufficient of the transaction to say that in this matter Kerr does not speak truth; I am prepared to say, and I have said, that I believe it to be untrue; what Nestrom says is no more true than what Kerr says on this point; I have no remembrance of telling Peter Nestrom about the transfer of this land to him; there was an agreement between Nestrom and myself about the duties to be performed by him in my service at Barratta, but it is lost or destroyed; he was to be paid partly by salary, partly by being allowed to run cattle on my property; I cannot say where Nestrom signed the alienation to Burrows, or when he signed it; I think that the notification of alienation in this case was transmitted by letter to Mr. Broughton; I cannot say whether the name of Burrows was in this document when Nestrom signed it; I do not remember ever having mentioned Burrows' name to Nestrom; I remember Nestrom telling me that he wanted to come to Deniliquin to select land; but when he told me this I do not remember; Nestrom wrote to me afterwards, that he could not see the transfer of the selection now in question in the books of the Land Office, that this prevented him from selecting; I think that Nestrom's evidence, that this land was transferred to him and from him without his knowledge, is not true; the declaration of Burrows is written by me and signed by Burrows; I was present with Burrows when he signed this declaration before Mr. Mair, Police Magistrate at Deniliquin.

Taken and sworn before me, at Deniliquin, this }
the 7th day of November, 1877,—

A. C. S. ROSE,
Commissioner.

ROBERT BARBOUR.

To 30th Nov., /77, for evidence on behalf of Mr. Barbour.—A.C.S.R., 7/11/77.
Mr. Barbour.—A.C.S.R., 30/11/7.

No appearance on the behalf of

No. 12.

Robert Barbour, Esq., M.P., to The Secretary for Lands.

Sir,

Parliament House, Sydney, 2 February, 1878.

I have the honor to request that you will delay further departmental action with regard to a report from Mr. Commissioner Rose, Deniliquin, on the conditional purchase named in the margin, until you shall have had an opportunity of going into the case, and then if you think it necessary I shall submit additional evidence which I could not lay before the Commissioner, not being able to attend, as the inquiry took place at the time of the election, while I was 60 miles distant.

The Commissioner reports having taken evidence, but it is a distortion of the facts; the principal witness, Kerr, swore to certain things; and the accompanying agreement under seal, signed, and in the presence of a witness, proves he swore falsely—his whole evidence then must be *disbelieved*.

The facts plainly told, without a lawyer to distort them, are these:—Kerr was employed by me in a venture of purchasing a mob of horses, for which £1,500 cash was paid; he was a married man, desired a selection for a house, and we agreed that I was to advance money to buy the land, fence in, build houses, and erect a saw-mill, which would come to at least £500, before March; if the horses did well he was to get a share of the profit, and might be able by March to pay the money, and if he paid the money the land was to be his; but he did not pay the money, and after a time I cut connection with him for drunkenness; he resided on the land continuously, night and day, with his family, for nearly two years; it was assigned to Peter Nestrom, who took Kerr's place as my manager, and he was on the ground all day from morning till night, but very often slept about a mile away where his wife was employed as a housekeeper; Nestrom assigned to Burrows, who completed the three years residence, and made the declaration, paying the one year's interest, and Burrows subsequently assigned the land to me.

On the opposite side I make a protest, but I think I have already shown that Kerr's evidence cannot be believed; he is evidently an adverse witness, who has a grudge against me, and the others are all prejudiced.

The papers are all regular, and the purchase has been completed and no irregularity apparent; *parole evidence*, given nearly four years after, cannot set aside a document under seal; Kerr took possession within the month by erecting his tent as he says; he stayed a few days and went for the horses and his family, and thereafter lived on the ground nearly two years. This is his own evidence.

Yours, &c.,

ROBERT BARBOUR.

Protest alluded to.

PROTEST against inquiry being made by Mr. Commissioner Rose as to a conditional purchase by Thomas Kerr, made at Deniliquin, 20 November, 1873, 320 acres.

The inquiry was instituted by the squatters paying £10 under the Amending Act of 1875, the department declining to do so.

1st. The selection was made under the Land Act of 1861, and was never brought under the Amending Land Act, 1875. Proceedings must go for nothing, as the Act cannot be retrospective.

2nd. The term of three years' residence, of improvement; the declaration, and payment of one year's interest, were all duly completed, and I submit, cannot be disturbed.

3rd. Before such inquiry could proceed and apply, the statutory declaration must be set aside, otherwise an inferior Court would try an issue which belongs to a superior one.

Objections taken by Robert Barbour, who is now the owner of the land by assignment.

Minutes on No. 12.

Inform that the case appears on the proceedings to be complete, but has been for the present delayed pursuant to his request for consideration of his appeal. The inquiry having been, however, one between parties, and on sworn testimony, cannot be reopened, unless he desires another opportunity of bringing forward the evidence in defence, for which the case was deferred by the Commissioner at his application, and would no doubt have been further postponed in the circumstances had application been made to the Commissioner, and cause shown. Request Mr. Barbour to be good enough to state whether his object is to obtain a renewal of the inquiry before the Commissioner.—A.O.M., 12/2/78.

The Minister, at the request of Mr. Barbour, has approved of this case being referred back to the Commissioner to afford him an opportunity of bringing forward evidence in defence, which, owing to the adjourned inquiry having been held at a time when he was engaged in his election as a Member of Parliament, he was unable to do previously.—A.O.M., 23/2/78.

[Enclosure

[Enclosure to No. 12.]

Agreement alluded to.

In consideration of the sum of £80 advanced to me by Robert Barbour, of Curnalla, saw-mill owner, to enable me to conditionally purchase portion, parish Banangalite, county of Townsend, containing 320 acres, and in consideration of the further sum of 1s. paid to me at the time of signing this document, and in further consideration of divers other valuable considerations, I, Thomas Kerr, for myself, my heirs, executors, administrators, and assigns, do hereby alienate, assign, and make over absolutely unto the said Robert Barbour, his heirs and assigns, the aforesaid portion of land, subject to the reservation hereinafter mentioned. And I, the said Thomas Kerr, for the considerations aforesaid, have executed and signed in Escrow the alienation of the said portion of land on the form prescribed for that purpose by the Land Act, 1861. And further, I, the said Thomas Kerr, do hereby command, bind, and oblige myself that I shall reside on and occupy the said portion of land as my *bonâ fide* residence for a period of at the least one whole year from the date hereof, and execute all instruments, and do all necessary things to be done for effectually transferring the said portion of land to any person whom the said Robert Barbour may direct (subject nevertheless to the power on my part of making payment to the said Robert Barbour of the sum of five hundred pounds sterling if paid on or before the 1st day of March next ensuing, and thereby to redeem the said portion of land), but should I, the said Thomas Kerr, fail to pay the said Robert Barbour the aforesaid sum of five hundred pounds sterling on or before the aforesaid 1st day of March, 1874, all power to redeem shall cease and determine, but the covenant to reside on and occupy shall remain in full force, and be binding on me.

As witness my hand and seal this first day of December one thousand eight hundred and seventy-three.

THOMAS KERR.

GEORGE PETTY,
Curnalla.

No. 13.

The Chief Commissioner of Conditional Purchases to Robert Barbour, Esq., M.P.

Department of Lands, Conditional Sales Branch,

Sydney, 18 February, 1878.

Sir,

See No. 12.
Deniliquin—C.P.
73-12,297, 320
acres, Nov. 20th,
1873, T. Kerr,
now R. Barbour.

Referring to your letter of the 2nd instant, respecting the inquiry held by Mr. Commissioner Rose as to your conditional purchase, noted in the margin, I am directed to inform you that the case appears from the proceedings to be complete, but has been for the present delayed, pursuant to your request, for consideration of your appeal.

2. The inquiry having been, however, one between parties, and on sworn testimony, cannot be reopened, unless you desire another opportunity of bringing forward the evidence in defence, for which the case was deferred by the Commissioner at your application, and would no doubt have been further postponed in the circumstances, had application been made to the Commissioner and cause shown.

3. I am to request that you will be good enough to state whether your object is to obtain a renewal of the inquiry before the Commissioner.

I have, &c.,

A. O. MORIARTY,
Chief Commissioner.

No. 14.

The Chief Commissioner of Conditional Purchases to Robert Barbour, Esq., M.P.

Department of Lands, Conditional Sales Branch,

Sydney, 26 February, 1878.

Sir,

Deniliquin—C.P.
73-12,297, 320
acres, 20th Nov.,
1873, T. Kerr,
now R. Barbour.

I am directed to inform you, that in compliance with your personal request the Minister for Lands has approved of the case of the conditional purchase, noted in the margin, being referred back to the Commissioner to afford you an opportunity of bringing forward evidence in defence, which, owing to the adjourned inquiry having been held at a time when you were engaged in your election as a Member of Parliament, you were unable to do previously.

I have, &c.,

A. O. MORIARTY,
Chief Commissioner.

No. 15.

The Chief Commissioner of Conditional Purchases to Commissioner Rose.

Department of Lands, Conditional Sales Branch, 26 February, 1878.

Sir,

*See previous
correspondence.
Deniliquin,
C.P. 73-12, 297,
320 acres, 20th
Nov., 1873, T.
Kerr, now R.
Barbour.

I am directed to inform you that at the request of Mr. Barbour, pursuant to the enclosed correspondence, the Minister for Lands has approved of the case of the conditional purchase, noted in the margin, being referred back to you for further inquiry, to afford Mr. Barbour an opportunity of bringing forward evidence in defence, which, owing to the adjourned inquiry having been held at a time when he was engaged in his election as a Member of Parliament, he was unable to do previously.

I have, &c.,

A. O. MORIARTY,
Chief Commissioner.

No. 16.

Telegram from Commissioner Rose to R. Barbour, Esq., M.P.

Albury, 15 March, 1878.

I PROPOSE to take the cases of Kerr and Edwards at Deniliquin, on the 15th proximo; please telegraph immediately whether or not this date will suit you; if not, name date.

A. C. S. ROSE,
C.C.S.

No. 18.

No. 17.

Telegram from R. Barbour, Esq., M.P., to Commissioner Rose.

Sydney, 16 March, 1878.

SOMETIME in May—will suit better after prorogation of Parliament.

R. BARBOUR.

No. 18.

Commissioner Rose to The Chief Commissioner of Conditional Purchases.

Sir,

Albury, 27 July, 1878.

In returning the *accompanying papers relating to the case noted in the margin, I do myself the honor to state that Mr. Barbour, at whose request the case was remitted to me for further investigation, failed to appear both on the day agreed upon for the re-hearing and on the day afterwards, appointed by me (the 28th ultimo), for the production of further evidence if he felt disposed to produce any. It appears to me that Mr. Barbour is simply contemptuous in his conduct towards the Court of Inquiry, and deserves no further extension of courtesy.

I am, &c.,

A. C. S. ROSE,
Commissioner.*Minutes on No. 18.*

As Mr. Barbour did not put in an appearance after the matter had been remitted to the Commissioner at his request, the case must now go on for forfeiture.—J.S.F., 28/8/78.

The circumstances elicited by this inquiry should be brought to the notice of the Honorable the Attorney General, with a view to his considering whether they disclose such a breach of the law to have been committed as to render it advisable that further proceedings should be taken, and in that event, that he may advise as to any such proceeding.—A.O.M., 25/9/78.

Approved.—J.S.F., 2/10/78.

No. 19.

The Chief Commissioner of Conditional Purchases to The Crown Solicitor.

Sir,

Department of Lands, Conditional Sales Division, Sydney, 3 October, 1878.

I am directed by the Secretary for Lands to forward the enclosed proceedings of an inquiry, held before Mr. Commissioner Rose, at Deniliquin, into the matter of the fulfilment of conditions of the conditional purchase noted in the margin, which has been declared forfeited, and I am to request that you will be so good as to lay the same before the Honorable the Attorney General, with a view to his considering whether the circumstances disclosed in the evidence and accompanying documents show such a breach of the law to have been committed as would render it advisable that further proceedings should be taken, and in that event that he may be pleased to advise as to any such proceedings.

I have, &c.,

A. O. MORIARTY,
Chief Commissioner.

No. 20.

The Crown Solicitor to The Under Secretary for Lands.

Sir,

Crown Solicitor's Office, Sydney, 26 November, 1878.

I have the honor to return herewith the papers relating to the forfeited conditional purchase of Robert Barbour (formerly of Thomas Kerr), and to state that I have submitted same to Mr. Attorney General, a copy of whose advising will be found on the other side.

I have, &c.,

JOHN WILLIAMS,
Crown Solicitor.

Seen.—J.S.F., 3/12/78.

*[Enclosure to No. 20.]*Opinion referred to. *In re* forfeited conditional purchase of Barbour.

I HAVE carefully examined the documents submitted to me in this matter, and I am unable to find any materials to justify a criminal charge against any of the persons concerned in this transaction; the law having failed to make such an agreement as that entered into by Kerr a criminal act, it is not possible for the Attorney General to do so. That the selection was not initiated or carried out in good faith seems hardly to admit of doubt, but I see no evidence which would support any criminal proceeding.—W.J.F., 22/11/78.

No. 21.

R. Barbour, Esq., M.P., to The Secretary for Lands.

Dear Sir,

Darling Point, Sydney, 1 February, 1879.

I beg leave to submit for your decision a case of some importance that has arisen through Mr. Commissioner Rose putting, as I think, a most unwarrantable interpretation upon the words in the Land Act "continuous residence," and one in which I think the head of the department may justly exercise a discretion. The enclosed statutory declaration has reference to the cases, and I have to request that it be placed along with the other papers. Shortly stated, it is as follows:—Thomas Kerr, at Deniliquin, on November 20th, 1873, selected 320 acres of land, being portion (surveyed) 4, parish of Bananalite, county Townsend. Within three weeks he was on the ground for several days preparing, &c., then he went

went for his family, and to bring a mob of horses to graze on the land; he returned to his selection within a month, and continued there for nearly two years; he assigned to Nestrom, and, after Nestrom had been on it for more than a year, he assigned it to Burrows; Burrows completed the conditions, made the requisite declaration, paying one year's interest, also after this it became my property. Anything belonging to Barbour is to Ricketson what a red blanket is to a wild bull, and so Ricketson paid £10 to have an inquiry, and after a lapse of some twelve months—after everything was supposed to be completed, improvements all made, and my servants all discharged, and Ricketson had engaged the most of them, and when the elections were in full contest, and I was preparing to come to Sydney—at this precise juncture, Mr. Ricketson prevailed upon Mr. Rose to hold an inquiry, and he did hold it, although I employed an agent to ask that it be adjourned, but he refused to grant any postponement, and proceeded with the inquiry in my absence.

Ricketson was there, his lawyer was there, his servants were there, and my discharged servants also (one or more were discharged by me for drunkenness), and their animus is conspicuous in their sworn evidence, and in some instances, although not cross-examined, the witnesses contradict themselves. And the Commissioner sums up by expressing his opinion that continuous residence has not been fulfilled, and recommends forfeiture, and so it is gazetted, but no expression of this sort is given in Court; one would imagine when holding an Inquiry Court that he is always for the selector. Now here a matter involving £1,000 value is to be taken from me upon an inquiry made in my absence, and in the absence of others who were parties to it who cannot be found, because the inquiry takes place twelve months after everything was thought to be completed. The man who made the declaration—is he a perjurer, or is an opportunity to be afforded him of proving the case? No. The Commissioner expresses an opinion, not in open Court. I question whether it would be to the same effect had it been expressed openly at the time; but that is the opinion communicated in one week or a month's time to the Minister; and because he, a single individual, thinks so, after all the influences have been at work, I am to be deprived of £1,000. It cannot be because Kerr has not proved residence, although he did it much against his will; but it may be because Nestrom, who was daily there from morning to night, chose to walk a mile and sleep with his wife the greater part of the time, she having engaged to do work and make and save money in addition to what her husband was making; but this was only for a time, and then husband, wife, children, and cattle all live on the selection, and dairy the cattle.

I ask, should suspicions, if not worse, deprive me of my £1,000; and, looking at the policy, should the department favour settlement or banish it.

I have to request that you will reinstate the claimant and reverse the forfeiture, for the following and other reasons:—

1. The sham inquiry is only a mockery and delusion—it is like the appraisalment of runs. Is human nature in one person capable of resisting the influences surrounding him. (Read the attached *letter from a squatter.) The consequences are enormous, the prizes large.
2. The written evidence submitted to you cannot altogether be relied on. It may, by the addition of a word or two, be made to mean very different from what was intended, and, although read over to a witness, he is flurried and may not detect the error. Working men think slowly, and seldom keep pace with evidence read to them. You may have noticed this by their sometimes walking up to ask about something several times before.
3. The lapse of time allowed to take place between the taking of evidence and making the report and recommendation (sometimes a week or a month) and only one person to be acted upon—meditation, consultation, or what?
4. Although the complaints were in the hands of the department before the three years had expired, yet the inquiry does not take place until twelve months thereafter. The law has been completed by the declaration being accepted, and this should bar the inquiry.
5. The Government having received a year's interest acknowledges fulfilment of the conditions, and, as in the late Queensland case, waives the question of forfeiture.

Your early consideration and decision is requested.

Truly yours, &c.,

ROBERT BARBOUR.

[Minute on No. 21.]

I find, upon a careful perusal of the papers in this case, that two of my predecessors, Messrs. Baker and Farnell, approved of the forfeiture of Thomas Kerr's conditional purchase, and I am asked to reverse the decision of those gentlemen. I find that after the first inquiry held by Mr. Rose, at which Mr. Barbour was present, Mr. Farnell consented to a further inquiry being held by the Commissioner, at Mr. Barbour's request, to afford that gentleman a further opportunity to bring forward evidence in defence, but Mr. Barbour failed to appear on that occasion, as he had failed to appear at an adjournment of the original inquiry, also made at his request by the Commissioner. It will thus be seen that Mr. Barbour has had an opportunity, on different occasions, to prove his case in open Court, and having carefully considered that matter, I have failed to see any reason for reversing the decision of my predecessors.—J.H., 11/2/79.

[Enclosure to No. 21.]

Declaration referred to.

I, ROBERT BARBOUR, late of Barratta, near Deniliquin, but now of the City of Sydney, a Member of the Legislative Assembly of New South Wales, in the Colony of New South Wales, do solemnly and sincerely declare:—

That I know Thomas Kerr. He selected 320 acres of land on the Barratta Run aforesaid, on the 20th day of November, 1873. I saw him on the land in the month of January following. He built a four-roomed weatherboard house, and he, with his family, resided on the selection continuously until the latter part of 1875. He had a mob of breeding horses there, and for some part of the time had a saw-mill there, cutting timber for his own use, and he sold the timber to the neighbouring settlers. The land has a frontage to the main road, and, in passing, I used to go in and talk with Kerr on business. This occurred sometimes two or three times in a week. His household contained besides himself, his wife and three children—one a son about ten years of age, who used to work with and assist his father with the improvements. I have seen them working at the house, at the saw-mill, digging out waterholes and dams, ploughing for crop,—one year he had about 10 acres of hay—erecting fencing, &c. His wife and her two daughters were engaged in dairying and keeping poultry. I know the person named Peter Nestrom. He succeeded Kerr in the selection. He came there about May or June, 1875. I was present on the ground when Nestrom took possession from Kerr. It was arranged that Kerr was to be allowed for a short time the use of the dwelling house for his family, and I know that for a long time Kerr remained in the house. Nestrom had cattle and horses, and carried on dairying. He was always to be found there from daylight till dark, and many a time I have been with

with him there, arranging business. I know that Nestrom had some difficulty to get Kerr's family out of the dwelling house, and he had to threaten impounding and other proceedings before he went away. Nestrom's wife was, during this time, making money as a housekeeper on an adjoining farm. After Kerr's family left, Nestrom's wife gave up her situation, and when the spring set in with plenty of grass, and the cows to calve, all their interests were transferred to Kerr's selection, and they extended their dairying operations. About July or August, 1876, Nestrom informed me that 320 acres was too small, and the distance—about 25 miles from Deniliquin—too great for selling dairy produce; and if I would get some one to take Kerr's selection off his hands, he knew of 600 acres about 10 miles distant from Deniliquin that he would take at once, and secure the advantage of the spring. I did get a person named Burrows, and the transfer was made. Burrows then went in, and continued till the end of the three years. He made the declaration, and paid the interest. And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of New South Wales rendering persons making a false declaration punishable for wilful and corrupt perjury.

Declared at Sydney, in the Colony of New South Wales, }
7th day of October, 1878, before me,—

ROBT. BARBOUR.

J. HURLEY, J.P.

No. 22.

The Chief Commissioner of Conditional Purchases to R. Barbour, Esq., M.P.

Department of Lands, Conditional Sales Division,

Sydney, 27 February, 1879.

Sir,

Adverting to your letter of the 1st instant, applying, for the reasons therein set forth, for a reversal of the forfeiture of the conditional purchase noted in the margin, I am directed to inform you that after a careful perusal of all the papers in the case, and in view of the fact of your having failed to appear at the further inquiry held by Mr. Commissioner Rose at your own request, as also at the adjournment of the original inquiry, and thus avail yourself of the opportunities offered to bring forward evidence in support of your case, the Minister for Lands sees no reason to reverse the decisions arrived at by his predecessors, Messrs. Baker and Farnell.

I have, &c.,

A. O. MORIARTY,

Chief Commissioner.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

CONDITIONAL PURCHASES.

(THOMAS KERR, ROBERT BARBOUR, AND OTHERS.)

Ordered by the Legislative Assembly to be printed, 15 July, 1879.

RETURN (in completion) to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 25 January, 1878, That there be laid upon the Table of this House,—

“Copies of all Papers connected with the recently forfeited Conditional Purchases, in the Deniliquin District, of Thomas Kerr (or Fanny Barbour), of 160 acres; Robert Barbour, of 320 acres; Robert Barbour, of 320 acres; and Leighton Barbour, of 320 acres; including the evidence taken before the Commissioner’s Court, and the Commissioner’s report in each case.”

(Mr. Garrett.)

SCHEDULE.

NO.	PAGE.
1. Application by Fanny Barbour for the conditional purchase of 166 acres, parish of Banangalite, district of Deniliquin. 20 November, 1873	2
2. Application by Leighton Barbour for conditional purchase of 320 acres, parish of Ricketson, county of Townsend, with minutes. 20 November, 1873	2
3. Application by Robert Barbour, jun., for conditional purchase of 320 acres, parish of Ricketson, county of Townsend, with minutes. 20 November, 1873	2
4. Report on Leighton Barbour’s conditional purchase, with minute. 8 April, 1874	3
5. Report on Robert Barbour’s conditional purchase, with minute. 8 April, 1874	3
6. Declaration by Robert Barbour, with minute. 18 July, 1874	3
7. Do. do., with minute. 18 July, 1874	4
8. Do. do. do. 18 September, 1874	4
9. Do. do. do. 18 September, 1874	4
10. Robert Barbour to Minister for Lands, with minutes. 15 July, 1876	5
11. Under Secretary for Lands to Robert Barbour. 10 August, 1876	5
12. Land Agent, Deniliquin, to Under Secretary for Lands, conveying Treasury receipts	5
13. Do. do. do.	6
14. Declaration by Leighton Barbour, with minutes. 15 February, 1877	6
15. Declaration by Robert Barbour, jun., with minutes. 15 February, 1877	6
16. Memorandum by Chief Commissioner of Conditional Sales, with minutes. 28 May, 1877	7
17. Report by Inspector of Conditional Purchases, respecting the selection of Leighton Barbour, with minutes	7
18. Report by Inspector of Conditional Purchases, respecting the selection of Robert Barbour, jun., with minutes	7
19. Gazette Notice. 10 July, 1877	7
20. Circular from Chief Commissioner of Conditional Sales to Fanny Barbour. 17 July, 1877	8
21. Do. do. to Leighton Barbour. 17 July, 1877	8
22. Do. do. to Robert Barbour, jun. 17 July, 1877	8
23. Henry Ricketson to the Minister for Lands, with receipt and declaration. 20 July, 1877	8
24. Do. do. do. 20 July, 1877	9
25. Do. do. do. 23 July, 1877	10
26. Report of Commissioner for South-western Division, respecting conditional purchase of Fanny Barbour, with minutes and evidence	10
27. Do. do. on conditional purchase of Leighton Barbour, with do.	13
28. Do. do. on conditional purchase of Robert Barbour, jun., with do.	16
29. Chief Commissioner, Conditional Sales, to Fanny Barbour. 23 January, 1878	19
30. Do. do. to Leighton Barbour. 28 January, 1878	19
31. Do. do. to Robert Barbour, jun. 28 January, 1878	19
32. Robert Barbour to Minister for Lands, with minutes and protests. 2 February, 1878	20
33. Chief Commissioner of Conditional Sales to Robert Barbour, M.P. 18 February, 1878	21
34. Do. do. do. 26 February, 1878	21
35. Gazette Notice. 19 March, 1878	22
36. Memorandum by Chief Commissioner. 21 March, 1878	22
37. Minute of Executive Council, with minutes. 23 March, 1878	22
38. Gazette Notice. 26 March, 1878	22
39. Robert Barbour to the Minister for Lands, with minute. 29 March, 1878	23
40. Do. do. do. 3 February, 1879	23
41. Chief Commissioner of Conditional Sales to Robert Barbour, M.P. 20 February, 1879	23

CONDITIONAL PURCHASES.

No. 1.

Application by Fanny Barbour for Conditional Purchase.

C.P. No. 73-12,291. L.A. No. 582. Applicant—Fanny Barbour. Police District—Deniliquin.
Date, 20th November, 1873. Time, 3.53. Area, 320 (now 166) acres. Section 13.

DESCRIPTION.

County of Townsend, parish of Banangalite, containing 320 acres. Commencing at a point on the western boundary-line of reserve No. 620, where it intersects the lagoon on the northern side of the lagoon, at which point the Edwards River is distant $3\frac{1}{2}$ miles due south; thence north by the western boundary-line of said reserve for a distance of 60 chains; thence west 53 chains 33 links; thence south to the lagoon; thence easterly along the lagoon to the commencing point, or as nearly as possible to these measurements to enclose 320 acres.

No. 2.

Application by Leighton Barbour for Conditional Purchase.

C.P. 73-12,300.] [Land Agent's No. 591 of 1873.

Application by Leighton Barbour, a minor, for the conditional purchase, without competition, of 320 acres unimproved Crown land, under section 13 of the "Lands Alienation Act of 1861."

RECEIVED by me, with a deposit of £80, this 20th day of November, 1873, at 3.53 o'clock.

J. A. BROUGHTON,

Agent for the Sale of Crown Lands at Deniliquin.

Sir,

Deniliquin, 20 November, 1873.

I am desirous of purchasing, without competition, under the 13th section of the "Crown Lands Alienation Act of 1861," the portion of unimproved Crown land hereunder described, containing 320 acres; and I herewith tender the sum of £80, being a deposit at the rate of five shillings (5s.) per acre on the area for which I apply, and on which it is my intention to reside.

I am, &c.,

LEIGHTON BARBOUR,

(By his Agent, ROBT. BARBOUR, father of the purchaser),
Deniliquin.

To the Agent for the Sale of Crown Lands at Deniliquin.

DESCRIPTION.

County of Townsend, parish of Ricketson, containing 320 acres, portion 13; a surveyed allotment.

Minutes on above.

Mr. Finley, for report on residence.—18 Dec., /73, B.C., 5/1/74.
Surveyor F. L. Burdett.—F. G. FINLEY, 14 Feb., /74.

Transferred to Mr. Licensed-

No. 3.

Application by Robert Barbour, junr., for Conditional Purchase.

C.P. 73-12,301.] [Land Agent's No. 592 of 1873.

Application by Robert Barbour, junior, a minor, for the conditional purchase, without competition, of 320 acres unimproved Crown land, under section 13 of the "Lands Alienation Act of 1861."

RECEIVED by me, with a deposit of £80, this 20th day of November, 1873, at 3.53 o'clock.

J. A. BROUGHTON,

Agent for the Sale of Crown Lands at Deniliquin.

Sir,

Deniliquin, 20 November, 1873.

I am desirous of purchasing, without competition, under the 13th section of the "Crown Lands Alienation Act of 1861," the portion of unimproved Crown land hereunder described, containing 320 acres; and I herewith tender the sum of £80, being a deposit at the rate of five shillings per acre on the area for which I apply, and on which it is my intention to reside.

I am, &c.,

ROBERT BARBOUR, JUNR.,

(By his Agent, ROBERT BARBOUR, father of the purchaser),
Deniliquin.

To the Agent for the Sale of Crown Lands at Deniliquin.

DESCRIPTION.

County of Townsend, parish of Ricketson, containing 320 acres, portion 12; a surveyed allotment.

Minutes on above.

Mr. Finley, for report and residence.—18 Dec., /73, B.C., 6/1/74.
Surveyor F. L. Burdett.—F. G. FINLEY, 14 Feb., /74.

Transferred to Mr. Licensed-

No. 4.

3

No. 4.

Report on Leighton Barbour's Conditional Purchase.

REPORT on Conditional Purchase, County of Townsend, Police District of Deniliquin.

Land Office No.	Name of Purchaser.	Date of Purchase.	Section.	Area.	Situation.	Date of Inspection.	Nature of Improvements.	Value of Improvements.	Residence.	Remarks.
73-591	Leighton Barbour (minor).	20 Nov., 1873.	13	320 acs.	County Townsend, parish Ricketson, portion No. 13.	25 March, 1874.	Temporary hut 9 (nine) feet square, covered with canvas, zinc roof, and partly erected on portion 12 adjoining.	£7	See remarks.	It is intended without delay to improve the land to its full value, by the erection of a substantial dwelling-house, out-houses, &c., and wood and wire fence round the boundaries. The applicant sleeps on the land occasionally, but boards at his father's residence, about 3 miles distant, as there are no cooking utensils, only stretcher at hut.

Transmitted to the Surveyor General, 8th April, 1874-6.

F. L. BURDETT,
Licensed Surveyor.

Minute on No. 4.

Applicant to prove residence.—T.H.L., 11 June, 1874.

No. 5.

Report on Robert Barbour's Conditional Purchase.

REPORT on Conditional Purchase, County of Townsend, Police District of Deniliquin.

Land Office No.	Name of Purchaser.	Date of Purchase.	Section.	Area.	Situation.	Date of Inspection.	Nature of Improvements.	Value of Improvements.	Residence.	Remarks.
73-592	Robert Barbour, junior (a minor).	20 Nov., 1873.	13	320 acs.	County of Townsend, parish of Ricketson, portion No. 12.	25 March, 1874.	Temporary hut, nine feet square, covered with canvas, zinc roof, and partly erected on portion 13 adjoining.	£7	See remarks.	It is intended without delay to improve the land to its full value, by the erection of a substantial dwelling-house, out-houses, &c., and wood and wire fence round the boundaries. The applicant sleeps on the land occasionally, but boards at his father's residence, about 3 miles distant, as there are no cooking utensils at the hut, merely a stretcher.

Transmitted to the Surveyor General, 8th April, 1874-7.

F. L. BURDETT,
Licensed Surveyor.

Minute on No. 5.

Applicant to prove residence.—T.H.L., 11 June, 1874.

No. 6.

Declaration by Robert Barbour.

I, ROBERT BARBOUR, of Banangalite, near Deniliquin, grazier, do solemnly and sincerely declare that Leighton Barbour, a minor, is my son; that I accompanied him, and saw him occupy his conditional purchase, being surveyed portion 13, parish of Ricketson, within one month from purchase, and I know that it has been made his *bonâ fide* residence since. I also know that there is a house erected on the land, in which he sleeps; and the land is now being fenced in, and is nearly enclosed. I also know that he is occasionally absent, attending a school which I have established in the neighbourhood. And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the ninth year of the reign of Her present Majesty, intituled "*An Act for the more effectual abolition of Oaths and Affirmations taken and made in various Departments of the Government of New South Wales and to substitute Declarations in lieu thereof and for the suppression of voluntary and extra-judicial Oaths and Affidavits.*"

Made and signed before me, at Deniliquin, }
this 18th day of July, 1874.— }

JAMES WATSON, J.P.

ROBERT BARBOUR.

Minute on No. 6.

Submitted as to whether this can be accepted as satisfactory.—29 July, 1874.

No. 7.

No. 7.

Declaration by Robert Barbour.

I, ROBERT BARBOUR, of Banangalite, near Deniliquin, grazier, do solemnly and sincerely declare that Robert Barbour, junior, a minor, is my son. That I accompanied him, and saw him occupy his conditional purchase, being surveyed portion No. 12, in the parish of Ricketson, within one month from purchase, and I know that it has been made his *bonâ fide* residence since. I also know that there is a house erected on the land, in which he sleeps; and the land is now being fenced in, and is nearly enclosed. I also know that he is occasionally absent, attending a school which I have established in the neighbourhood. And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the ninth year of the reign of Her present Majesty, intituled "*An Act for the more effectual abolition of Oaths and Affirmations taken and made in various Departments of the Government of New South Wales and to substitute Declarations in lieu thereof and for the suppression of voluntary and extra-judicial Oaths and Affidavits.*"

Made and signed before me, at Deniliquin, }
this 18th day of July, 1874,—

ROBERT BARBOUR.

JAMES WATSON, J.P.

Minute on No. 7.

Submitted as to whether this can be accepted as satisfactory.—29 July, 1874.

No. 8.

Declaration by Robert Barbour.

I, ROBERT BARBOUR, of Banangalite, near Deniliquin, in the Colony of New South Wales, do hereby solemnly and sincerely declare as follows, viz. :—

1. That, on the 20th November, 1873, I, as agent for my son, Leighton Barbour, a minor, did conditionally purchase portion 13, parish of Ricketson, containing 320 acres.
2. That within one month thereafter I saw him take possession of the said land.
3. That I know that he has made it his *bonâ fide* residence since then.
4. That I know that a dwelling-house of four rooms has been erected on the land.
5. That the said land has been enclosed with a post and wire fence, and that a dam or tank has been contracted for.

6. That horses and sheep are now being grazed upon the land.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the ninth year of the reign of Her present Majesty, intituled "*An Act for the more effectual abolition of Oaths and Affirmations taken and made in various Departments of the Government of New South Wales and to substitute Declarations in lieu thereof and for the suppression of voluntary and extra-judicial Oaths and Affidavits.*"

Subscribed and declared at Deniliquin, this eighteenth }
day of September, 1874, before me,—

ROBERT BARBOUR.

ALFRED W. FINCH NOYES, J.P.

Minutes on above.

For Inspector.—W.B., 8/12/75.
April, 1876.

D. Keele, Inspector of Conditional Purchases, for report, 18

No. 9.

Declaration by Robert Barbour.

I, ROBERT BARBOUR, of Banangalite, near Deniliquin, in the Colony of New South Wales, do hereby solemnly and sincerely declare as follows, viz. :—

- 1st. That, on the 20th November, 1873, I, as agent for my son, Robert Barbour, junior, a minor, did conditionally purchase portion 12, parish of Ricketson, containing 320 acres.
- 2nd. That within one month thereafter I saw him take possession of the said land.
- 3rd. That I know that he has made it his *bonâ fide* residence since then.
- 4th. That I know that a dwelling-house has been erected thereon.
- 5th. That the said land has been enclosed with a substantial post and wire fence.
- 6th. That horses and sheep are now being grazed upon the land.

And I make this declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the ninth year of the reign of her present Majesty, intituled "*An Act for the more effectual abolition of Oaths and Affirmations taken and made in various Departments of the Government of New South Wales and to substitute Declarations in lieu thereof and for the suppression of voluntary and extra-judicial Oaths and Affidavits.*"

Subscribed and declared at Deniliquin, this eighteenth }
day of September, 1874, before me,—

ROBT. BARBOUR.

ALFRED W. FINCH NOYES, J.P.

Minutes on above.

For Inspector.—W.B., 8/12/75,
April, 1876.

D. Keele, Inspector of Conditional Purchases, for report, 18

No. 10.

Mr. R. Barbour to The Secretary for Lands.

Sir,

Deniliquin, 15 July, 1876.

I have the honor to request that you will review Mr. Commissioner Johnson's reports upon my family's conditional purchases, and that you will order that their holdings be not disturbed.

The following are the names, viz.:—

Catherine I. Barbour ; selected	Deniliquin, 20 November, 1873.
Mary K. Barbour	do.
Margaret W. Barbour	do.
George Pitty Barbour	do.
George Pitty	do.
Josiah Pitty	do.

I have nine children ; I took up selections for them ; the eldest is a girl now seventeen years ; the two next are girls, and the boys are still younger. I have made their selections their *bond fide* homes, and the children are proud in saying "This is my land." I have been compelled to remove them occasionally from attacks of measles, scarlet fever, and in one case of rheumatic fever ; and my duty as a parent has pressed me to provide for their education. This has caused the eldest girl to be away from home, at college in Melbourne, for the last three-quarters of a year, but she will be back again at the vacation ; and some of the others have also been away at school. I have expended on the selections about £3,000 in fencing, in dams, and in necessary buildings. I have cultivated portions, and stocked the land with horses, cattle, and sheep, and done everything that I could do to make the several portions full, complete, and honestly occupied.

I had the misfortune to select upon the run of the greatest tyrant of all the land-vultures of Riverina, who, because I would not sell out to him, vowed that he would ruin me, compel me to leave my land penniless, and make it an example to all free selectors not to come to Baratta. He has pretty nearly fulfilled his vow. He has persecuted me with four Supreme Court actions, costing me £3,000, and has succeeded in frightening all selectors away, for not one other selector will come to his run of Baratta. Discharged servants of mine have been engaged by him at increased wages, suborned to conjure up evidence to damage me. He takes your Inspectors to his house, gives them a princely entertainment, takes them with him in his buggy all round his kingdom, impresses them with his strong mind and wishes, and the results he wants follow : A buggy drives up, driven by Ricketson ; he brings a gentleman ; the gent jumps out, looks at the hut, looks at the fence, perhaps he sees a dam in the distance, and he guesses, or is supplied with information from the person who drives, but not a question is asked at the poor selector's—his information would not answer the purpose.

If my parental instincts have placed the inquiring minds of my children in positions that would withdraw their little persons for a little time from their own huts, or if I did give them occasionally the opportunity of nestling under their mother's wings, where they could hear the oft-repeated story of the heartless Ricketson, who, when their father was hundreds of miles away, did pull the house down over their heads that he might frighten them, I still must add that I believe that I have, through my family, fulfilled honest settlement.

I have, &c.,

ROBT. BARBOUR.

Minutes on No. 10.

Let me have the papers by to-morrow.—T.G., 18/7/76. The papers in these cases were sent over to the Executive Council for approval of forfeitures on 17/7/76. Now with the Minister for Lands.—W.B., 21/7/76. I see no reason for disturbing the decision already given.—T.G., 24/7/76. It is presumed that the within forfeited conditional purchases of Barbour and Pitty may go on for auction.—J.W., 25/8/76. Mr. Blackman.—W.B. Approved.—T.G., 26/9/76.

No. 11.

The Under Secretary for Lands to Mr. R. Barbour.

Sir,

Department of Lands, 10 August, 1876.

In reference to your letter of the 15th ultimo, requesting that the Commissioner's reports on your family's conditional purchases might be reviewed by the Minister for Lands, and an order issued that the holdings be not disturbed, I am directed to inform you that, after further examination of the cases, Mr. Secretary Garrett sees no reason for disturbing the decisions already given, which were to the effect that forfeiture must ensue on the Commissioner's reports of inquiries.

I have, &c.,

W. W. STEPHEN.

No. 12.

The Crown Lands Agent, Deniliquin, to The Under Secretary for Lands.

Conditional Purchases.

OBJECTOR'S deposits, under 25th clause 39 Victoria 13, received from H. Ricketson, against the following conditional purchases :—£10, Thomas Kerr, 320 acres, 20th November, 1873 ; £10, L. Barbour, 320 acres, 20th November, 1873 ; £10, Robert Barbour, 320 acres, 20th November, 1873. Total, £30.

J. A. BROUGHTON,

C. L. Agent, Deniliquin.

Credited at this office on 17th October, 1876.—G.E. Treasury, B.C., 17th October, 1876.—W.A.B. The Under Secretary for Lands.

No. 13.

No. 13.

The Crown Lands Agent, Deniliquin, to The Under Secretary for Lands.

Conditional Purchases.—Deposits under 47th clause of the Regulations under the Lands Acts Amendment Act.

£10 deposited by Henry Ricketson against a selection made by Fanny Barbour at Deniliquin on 20th November, 1873, containing 170 acres.

Credited, 24th November, 1876. The Treasury, B.C., 24 November, 1876. The Under Secretary for Lands.—G.E.

No. 14.

Declaration by Leighton Barbour.

(C.P. 73-12,300.)

Declaration of Conditional Purchaser, under the 18th section of the "Crown Lands Alienation Act of 1861."

I, LEIGHTON BARBOUR, of Baratta, do solemnly and sincerely declare that I am the lawful owner, by conditional purchase, under the 13th section of the "Crown Lands Alienation Act of 1861," of the land hereunder described; and that improvements consisting of buildings and fencing, &c., and to the value of £320, have been made on such land; and I declare further that the said land has been the *bonâ fide* residence continuously of myself from the period of selection and first occupation to the present date, and that no alienation of the land has been made by any of the abovenamed holders until after the residence thereon of such holder for a period of one whole year, each alienation having been notified to the Land Agent of the district within one month of its having been made. And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the ninth year of the reign of Her present Majesty, intituled "*An Act for the more effectual abolition of Oaths and Affirmations taken and made in various Departments of the Government of New South Wales and to substitute Declarations in lieu thereof and for the suppression of voluntary and extra-judicial Oaths and Affidavits.*"

Taken and declared at Deniliquin, this 15th day } Father, and agent for Leighton Barbour,
of February, 1877, before me, } a minor, aged 8 (eight) years.
J. A. BROUGHTON, a Commissioner for Affidavits.

DESCRIPTION.

320 acres, at Deniliquin, county of Townsend, parish of Ricketson, being conditional purchase No. 591 of 1873, in the district of Deniliquin, made on the 20th November, 1877.*

Minutes on above.

Inspector Keele, for report, 18/4/76. Interest, £12, credited at Treasury, 20 Feb., /77.—V.C. This declaration requires amendment, it having been made by an agent.—J.W., 24/3/77. For Inspector.

No. 15.

Declaration by Robert Barbour, junior.

(C.P., 73-12,301.)

Declaration of Conditional Purchaser, under the 18th section of the "Crown Lands Alienation Act of 1861."

I, ROBERT BARBOUR, junior, of Baratta, do solemnly and sincerely declare that I am the lawful owner, by conditional purchase, under the 13th section of the "Crown Lands Alienation Act of 1861," of the land hereunder described, and that improvements consisting of buildings, fences, and water-holes, and to the value of £320, have been made on such land; and I declare further that the said land has been the *bonâ fide* residence continuously of myself from the period of selection and first occupation to the present date, and that no alienation of the land has been made by any of the abovenamed holders until after the residence thereon of such holder for a period of one whole year, each alienation having been notified to the Land Agent of the District within one month of its having been made. And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the ninth year of the reign of Her present Majesty, intituled "*An Act for the more effectual abolition of Oaths and Affirmations taken and made in various Departments of the Government of New South Wales and to substitute Declarations in lieu thereof and for the suppression of voluntary and extra-judicial Oaths and Affidavits.*"

ROBERT BARBOUR,

Father of, and Agent for, ROBT. BARBOUR, junior
(a minor), aged twelve years.

Taken and declared at Deniliquin, this 15th day }
of February, 1877, before me, }
J. A. BROUGHTON, a Commissioner for Affidavits.

DESCRIPTION.

County of Townsend, parish of Ricketson, 320 acres, being conditional purchase No. 592 of 1873, in the District of Deniliquin, made on the 20th November, 1873.

Minutes on above.

C.P., 73-12,301. Inspector Keele, for report.—18/4/76. Interest, £12, credited at Treasury, 20 Feb., /77.—V.C. This declaration requires amendment, it having been made by an agent.—J.W., 11/4/77. For Inspector

No. 16.

Memorandum by Chief Commissioner of Conditional Sales.

HENRY RICKETSON has paid £10 deposit for inquiries as to certain selections of Barbours'. Why are not these referred for inquiry? A.O.M., 28/5/77.

Minutes on above.

*Treasury receipts herewith.—W.H.C., 29/5/77.

The papers connected with the within-mentioned cases were not received by me, hence the delay. *See Nos. 12 & 13. The enclosed credit-slips were put away as records.—W.H.C., 29th May, 1877.

See that these cases are sent on immediately if the necessary declarations have been lodged. If not, inform.—A.O.M., 29/6/77.

The remaining papers in these cases are not forthcoming. Included in Gazette. Selectors informed by circulars, B.C., Commissioner Rose. The Commissioner's reports on these cases have now been received.

No. 17.

Report by Inspector of Conditional Purchases to The Under Secretary for Lands.

REPORT by D. Keele, Inspector of Conditional Purchases, respecting the selection of Leighton Barbour, made at Deniliquin, on 20th November, 1873.

Sir,

I have the honor to report that I visited and inspected the above-described conditional purchase on the 2nd July, 1876, and that I found the selector then not resident upon his selection.

The land, which consists of open plains, and comprises 320 acres, is not occupied and used by Leighton Barbour as a residence; and the selector, who follows the avocation of a , had at the time of my visit made the improvements hereunder particularly described, the value of which I estimate at the sums respectively stated, viz., the portion of the weatherboard cottage mentioned in my report on Robert Barbour's conditional purchase, which I valued at £80; also from the appearance of the land and the circumstances stated in the following remarks, I am of opinion that the selector has not been continuously resident upon the selection; also a tank about 600 yards (cubic), £35, 40 chains five-wire fencing, worth £60 per mile, £30. These were the only improvements on the area at the time of my visit. There can be no doubt the residence conditions in this case have not been attended to.

I have, &c.,

DUDLEY KEELE,

Inspector of Conditional Purchases.

Minutes on above.

Mr. Curry,—Any declaration?—W.B., 25/6/77. Declaration herewith, 13/7/77. Submitted.—W.B., 14/7/77. For Commissioner.—A.O.M., 14/7/77. B.C., 16 July, /77. Commr. Rose. To be rtd.

No. 18.

Report by Inspector of Conditional Purchases to The Under Secretary for Lands.

REPORT by D. Keele, Inspector of Conditional Purchases, respecting the selection of Robert Barbour, junior, made at Deniliquin, on 20 November, 1873.

Sir,

I have the honor to report that I visited and inspected the above-described conditional purchase on the 2nd July, 1876, and that I found the selector then not resident upon his selection.

The land, which consists of open plains, and comprises 320 acres, is not occupied and used by Robert Barbour as a residence; and the selector, who follows the avocation of , had at the time of my visit made the improvements hereunder particularly described, the value of which I estimate at the sums respectively stated, viz., a weatherboard cottage, situated on the boundary-line between this conditional purchase and that of Leighton Barbour, portion 13. From the appearance of the land and the circumstances stated in the following remarks, I am of opinion that the selector has not been continuously resident upon the selection.

This cottage I valued at £80. There was also 40 chains of five-wire fencing on the area, which I value at £60 per mile; also a small tank or excavation of 600 (cubic) yards, worth 1s. per yard—£35. I found a man residing in the hut, who informed me that he was a servant in the employ of Mr. R. Barbour, senior. I should say that the residence conditions have not been observed in this case.

I have, &c.,

DUDLEY KEELE,

Inspector of Conditional Purchases.

Minutes on above.

Mr. C.—Any declaration?—W.B., 25/6/77. Declaration herewith, 13/7/77. Submitted.—W.B., 14/7/77. For Commissioner, 14/7/77. Commissioner Rose.—B.C., 16 July, 1877. To be returned.

No. 19.

Gazette Notice.

Department of Lands, Conditional Sales Branch, Sydney, 10 July, 1877.

It is hereby notified, for the information of all parties interested, that information having been received to the effect that the conditions as to residence or improvements have not been, or are not being fulfilled, in respect to the undermentioned conditional purchases, the claims of the holders of such purchases have been

been severally referred to Commissioners for inquiry, pursuant to the "Lands Acts Amendment Act of 1875."

Due notice will be given by the respective Commissioners of the times and places appointed by them for holding such inquiries.

RICHARD DRIVER.

No.	C.P. No.	Name of Selector.	Date of Selection.	Area.	District.	County.	Parish.	Address.	Commissioner.
				acres.					
76-23,484	73-12,291	Barbour Fanny (spinster)	20 Nov., 1873.	166	Deniliquin.	Townsend.	Banangalite	Deniliquin.	A. C. S. Rose.
"	73-12,300	Barbour L.	20 Nov., 1873.	320	Deniliquin.	Townsend.	Ricketson...	Deniliquin.	A. C. S. Rose.
"	73-12,301	Barbour R.	20 Nov., 1873.	320	Deniliquin.	Townsend.	Ricketson...	Deniliquin.	A. C. S. Rose.

No. 20.

The Chief Commissioner of Conditional Sales to Miss F. Barbour.

Madam, Conditional Sales Division, Department of Lands, Sydney, 17 July, 1877.

No. 19. I am directed to invite your attention to the notice in the Government Gazette of the 10th instant, by which you will perceive that your claim to the conditional purchase made by you at Deniliquin on the 20th November, 1873, has been referred by the Minister for Lands to Commissioner Rose for inquiry, in accordance with the 25th clause of the "Lands Act Amendment Act of 1875," and the Regulations relating thereto, as to the fulfilment by you of the conditions thereof.

2. I am to inform you that due notice of the time and place appointed for the purpose will be given you by the Commissioner referred to.

I have, &c.,

WM. BLACKMAN.

(For the Chief Commissioner of Conditional Sales.)

No. 21.

The Chief Commissioner of Conditional Sales to Mr. L. Barbour.

Sir, Conditional Sales Division, Department of Lands, Sydney, 17 July, 1877.

No. 19. I am directed to invite your attention to the notice in the Government Gazette of the 10th instant, by which you will perceive that your claim to the conditional purchase made by you at Deniliquin on the 20th November, 1873, has been referred by the Minister for Lands to Commissioner Rose for inquiry, in accordance with the 25th clause of the "Lands Acts Amendment Act of 1875," and the Regulations relating thereto, as to the fulfilment by you of the conditions thereof.

2. I am to inform you that due notice of the time and place appointed for the purpose will be given you by the Commissioner referred to.

I have, &c.,

WM. BLACKMAN.

(For the Chief Commissioner of Conditional Sales.)

No. 22.

The Chief Commissioner of Conditional Sales to Mr. R. Barbour, junr.

Sir, Conditional Sales Division, Department of Lands, Sydney, 17 July, 1877.

No. 19. I am directed to invite your attention to the notice in the Government Gazette of the 10th instant, by which you will perceive that your claim to the conditional purchase made by you at Deniliquin on the 20th November, 1873, has been referred by the Minister for Lands to Commissioner Rose for inquiry, in accordance with the 25th clause of the "Lands Acts Amendment Act of 1875," and the Regulations relating thereto, as to the fulfilment by you of the conditions thereof.

2. I am to inform you that due notice of the time and place appointed for the purpose will be given you by the Commissioner referred to.

I have, &c.,

WM. BLACKMAN.

(For the Chief Commissioner of Conditional Sales.)

No. 23.

Mr. H. Ricketson to The Secretary for Lands.

[Urgent.]

Sir,

Deniliquin, 20 July, 1877.

I have the honor to complain to you against Leighton Barbour on account of his non-fulfilment of residence and improvement on his conditional purchase, as required by the "Crown Lands Alienation Act of 1861."

The conditional purchase in question, which was for 320 acres of land, in the parish of Ricketson, being portion 13, was taken up by said Leighton Barbour, who is a minor, on 20th November, 1873, and is numbered *592 in the book of the Land Agent, Deniliquin; and I have to inform you that the said Leighton Barbour did not take up his residence on the said land, so purchased by him as aforesaid, within the period of one month from the date of purchase before-mentioned. I further inform you that for about fifteen months following the date of purchase he resided on a selection made by one Fanny Barbour, distant 4 or 5 miles from his own selection; and that after such fifteen months, up to and until the 11th August, 1876, he lived at Curnella, some 50 miles away, only visiting his own land once or twice, and then only for a day or two on each occasion.

I further inform you that the said Leighton Barbour did not, within the time required by law, make improvements on the said land to the amount or value required by the Crown Lands Acts.

I have deposited £10, as required by the 25th section of the "Lands Acts Amendment Act of 1877". The receipt of the Land Agent therefor is annexed hereto.

I have the honor to request your immediate attention hereto, with a view of your forwarding instructions to Mr. Commissioner Rose for his investigation at a Court of Inquiry, to be holden by him at Deniliquin in August next.

I have, &c.,

HENRY RICKETSON.

(Per A. G. BLOMFELD, Land Agent, 108, Pitt-street.)

[Enclosure A to No. 23.]

October 3, 1876.

RECEIVED from Mr. Henry Ricketson the sum of Ten Pounds, deposit for inquiry into complaint made by him against Leighton Barbour, under "Crown Lands Acts Amendment Act of 1875."

J. A. BROUGHTON,
Land Agent, Deniliquin.

[Enclosure B to No. 23.]

Declaration.

I, HENRY RICKETSON, of Baratta, in the Colony of New South Wales, settler, do solemnly and sincerely declare,—

1. That I am the lessee of the Baratta Run, in the Murrumbidgee District of New South Wales.
2. That on the 20th November, 1873, one Leighton Barbour, a minor, conditionally purchased 320 acres of land, being portion 13, in the parish of Ricketson, part of the said Baratta Run, under the 13th section of the "Crown Lands Alienation Act of 1861," and numbered in the Land Agent's book at Deniliquin 591.

3. That the said Leighton Barbour did not reside on the said purchased land within one month from the date of purchase, and for some fifteen months thereafter he resided on Fanny Barbour's selection, between 4 and 5 miles away from his said conditional purchase, after which time, until about the 11th of August, 1876, he resided generally at Curnella, 50 miles away, with exception that once or twice he visited the neighbourhood of the said land, but remained in such neighbourhood only one or two days, or thereabouts. The said purchased land is not improved to the extent required by the said Act.

4. I have deposited £10 with the Land Agent, Deniliquin, as security for costs of inquiry under the "Crown Lands Acts Amendment Act of 1875." And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the ninth year of the reign of Her present Majesty, intituled "*An Act for the more effectual abolition of Oaths and Affirmations taken and made in various Departments of the Government of New South Wales to substitute Declarations in lieu thereof and for the suppression of voluntary and extra-judicial Oaths and Affidavits.*"

HENRY RICKETSON.

Taken and declared, at Deniliquin, in the Colony of New South Wales, this twenty-third day }
of July, in the year one thousand eight hundred and seventy-seven, before me,—

JAMES WATSON, a Justice of the Peace.

No. 24.

Mr. H. Ricketson to The Secretary for Lands.

[Urgent.]

Sir,

Deniliquin, 20 July, 1877.

I have the honor to complain to you against Robert Barbour, the younger, on account of his non-fulfilment of residence and improvement on his conditional purchase, as required by the "Crown Lands Alienation Act of 1861."

The conditional purchase in question, which was for 320 acres of land, in the parish of Ricketson, being portion 12, was taken up by said Robert Barbour, the younger, who is a minor, on 20th November, 1873, and is numbered 592 in the book of the Land Agent, Deniliquin. And I have to inform you that the said Robert Barbour, the younger, did not take up his residence on the said land, so purchased by him as aforesaid, within the period of one month from the date of purchase before-mentioned. I further inform you that for about fifteen months following the date of purchase he resided on a selection made by one Fanny Barbour, distant 4 or 5 miles from his own selection; and that after such fifteen months, up to and until the 11th August, 1876, he lived at Curnella, some 50 miles away, only visiting his own land once or twice, and then only for a day or two on each occasion.

I further inform you that the said Robert Barbour, the younger, did not, within the time required by law, make improvements on the said land to the amount or value required by the Crown Lands Acts.

I have deposited £10, as required by the 25th section of the "Lands Acts Amendment Act of 1877." The receipt of the Land Agent therefor is annexed hereto.

I have the honor to request your immediate attention hereto, with a view of your forwarding instructions to Mr. Commissioner Rose for his investigation at a Court of Inquiry to be holden by him at Deniliquin in August next.

I have, &c.,

HENRY RICKETSON.

(Per A. G. BLOMFELD, Land Agent, Pitt-street.)

[Enclosure A to No. 24.]

3 October, 1876.

RECEIVED from Mr. Henry Ricketson the sum of Ten Pounds deposit for inquiry into complaint made by him against Robert Barbour, the younger, under the 25th section of the "Crown Lands Acts Amendment Act of 1875."

J. A. BROUGHTON,
Land Agent, Deniliquin.

[Enclosure B to No. 24.]

Declaration of H. Ricketson.

I, HENRY RICKETSON, of Baratta, in the Colony of New South Wales, settler, do solemnly and sincerely declare,—

1st. That I am the lessee of the Baratta Run, in the Murrumbidgee District of New South Wales.
2nd. That on the 20th of November, 1873, one Robert Barbour, the younger, a minor, conditionally purchased 320 acres of land, being portion 12 in the parish of Ricketson, part of the said Baratta Run, under the 13th section of the "Crown Lands Alienation Act," and numbered in the Land Agent's book at Deniliquin 592.

3rd. That the said Robert Barbour, the younger, did not reside on the said purchased land within one month from the date of purchase; and for some fifteen months thereafter he resided on Fanny Barbour's selection, between 4 and 5 miles away from the said conditional purchase, after which time, until about the 11th of August, 1876, he resided generally at Curnella, 50 miles away, with exception that once or twice he visited the neighbourhood of the said land, but remained in such neighbourhood only one or two days or thereabouts. The said purchased land is not improved to the extent required by the said Act.

4th. I have deposited £10 with the Land Agent, Deniliquin, as security for costs of inquiry under the "Crown Lands Acts Amendment Act of 1875."

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the ninth year of the reign of Her present Majesty, intituled "*An Act for the more effectual abolition of Oaths and Affirmations taken and made in various Departments of the Government of New South Wales to substitute Declarations in lieu thereof and for the suppression of voluntary and extra-judicial Oaths and Affidavits.*"

HENRY RICKETSON.

Taken and declared at Deniliquin, in the Colony of New South Wales, this 23rd day }
of July, in the year one thousand eight hundred and seventy-seven, before me,— }

JAMES WATSON, a Justice of the Peace.

No. 25.

Mr. H. Ricketson to The Secretary for Lands.

[Urgent.]

Sir,

Deniliquin, 23 July, 1877.

I have the honor to complain to you against Fanny Barbour, a minor, on account of her non-fulfilment of the residence required by the "Crown Lands Alienation Act of 1861."

The conditional purchase, which was for *170 acres of land in the parish of Banangalite, was taken up by said Fanny Barbour, who is a minor, on the 20th November, 1873, and is numbered 582 in the book of the Land Agent at Deniliquin.

And I have to inform you that the said Fanny Barbour only resided on her said purchased land for about fifteen months after the date of her selection, after which time she went to reside, as I believe, with her father and mother at Curnella, on the river Murray, distant about 50 miles from the locality of her said purchase. Said Fanny Barbour only came to her selection two or three times during the remainder of the three years from her purchase, the last visit being made on the 19th November, 1876.

I have deposited £10, as required by the 25th section of the "Crown Lands Acts Amendment Act of 1875," the receipt whereof by the Land Agent is annexed; and I accompany it with a declaration verifying this my complaint, as required by the said Act.

I have the honor to request your immediate attention hereto, with a view of your forwarding instructions to Mr. Commissioner Rose in time for the investigation thereof by him at his next Court of Inquiry, to be holden in August of the present year.

I have, &c.,

HENRY RICKETSON.

(Per A. G. BLOMFELD, Land Agent, 108, Pitt-street.)

[Enclosure A to No. 25.]

18 November, 1876.

£10 RECEIVED from Mr. Henry Ricketson, deposit for inquiring into complaint made by him against Fanny Barbour, under 25th section of the "Crown Lands Acts Amendment Act of 1875."

J. A. BROUGHTON,

Land Agent, Deniliquin.

[Enclosure B to No. 25.]

Declaration.

I, HENRY RICKETSON, of Baratta, in the Colony of New South Wales, do solemnly and sincerely declare—

1. That I am a settler, and the lessee of the Baratta Run, in the Murrumbidgee District of the Colony of New South Wales.

2. That, on the 20th day of November, in the year one thousand eight hundred and seventy-three, one Fanny Barbour, a minor, conditionally purchased *one hundred and seventy acres in the parish of Banangalite, part of the said Baratta Run, under the 13th section of the "Crown Lands Alienation Act of 1861," and numbered in the Land Agent's book at Deniliquin "582."

3. That the said Fanny Barbour resided on her said purchase for about fifteen months after the date thereof, when she went to reside, as I believe, with her father and mother, at Curnella, on the river Murray, distant about 50 miles from the locality of her said purchase.

4. That, after the said fifteen months, the said Fanny Barbour came to her said purchased land on two or three occasions, and then only remained thereon for a day or two on each occasion; the last temporary visit of the said Fanny Barbour to the said land being made about the 19th day of November, in the year one thousand eight hundred and seventy-six, one day before the expiration of three years from the date of her said purchase.

5. I have deposited ten pounds with the Land Agent, Deniliquin, as security for cost of inquiry under the "Crown Lands Acts Amendment Act of 1875."

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the ninth year of the reign of Her present Majesty, intituled "*An Act for the more effectual abolition of Oaths and Affirmations taken and made in various Departments of the Government of New South Wales to substitute declarations in lieu thereof and for the suppression of voluntary and extra-judicial Oaths and Affidavits.*"

HENRY RICKETSON.

Taken and declared at Deniliquin, in the Colony of New South Wales, this twenty-third day }
of July, in the year one thousand eight hundred and seventy-seven, before me,— }

JAMES WATSON, a Justice of the Peace.

No. 26.

Mr. Commissioner Rose to The Under Secretary for Lands.

REPORT of an Inquiry held at Deniliquin on the 3rd September, 1877, by A. C. S. Rose, Commissioner for the South-western Division, respecting the Conditional Purchase of Fanny Barbour, made at Deniliquin, on the 20th November, 1873.

Sir,

I have the honor to transmit herewith for the consideration of the Honorable the Minister for Lands, minutes of evidence taken at any inquiry under the "Lands Acts Amendment Act of 1875," held by me in pursuance of the reference notified in the *Gazette* of the 10th July, 1877, in the matter of the above-described conditional purchase.

The

Enclosed.

See No. 19.

*Qr. 108.

*Qr. 168.

The claimant, a child, having been duly served with notice of the time and place of holding the inquiry, was not present thereat, but was represented by her father.

The following facts bearing upon the fulfilment by the selector of the conditions of purchase were elicited in evidence, viz. :—

The conditional purchaser appears to have resided habitually upon this land from the date of purchase, or within one month thereafter, until the middle of June, 1875, a period of about nineteen months. Her father then took her away, and she did not again reside upon her selection. The reason alleged by her father for moving the child from the selection is—that her mother's health suffered so much from Mr. H. Ricketson's acts of violence that it was necessary to take her from his neighbourhood; and as the child Fanny was very young, it was out of the question to separate her from her mother.

I have therefore to report that I find such conditions not to have been fulfilled, and to recommend that this conditional purchase be forfeited.

It will of course rest with the Honorable the Minister for Lands to determine whether, under the circumstances detailed in Mr. Barbour's evidence, the non-observance of the conditions of residence from June, 1875, to November, 1876, is justifiable.

I have, &c.,

A. C. S. ROSE,
Commissioner.

Minutes on No. 26.

The forfeiture has been incurred under the law by the non-observance of the condition of residence during at least one-half the time required by the terms of purchase. As in other cases, it appears to me that it must take effect, notwithstanding the circumstances adverted to.—A.O.M., 11/12/77. Approved.—J.S.F., 21/1/78.

[Enclosure to No. 26.]

Evidence referred to.

Peter Nestrom, being duly sworn, saith : I am a conditional purchaser at Birganbiral, 9 miles from Deniliquin; in June, 1875, I was at Baratta; I was there on the 10th and 11th of that month; whilst I was there I slept in the house on Fanny Barbour's selection; I then went to Curnella; I staid there a week, and then returned to Baratta; I staid there for about fourteen or fifteen months, on Fanny Barbour's selection; most of the nights during that time I slept on Fanny Barbour's selection; my wife and family, two other parties, and sometimes some of Mr. Barbour's family slept there; from June, 1875, to October, 1876, Fanny Barbour lived there part of the time; she was not there on the 19th of June, 1875; she came there in October, 1875, with her sister Margaret—a girl about fourteen years old; Fanny was between two and three years old; Fanny lived in a house on her own selection for the time she was there; she stayed until towards the end of November, 1875; I drove her from Deniliquin; I cannot fix the date I got her at "Atkinson's Hotel"; I took her and her sister to Curnella, which is about 60 miles from her selection; after November, 1875, she did not come on to her selection again, to my knowledge; I was there till last September—September, 1876—either there or in the neighbourhood; from November, 1875, to October, 1876, I never saw Fanny Barbour on her selection; she could not very well have been there without my knowledge; I was in her hut nearly every night during the period I have mentioned; to the best of my belief the girl Fanny Barbour was not there during that period.

By Mr. R. Barbour, father of conditional purchaser: From the time I went to your daughter Fanny's selection in June, 1875, there was a six-roomed house on the selection; my wife was in charge of that house for Fanny Barbour; her selection contains about 170 acres; I saw your daughter on her selection in May and in June, 1875; for two days and nights she was there, in May; I stayed there, so I know.

By Mr. Gillott, for Mr. Ricketson: From June, 1875, to September, 1876, I was in charge of all Mr. Barbour's selections at Baratta.

Taken and sworn before me, at Deniliquin, this }
3rd day of September, 1877,— }

A. C. S. ROSE, Commissioner.

PETER NESTROM.

Andrew Barnes, being duly sworn, saith : I know Fanny Barbour's selection on Baratta Run; on the 7th of December, 1873, I went to that selection in the company of John Green and Thomas Kerr; my wife and I were under an engagement to live on Fanny Barbour's selection; we lived at Five-mile Creek, in a house on Fanny Barbour's selection; on the 19th of December, 1873, Mr. Barbour brought Fanny Barbour—then a baby three or four months old, as far as I can recollect—to the selection; I lived there until May, 1875; I left Mr. Barbour's employment on the 24th of May, 1875; I stayed at Fanny Barbour's selection for a fortnight after this; in June or July, 1875, Mr. Barbour's family left the selection; about that time I went to the house on Fanny Barbour's selection; it was uninhabited; a man named Nestrom came there to live shortly after this.

By Mr. Barbour: From 19th December, 1873, to June or July, 1875, Fanny Barbour lived on her selection; she used to sleep regularly on her selection during that time; I am now in Mr. Ricketson's employment as a kangaroo hunter.

Taken and sworn before me, at Deniliquin, this }
3rd day of September, 1877,— }

A. C. S. ROSE, Commissioner.

A. BARNES.

Thomas Kerr, being duly sworn, saith : I am a contractor for sinking tanks; in November, 1873, I was in Mr. Robert Barbour's employment as manager of horses; on the 7th of December, 1873, I camped on Fanny Barbour's selection at Baratta; I stayed there a week, and then went to Echuca, to fetch up Mr. Barbour's family; I did not return to Baratta until February, 1874; I staid there till June, 1875; in that month I saw Mr. Barbour and all his family, including Fanny Barbour, leave Baratta; I stayed there till October; from June, 1875, to October, 1875, I saw nothing of Fanny Barbour on her selection.

By Mr. Barbour: I was living on my own selection, a mile and a half from your daughter Fanny's selection, at the time I refer to, that is from June, 1875, to October, 1875; from February, 1874, to June, 1875, she was on her selection day and night.

Taken and sworn before me, at Deniliquin, }
this 3rd day of September, 1877,— }

A. C. S. ROSE, Commissioner.

THOMAS KERR.

Isaac Everitt, being duly sworn, saith : I am a publican; in March, 1874, I was employed by Mr. Robert Barbour, and lived on the selection of his daughter Fanny, in March, 1874; I lived about 20 chains from her house; I lived there till June, 1875; Mr. Barbour and all his family left the selection at that time; I staid there for several weeks afterwards; I never saw Fanny Barbour on her selection after she left; I have been there fifty times since up to November, 1876, and I never saw Fanny Barbour on her selection during that time.

By Mr. Barbour: I have been in the house on your daughter Fanny's selection twenty or fifty times during the last twelve months; I have been in her house so many times, and have never seen her there; you, and I had some little disagreement when I left your employment.

Taken and sworn before me, at Deniliquin, }
this 3rd day of September, 1877,— }

A. C. S. ROSE, Commissioner.

ISAAC EVERITT.

William

William Dodemaide, being duly sworn, saith: I am a labourer; in April, 1876, I was working for Mr. Barbour at Curnella; I left in September, 1876; I then went to Baratta; on the 23rd September, 1876, I arrived at Baratta with my wife and family (about four months); from that time till February, 1877, I lived in a house on Fanny Barbour's selection; George Barbour and Robert Barbour lived there, but Fanny Barbour never lived there during that time; she came on a visit for a few days; she came on the 17th or 18th of November, 1876, a Saturday, with her father, in a buggy; they staid until the following Tuesday, and then left; that was the only time I saw Fanny Barbour on her selection.

By Mr. Barbour: I was never inside your house at Curnella; when I saw Fanny Barbour she was a child, three, four, or five years old; her sisters called her Fanny.

Taken and sworn before me, at Deniliquin, }
this 3rd day of September, 1877.—

A. C. S. ROSE, Commissioner.

WILLIAM DODEMAIDE.

Henry Ricketson, being duly sworn, saith: I am the lessee of the Baratta Run, on which, on the 20th of November, 1873, Fanny Barbour took up a selection of about 167 or 180 acres—I forget which; a house was built there, and Mr. Barbour and his family lived there till June, 1875; after that time, till November, 1876, I passed this house very often, and I never saw any of the Barbour family there; I never saw Fanny Barbour there during that time; I inquired two or three times of Mr. Nestrom, the manager, and he told me that the family was not there.

By Mr. Barbour: I do not know how many rooms there are in Fanny Barbour's house; I do not think that I was ever inside the house; I did not see what was going on inside the house; I remember moving about 10 feet of this house which stood on my land; all I took off was on my ground; you put one room on my land; I forbade you to build the house, and I remonstrated with you several times whilst the house was going on; I then gave you notice in writing to remove so much of the house as was on my land, or I should move it and take proceedings against you for trespass; you told me that you would move it; you said that you wanted to get your money back from the Government first; I saw your wife at your child's selection; I told her that I was going to move the obstruction; she said that she was aware that I was going to move the obstruction.

By the Commissioner: It was a couple of months or so—it might have been two months or three months—after the selection was taken up that I spoke to Mrs. Barbour; I then set my men to work to cut down the portion of the house on my land; they cut it down; the end of the house was left to fill up the open end of the building when cut; their men put up the end of the house to the end thus left open.

By Mr. Barbour: You had four or five men there; I had four or five men at work cutting the house away; Mrs. Barbour never said that there were none of her men about; she did not cry; there was no child sleeping in the room that was cut away; I told your wife to take the things away; there were some things in the room; the men put up the end just as I told them to do it; the land on which the room stood was the selection of one of my children, since declared forfeited.

Taken and sworn before me, at Deniliquin, this }

3rd day of September, 1877.—

A. C. S. ROSE, Commissioner.

HENRY RICKETSON.

Arthur William Robertson, being duly sworn, saith: I am book-keeper for Mr. Ricketson, at Baratta, and have been since April, 1873; I know an area on the Baratta Run, at Five-mile Point, selected by Fanny Barbour, about 5 miles from the head station at Baratta; in December, 1873, Mr. Barbour and his family came to that selection; they left again in June or July, 1875; from that time to November, 1876, the place was occupied by a man named Nestrom, and after he left by a man named Burrows; whilst Nestrom lived there I was on the adjoining selection once a month or once in a couple of months; I saw none of Barbour's family there at that time or when Burrows was there; these men said that the Barbour family were down at Curnella.

Taken and sworn before me, at Deniliquin, this }

3rd day of September, 1877.—

A. C. S. ROSE, Commissioner.

ARTHUR W. ROBERTSON.

Henry Hillman, being duly sworn, saith: I am a tank-sinker, and in the year 1875, on the 29th January, I was working as a tank-sinker on Baratta for Mr. Barbour; I know an area at Five-mile Point known as Fanny Barbour's selection; I left in June or July, 1875, and from the time I came to the time I left the Barbour family lived on that selection; they left a few days before I left; I believe they went to the Murray; they did not take away any furniture; Mr. Barbour wanted me to take away the furniture, but we could not agree about the price; after I left I very often went to Fanny Barbour's selection for butter; Peter Nestrom lived there over twelve months after Mr. Barbour's family left; during his residence there I was at Fanny Barbour's selection very often, sometimes once a week, sometimes once a month; I used always to go inside the house; none of Mr. Barbour's family was there.

Taken and sworn before me, at Deniliquin, this }

3rd day of September, 1877.—

A. C. S. ROSE, Commissioner.

HENRY HILLMAN.

In reply.

Robert Barbour, senior, being duly sworn, saith: I am the father of Fanny Barbour, for whom, on the 20th November, 1873, I conditionally purchased 166 acres, situated in the parish of Banangulite, about 25 miles westerly from Deniliquin; the selection was taken up under the 13th section of the "Crown Lands Alienation Act of 1861"; I took the child, then about three or four months old, to the selection on the 19th of December, 1873; she never left the selection until June or July, 1875; she then left with her mother; some few months after the selection was occupied, Mr. Ricketson disputed the adjoining selection, which I had taken up for a son of mine at the time I took up the one for my child Fanny; I had built a house partly on his selection, partly on Fanny's; sometime after we had taken possession, Mr. Ricketson claimed my son's selection, as having been previously selected for one of his own children; I would not give up possession until the Lands Department decided whether Mr. Ricketson's son or my son was the legal holder; Mr. Ricketson agreed to let the matter stand until a decision from the Lands Office was arrived at; I was absent from home four or five months after the 20th November, 1873, and when I returned I found that the house I have described had been, as far as the westerly part was concerned, cut right away, and the westerly end was left incompletely closed; Mrs. Barbour was in a state of great excitement, and insisted upon my removing her at once, as she dreaded Mr. Ricketson; I prevailed upon her to remain, and got her to remain until June or July, 1875; in the meantime Mr. Ricketson was continually annoying us by impounding our stock and by a series of Supreme Court actions, which cost me about £3,000; this made such an impression upon my wife that I was obliged to take her away, and the child Fanny, being then only a baby, was obliged to be taken away too; the child on several occasions was taken to the selection, but had shortly afterwards to be brought away, and again put with her mother, for whom the child was constantly craving; in November, 1876, she was there on the selection again.

By Mr. Gillott: I cannot say whether it was or was not the 17th June, 1875, when I took away my family from Fanny Barbour's selection; Fanny staid a few weeks in October and November, 1875; in November, 1876, she staid on her selection a few days—about four days; I took her there with the intention of staying only a few days; during the seventeen months the child was away from her selection she was mostly with her mother, at Curnella, which is about 50 miles from the selection; Mr. Ricketson never impounded sheep from Fanny Barbour's selection; Mr. Ricketson's sheep came on to her selection and took away the sheep on it.

Taken and sworn before me, at Deniliquin, }

this 3rd day of September, 1877.—

A. C. S. ROSE, Commissioner.

ROBERT BARBOUR.

On Mr. Barbour's application, case continued to sittings in November next.—A.C.S.R., 3/9/77. Further continued, at Mr. Barbour's request, to 30th November.—A.C.S.R., 1/11/77. No appearance for conditional purchaser. No evidence produced.—A.C.S.R., 30/11/77.

No. 27.

Report of Commissioner for South-Western Division.

REPORT of an inquiry held at Deniliquin on the 4th September, and 1st November, /77, by A. C. S. ROSE, Commissioner for the South-western Division, respecting the conditional purchase of Leighton Barbour, made at Deniliquin on the 20th November, 1873.

Sir,

I have the honor to transmit herewith, for the consideration of the Honorable the Minister for Lands, *minutes of evidence taken at an inquiry under the "Lands Acts Amendment Act of 1875," held by me in pursuance of the reference notified in the †Gazette of the 10th July, 1877, in the matter of the above-described conditional purchase. * Enclosed.
† See No. 19.

The claimant—a child—having been duly served with notice of the time and place of holding the inquiry, was present thereat, but was represented by his father.

The following facts bearing upon the fulfilment by the selector of the conditions of purchase were elicited in evidence, viz:—

The father of the conditional purchaser, Mr. Robert Barbour, deposes that his son was often taken to the area selected for him, and slept and took his meals there at such times, but that in June, 1875, the boy was taken away with his family and remained absent for many months, owing to a fear of violence from Mr. Henry Ricketson. In August, 1876, he returned, and lived with a tutor on his selection.

The evidence of the following witnesses—Andrew Barnes, Henry Hillman, Thomas Kerr, Isaac Everitt, Arthur Wm. Robertson, Peter Nestrom, George Boyd, F. W. Ricketson, H. Ricketson, and Sarah Barnes—shows:—

1. That the land conditionally purchased was not occupied within the time required by the law.
2. That the boy, Leighton Barbour, never used and occupied this land as his residence until August, 1876.

I have therefore to report that I find such conditions not to have been fulfilled, and to recommend that this conditional purchase be forfeited.

I have, &c.,

A. C. S. ROSE,

Commissioner.

Memo.—An inspection of the improvements is desirable.—A.C.S.R.

Minutes on No. 27.

For forfeiture.—A.O.M., 11/12/77. Approved.—J.S.F., 14/1/78.

[Enclosure to No. 27.]

Evidence alluded to.

Andrew Barnes, being duly sworn, saith: I am a kangaroo hunter; in December, 1873, I was in the employment of Mr. Barbour at Baratta; I lived on a selection known as Fanny Barbour's, at Five-mile Point; my wife and I lived in a tent there; Joseph Petty was in charge; Mr. Barbour came on the 10th December, 1873, accompanied by his wife and family; they came in the evening, just a little before dark, in a waggonette; I turned the horses out over the Baratta Creek; Mr. Barbour and his family, including Leighton Barbour, staid that night at Fanny Barbour's selection; next day Joseph Petty and I got up the horses and brought them to Fanny Barbour's selection; Mr. Barbour and some of his children, including Leighton Barbour, went to look at some of the other selections taken up for his children; he, and the children who went with him, came back about 9 o'clock at night; that night he and the children, including Leighton Barbour, staid at Fanny Barbour's selection; Mrs. Barbour said that Mr. Barbour would not be long away when he went out with the children; they did not take any bedding with them; I lived in a tent until the 25th December, 1873, and then I removed into a room in Fanny Barbour's house; I slept there continuously of a night; my wife and I were engaged at this time as servants to Mr. Barbour; almost every day during this time Leighton Barbour, who was then about 7 years old, slept and took his meals at Fanny Barbour's place; I know Leighton Barbour's selection; it is 5 or 6 miles from Fanny's; there is a building on his selection where Mr. Barbour sheared his sheep; it is on the boundary-line between Leighton Barbour's and Robert Barbour's (junior), selection; I drew the stuff for this place; the timber for this place was brought in five or six months after I went there; before this place was erected a calico tent stood on the boundary-line; I never knew Leighton Barbour to reside or sleep in the tent or in the building I have mentioned; he lived and slept at Fanny Barbour's place; I left Mr. Barbour's service on the 24th of May, 1875; Leighton Barbour was there when I left; in June or July following Leighton and Fanny went away from their selections; I never saw them there again, although I passed their places several times.

By Mr. Barbour: At the end of December I saw a tent on Leighton Barbour's and Robert Barbour's selections; I saw Leighton the next morning after you came back, and I saw him the night you came back; I am in Mr. Ricketson's employment; I was on one occasion at Curnella, and I was at Deniliquin sometimes whilst in your service; I never was away for more than three or four days; you did not want me to leave.

By Mr. Gillott: There was no disagreement; Leighton Barbour never lived on his selection whilst I was in his father's service.

By Mr. Barbour: Leighton and Robert Barbour were absent from Fanny's place two or three days once.

Taken and sworn before me, at Deniliquin,
this 4th day of September, 1877,—

A. BARNES.

A. C. S. ROSE, Commissioner.

Henry Hillman, being duly sworn, saith: I am a contractor for sinking dams; on the 29th January, 1875, I entered six months the employment of Mr. Robert Barbour, and remained in it till 28th of July, 1875; I was employed in sinking tanks for him; during the time I was there I lived in a hut built on the boundary-line of portions 12 and 13, about 5 miles about north-east from Five-mile Point; the place had been used as a woolshed previous to my going to stay there; three weeks after I began to work on this selection; I lived in this woolshed; it was full of sheep dung, and it was not fit to live in; I and my men lived in this place for five months; after I had lived there for some months a man named Kerr came there with three of Mr. Barbour's sons; they staid three days, and then Mr. Kerr took them away; they brought some bedding with them; Kerr requested me to look after them, and said that Miss Barbour would pay me; all the provisions I saw with them was a bottle of jam; I made their bed in one of the rooms; they all slept together; they were there three or four nights; then they left, and Kerr took away their bedding too; they lived on my provisions; that was the only time strangers came and slept there; these children lived at Fanny Barbour's selection; Mr. Barbour and they left Fanny's place about the time I left his employment; he asked me what I would charge for taking his furniture to Deniliquin, but we could not come to terms; in March, 1876, I saw two of Mr. Barbour's sons on the portions 12 and 13; they were there only for a few days; I have never seen them there since; I have been several times there.

By Mr. Barbour: For two months I was working within three-quarters of a mile of the house, on portions 12 and 13; I was away in Victoria once.

By

By Commissioner: Sometimes there was a married couple and sometimes a single man at the hut I have just spoken of; in September of last year a schoolmaster, who was teaching Mr. Barbour's children, lived there; I was living about a mile and a half off there; I was at the hut sometimes twice a week, sometimes once a month; I used to stay talking with the schoolmaster for a couple of hours at a time; this went on for five or six weeks; he used to teach the children in the day time; the children used to sleep in the hut; there were two of Mr. Barbour's boys taught there; one was ten or eleven, the other eight or nine years old; one of them was Leighton Barbour—one was Robert; the schoolmaster may have been there for three months; I know that for about six weeks the boys were there; this was in September, 1876; I could not have seen the boys in March last at their hut.

Taken and sworn before me, at Deniliquin, }
this 4th day of September, 1877,— }

A. C. S. ROSE, Commissioner.

HENRY HILLMAN.

Thomas Kerr, being duly sworn, saith: I am a contractor for sinking tanks; on the 24th November, 1873, I entered the employment of Mr. Robert Barbour as manager of his horses; on the 7th of December I went to Baratta and camped on Fanny Barbour's selection; I stayed there five or six days driving the trap about Mr. Barbour's selections; in the middle of the month of December I took the trap to Echuca to bring up Mr. Barbour's family; I went to Curnella and stayed there some time; I returned to Baratta on the 22nd February, 1874, on a Sunday; my family accompanied me; I was in Mr. Barbour's employment till June, 1875, but after leaving his employment I staid at Baratta till October, 1875; I know Leighton Barbour's selection on Baratta; whilst I was at Baratta this boy, then about eight or nine years old, did not reside upon his selection; he lived with the rest of the family at Fanny Barbour's; he lived, took his meals, and slept there; I speak from certain knowledge from my own observation; sometimes he went to his selection; Mr. Barbour left Baratta in June or July, 1875; shortly before this I took the boy Leighton Barbour to his selection; there was a building on this place known to me as the woolshed; a man named Hillman was then living there; I took Leighton and Robert Barbour in a waggonette from Fanny Barbour's selection to their selections; we took some provisions, but no bedding of any description; I left these boys there; Mrs. Barbour told me to take them; she said that she would send out some things to them; after they had staid there three days I fetched them home; I took them to Fanny Barbour's selection; I never knew them to sleep on their selections but on this occasion; when Mr. Barbour left Baratta in June or July, 1875, he took all the family, including Leighton Barbour, with him; I am perfectly sure that from this time to October of the same year none of the Barbour family were at Baratta.

Altogether eight months.

Compare Hillman's evidence.

By Mr. Barbour: The place where I resided at Baratta was a mile and a half from Fanny Barbour's place; I was at Fanny's place sometimes oftener than once a week—sometimes once a fortnight; I knew if anybody went away from that place; I used to inquire after everything of the sort; there was never a day that somebody did not come from your place, and I inquired how things were going on; after Petty left you gave me full charge of the whole place; you were not at home when I took the children out to their selections; I am quite sure that we took no bedding with us that time.

Examined by Mr. Gillott: The children had no beds and no bedding; they slept on chaff bags at Hillman's; the children were supposed to stop there only one day; Mrs. Barbour said they were to stay only one day and night.

By Commissioner: Leighton Barbour may have been a fortnight at his place at a time without me knowing it from my own observation, but I must have heard of it from the people from Mr. Barbour's place if he ever was; I never heard that he was; my knowledge on this point is derived from what people told me.

Taken and sworn before me, at Deniliquin, }
this 4th day of September, 1877,— }

A. C. S. ROSE, Commissioner.

THOMAS KERR.

Isaac Everitt, being duly sworn, saith: In March, 1874, I went to Baratta to split and fence for Mr. Barbour; for the first fortnight I lived on Fanny Barbour's selection, and then I went about a mile away on the same creek; at the expiration of six, or seven, or eight, or nine weeks I returned and lived with my wife and family on Fanny Barbour's selection; I remained six or seven months there in Mr. Barbour's employment, and for about five months after I left his employment I resided about 20 chains from Fanny Barbour's house; I used to be at Fanny Barbour's house mostly every day; Leighton Barbour lived there and slept there; I have regularly seen him there late at night and early in the morning; he could not very well have been at his own selection during that time without my knowledge; in November, 1874, I sheared some sheep at the hut on Leighton Barbour's selection; I was there a week; I never saw Leighton Barbour at that time; I was also at his selection four or five weeks fencing, and I never saw him there; this was in June or July, 1874.

In all about eleven months.

By Mr. Barbour: I used to split timber for you about a mile and a half from the selection of Fanny Barbour; perhaps in the morning I would go up to your place, perhaps not; I was at this work for six weeks or so; during a good portion of the time I was fencing at Kerr's selection; I went home every night before dark; I did not leave home till after breakfast; I may have gone into Fanny Barbour's house once a month; an odd time or two Leighton Barbour went out to his selection; he lived habitually at your place; every day your children used to play with mine; I have seen them playing every day when I was at home; after I left you I went to work for Mr. Ricketson; the distance from Fanny Barbour's place to Leighton Barbour's is about 4 miles.

Taken and sworn before me, at Deniliquin, this }
4th day of September, 1877,— }

A. C. S. ROSE, Commissioner.

I. EVERITT.

Arthur William Robertson, being duly sworn, saith: I am book-keeper to Mr. Ricketson; I have been in this situation since April, 1873; I know Leighton Barbour's selection; it is portion 13, parish of Ricketson; there is a building on it of wood, with an iron roof; I have very frequently been on this selection in accordance with directions from Mr. Ricketson; on the 20th December, 1873, I went there with Mr. Ricketson, and at the southern end of the selection we found a tent, but we saw nobody there; we staid about five minutes; about break of day Mr. Ricketson and I went to this selection again; there was no sign of anybody having been there during the night; we did not stay long; about six weeks or two months after selection the wooden building was erected; I know Leighton Barbour by sight; Hillman, a tank-sinker, used to live in that wooden building; I never saw Leighton Barbour on the selection until August, 1876, when this lad resided there with a schoolmaster.

By Mr. Barbour: I lived at Baratta Station, 8 miles from Leighton Barbour's selection; I was at his selection nearly every other day; I used to hang my horse by his bridle to the fence and go over and look in at the windows; it was not possible for anybody to be in that house at the time of my visits without me seeing them; I am speaking of a time anterior to August 1876; I never saw Leighton Barbour on his selection until then; I remember having given evidence at a Land Court of Inquiry at Deniliquin on the 4th May, 1876; at the time of the holding of this Court I feel sure that the old schoolmaster was not living with your boys, Leighton and Robert, at their selection; I was out there a short time before and did not see them or any of them; from August to the 20th November, 1876, the boy Leighton resided on his selection.

Examined by Mr. Gillott: Leighton and Robert Barbour regularly lived at Fanny Barbour's selection; Fanny Barbour's house is close to the selection of one of Mr. Ricketson's children, and from it I could see what went on at her selection; I have very often seen Leighton Barbour playing about there; I always saw him outside the house when I was there; I went two or three times a week as a rule.

Taken and sworn before me, at Deniliquin, this }
4th day of September, 1877,— }

A. C. S. ROSE, Commissioner.

ARTHUR W. ROBERTSON.

Peter Nestrom being duly sworn, saith: I am a conditional purchaser of land; in June, 1875, I was in the employment of Mr. Barbour, at Baratta; I had charge of the various selections held by his family; I stayed on Fanny Barbour's selection; there was a six-roomed house there; when I went first none of Mr. Barbour's family was there; I lived in that house till September, 1876; I know Leighton Barbour; I first saw him at Baratta in May, 1875; he left with the family in June, 1875; my wife and family were at Baratta; in April, 1876, the Barbour family, including Leighton Barbour, returned to Baratta; I know Leighton Barbour's selection; I swear that Leighton Barbour did not live upon his selection from June, 1875, to April, 1876; Mr. Smith, an Inspector of Conditional Purchases, was at Mary Barbour's, and some other selections, in April,

April, 1876; the family was there then; Leighton Barbour staid from April till the 8th or 9th of May, as far as I can recollect; I took the children to their selections; I took Leighton Barbour to his selection the day after he came up; I took him and Robert Barbour to a house built on the dividing-line between their selections; the next day I saw them again; they slept there that night; a tutor staid with them—his name was Beddy; Leighton Barbour left on the 8th or 9th May; the tutor and Robert remained; Leighton lived on his selection at that time, more like a month than a week; during that time he may have slept one or two nights at Fanny Barbour's place; I did not see him again till August, 1876.

Taken and sworn before me, at Deniliquin,
this 4th day of September, 1877,—

PETER NESTROM.

A. C. S. ROSE, Commissioner.

George Boyd, being duly sworn, saith: I am a stock-keeper for Mr. Ricketson, at Baratta; I have been there since the beginning of 1873; I was there in December, 1873; Mr. Barbour and his family were there in December, 1873; I know portions 12 and 13, in the parish of Ricketson; I know a red-gum building on portion 12, which was used as a woolshed by Mr. Barbour; the house I speak of was occupied by a man named Hillman, a tank-sinker; between August and September, 1876, I saw on portion 12 a boy of Mr. Barbour's, and some young ladies; the place was unoccupied for a long time before this; Mr. Barbour's family was at Baratta for about a twelve-month, from December, 1873, till early in 1875.

Taken and sworn before me, at Deniliquin,
this 4th day of September, 1877,—

GEO. BOYD.

A. C. S. ROSE, Commissioner.

Frederick William Ricketson, being duly sworn, saith: In 1873 I was manager at Baratta Station for my brother, Mr. Henry Ricketson; in November, 1873, Leighton Barbour took up a selection at Baratta; from the 20th of that November to the 20th of December inclusive I kept my eye on that selection; I was there every day during that period; nobody came there; on the evening of the 20th December I inspected that selection, and I again inspected it at 12 o'clock that night; there was a calico tent raised partly on this selection and partly on the adjoining one; no one slept in that tent on the night of the 20th December, 1873; inside the tent, during the month from date of purchase, there was no sign of any one having lived there; it would have been an impossibility for any one to have lived there without my knowledge of it; I was at Baratta for about thirteen months after this time; the calico tent was moved, and a wooden building erected in its place; one day I saw some children at this place, but only once; I never saw them again; the family of Mr. Barbour lived on Fanny Barbour's selection, 4 or 5 miles from the place where the woolshed was.

By Mr. Barbour: The tent was, I believe, a framed structure, covered with calico; ten or twelve days after the 20th of November, 1873, I saw two men on portions 12 and 13, erecting the tent I have mentioned; I cannot say who these men were; I resided at Baratta Station, about 6 miles from these selections; it was about 7 o'clock in the evening of the 20th of December when I visited those selections; I staid in and about the tent till past 12 o'clock that night; I was acting under instructions; perhaps it was half-past 7 o'clock at night when I got to the tent on portions 12 and 13; it was between daylight and dark.

Taken and sworn before me, at Deniliquin, this
4th day of September, 1877,—

F. W. RICKETSON.

A. C. S. ROSE, Commissioner.

Henry Ricketson, being duly sworn, saith: I am the proprietor of the Baratta Run; I know portions 12 and 13, parish of Ricketson; from the 20th of November to the 20th of December, 1873, I visited those portions several times; I saw that a tent had been raised across the dividing-line between those portions; I saw nobody there during my visits; on the 20th of December I visited this place before sundown, and no one was there; next morning, very early, just a few minutes after sunrise, I again visited this place, and there was no one there; a building of timber was subsequently erected across the dividing-line of portions 12 and 13; none of Mr. Barbour's children lived there; when Mr. Smith, an Inspector of Conditional Purchases, was in the locality, Mr. Barbour's children were sent to their selections; the Barbour family lived together at Fanny Barbour's selection from the time they first came to Baratta to the time they went away in 1875.

By Mr. Barbour: I visited the tent before and after sundown; I did not see my brother there; I saw your children on portions 12 and 13, on 11th August, 1876; a tutor was with them; I saw them when they arrived at these areas.

Taken and sworn before me, at Deniliquin, this
4th day of September, 1877,—

HENRY RICKETSON.

A. C. S. ROSE, Commissioner.

Dudley Keels, being duly sworn, saith: I know Leighton Barbour's selection on Baratta; I made an official visit of inspection to it in June, 1876; I found thereon a weatherboard cottage, containing four rooms; it was built partly on portion 12, partly on portion 13: it was floored, and there were partitions; the place looked as though it had been occupied; I did not go into the place; the door was closed; on the 2nd of July, 1876, I again visited this place, and saw some man there, no boy; he said that no person but himself was there; I was there a third time, and I saw no one; my report as to non-residence was based on what I heard from various sources; Mr. Barbour told me before my report was dispatched, and after my visits, that his children were away in Melbourne, at school; half of the four-roomed house was on portion 13; I value the whole house at £80; there were about 40 chains of wire-fencing, worth £30; my report speaks of a tank, but this is an error, the tank is on an adjoining selection.

By Mr. Barbour: Mr. Ricketson accompanied me on my second visit; I arrived at Baratta Station the evening before.

Taken and sworn before me, at Deniliquin, this
4th day of September, 1877,—

DUDLEY KEELE.

A. C. S. ROSE, Commissioner.

For Defence.

Robert Barbour, senior, being duly sworn, saith: I am the father of Leighton Barbour, for whom, on the 20th November, 1873, I took up at the Land Office at Deniliquin an area of 320 acres, situated in the county of Townsend, parish of Ricketson, as a conditional purchase, under the 13th section of the "Crown Lands Alienation Act of 1861"; within three weeks of date of purchase I caused to be erected a canvas tent across the dividing-line between Leighton Barbour's and Robert Barbour's (junior) selections; on the 20th December, 1873, I was on these selections, and took my son Leighton Barbour with me; this was early in the afternoon; I left him there for several hours, until after sunset; his brother Robert and he stopped there together—Robert upon his own selection, Leighton upon his; I took both the lads back that evening to where their mother was—at Fanny Barbour's selection; the boy was at that time about four years of age; I accompanied him on several occasions afterwards, and slept with him in the tent already mentioned; I also took meals with him there; about two months after the 20th of December I caused to be erected there a four-roomed house of wood, across the dividing-line, so as to have two rooms on Robert's and two on Leighton's selection; it was roofed with corrugated iron, and had a verandah and two fire-places and two chimneys; I accompanied Leighton on several occasions to this house, and took meals with him there; during the time that a dam-sinker named Hillman was working for me I know that Leighton Barbour lived at his selection with this man for several days; I saw him there shortly after this—that is, shortly after June, 1875; owing to annoyances caused by Mr. Henry Ricketson, the first of which was the destruction of a closet close to the dividing-line between a selection of Fanny Barbour's and one of William Barbour's, my wife was obliged to leave the selection; Mr. Henry Ricketson, accompanied by his brother Fred, chopped down this erection with an axe, and after they had levelled it with the ground they got into a buggy and drove towards me; I was standing outside Fanny Barbour's house, within 10 chains of the closet that they chopped down; it was early in the morning, and hearing a crashing of timber, I went out and saw them destroying this building; I remonstrated with Mr. Henry Ricketson against him taking the law into his own hands; he said that he had purchased the land on which the closet stood, for his son; I objected that his son was not in occupation of this land, and urged that no steps ought to be taken by either of us by way of asserting a right to the land until the dispute was settled by the Government; this lawless interference with my property disturbed my wife that she was afraid to remain at the selections during my frequent absence from home; I was obliged to be absent about five days in every week on business; the next interference by

Mr.

Nineteen months after L. Barbour's C.P. was made

Mr. Henry Ricketson was the cutting down and destroying one half of the dwelling-house of my daughter Fanny Barbour whilst occupied by my wife and family; a series of annoyances on the part of Mr. Henry Ricketson, followed by which my wife's health was seriously affected; she used often to start in the night in her sleep in great fear; at this time she was *enceinte*, and in a critical condition; at length I was obliged to remove her from the neighbourhood of Mr. Ricketson's influence; about June, 1875, owing to Mrs. Barbour's earnest entreaties, I removed her to Curnella, on the Murray, and took Leighton and my other children with her; shortly after that she had a miscarriage; previous to this confinement Mrs. Barbour was a strong woman, and had no difficulty in parturition; about the same time Leighton Barbour was attacked by scarlatina, and was unable to move about or to be removed to his selection for a long time; in the beginning of the year 1876—in March or April, Leighton went to his selection accompanied by a tutor, and remained there for some time; I saw him there several times during this visit; he remained there about two months; he said that he began to weary for his mother, and persuaded me to take him to her; Mrs. Barbour was at Curnella at this time; as soon as his home-sickness was over I sent him back to his selection, and he remained there until after 20th of November, 1876; he returned to his selection about the middle of August, 1876.

By Mr. Giltott: On the 20th of December, 1873, I took out to their selections Maggie, Mary, Katie, Robert, George, and Leighton; their selections were all taken up the same day; I had about 7 miles to drive in putting these children upon their selections; afterwards, the same evening, I picked up these children again, and took them away; it was 9 or 10 o'clock that I took Leighton away on the 20th of December, 1873; Robert and Leighton had some rugs with them; they slept that night at Fanny Barbour's; I staid at Baratta two or three days after this; on one of the three nights I accompanied Leighton to his selection, and slept with him there; the other two nights he slept at Fanny Barbour's place; I then went away, and staid away two or three weeks; Fanny Barbour's place was the rendezvous of all my family—that is, my children and my wife used generally to live and sleep there when they were not on their selections; I was at home about two nights in every week, and on one or both such nights I generally took Leighton to his selection, and he staid there during the day-time as well; we staid there twenty or thirty times in eighteen months, and we had meals there twenty or thirty times during that time; sometimes we had a married couple there; sometimes we cooked the food ourselves; I do not know whether Leighton went to his selection while I was away; no medical man attended Leighton during his illness; the usual declaration as to residence was made by me on behalf of Leighton Barbour at the expiration of three years.

Taken and sworn before me, at Deniliquin,
this 4th day of September, 1877,—

A. C. S. ROSE, Commissioner.

ROBERT BARBOUR.

In reply.

Sarah Barnes, being duly sworn, saith: I am the wife of Andrew Barnes; I know Leighton Barbour, the son of Mr. Robert Barbour; on the 4th of December, 1873, I entered the service of Mr. Robert Barbour, and continued in it nineteen months; during that time I was cook and housekeeper; Leighton Barbour lived at the place I was residing at—that is, at his sister's selection, Fanny Barbour's. Leighton Barbour was there always as a rule, slept there, and had his meals there; he was absent sometimes, but very seldom, for a day at a time—not longer; he was away from Fanny Barbour's only once or twice during nineteen months; on the 19th of December, 1873, Mr. Barbour and his family came to Baratta; the following day, about 4 o'clock in the afternoon, Mr. Barbour took several of his children, including Leighton Barbour, away in a waggonette; they returned about 9 o'clock the same night; they took no bedding with them.

Taken and sworn before me, at Deniliquin,
this 1st day of November, 1877,—

A. C. S. ROSE, Commissioner.

SARAH BARNES.

Further adjourned to 20th November, 1877, at Mr. Barbour's request, for the production of evidence on his son's behalf.—A.C.S.R., 1/11/77. No appearance on behalf of conditional purchaser.—A.C.S.R., 20/11/77.

No. 28.

Mr. Commissioner Rose to The Under Secretary for Lands.

REPORT of an Inquiry held at Deniliquin on the 5th and 6th September, 1877, by A. C. S. Rose, Commissioner for the South-western Division, respecting the conditional purchase of Robert Barbour, jun., made at Deniliquin on the 20th November, 1873.

Sir,

I have the honor to transmit herewith, for the consideration of the Honorable the Minister for Lands, minutes of evidence taken at an inquiry under the "Lands Acts Amendment Act of 1875," held by me in pursuance of the reference notified in the Gazette of the 10th July, 1877, in the matter of the above-described conditional purchase.

The claimant (a child) having been duly served with notice of the time and place of holding the inquiry, was not present thereat, but was represented by his father.

The following facts bearing upon the fulfilment by the selector of the conditions of purchase were elicited in evidence, viz., that the conditional purchaser has never used and occupied this land as his *bona fide* residence.

I have therefore to report that I find such conditions not to have been fulfilled, and to recommend that this conditional purchase be forfeited.

I have, &c.,

A. C. S. ROSE,
Commissioner.

Minutes on No. 28.

For forfeiture.—A.O.M., 11/12/77. Approved.—J.S.F., 14/1/78.

[Enclosure to No. 28.]

Evidence alluded to.

Andrew Barnes, being duly sworn, saith: I am a kangaroo hunter; I was in the employment of Mr. Robert Barbour, senior, in December, 1873; I went to Baratta on the 7th of that month, and lived there eighteen months at Fanny Barbour's house on her selection, excepting during the first three months, when I lived in a tent; my wife lived with me all the time I was at Baratta; I know the selection of Robert Barbour, junior, who was (in December, 1873) a boy eight or nine years old; his father and mother accompanied him, also his brothers and sisters; they came in a four-wheeled waggon, on the 19th of December, 1873, about dusk; that night they staid on Fanny Barbour's selection; the family, including Robert Barbour, staid there all next day till about 4 o'clock in the afternoon, when they all—Mr. Barbour and his children, including Robert Barbour—went off in the waggon towards their selections; they came back about 9 o'clock the same evening; young Robert Barbour and his brothers and sisters stayed at Fanny Barbour's that night; on the 25th of December, 1873, I left the tent and went to live in Fanny Barbour's house; my wife acted as a domestic servant there; I lived with her; I positively swear that Robert Barbour, junior, lived there habitually till the 24th of May, 1875; he dwelt, ate, and slept there regularly; I left Mr. Barbour's employment on the 24th May, 1875, but staid at Fanny Barbour's selection for about a fortnight, and then I went to Morago, an adjoining station; in July, 1875, I went to Fanny Barbour's, and found none of the family there; Robert Barbour, junior's, selection is 4 or 5 miles from Fanny Barbour's selection; this boy never lived on his selection during the time

Declaration is
not in proper
form.

Compare
R. Barbour's
evidence.

Enclosed.
See No. 19.

R. Barbour, jun
6/9/77.

time I was at Baratta; Mr. Barbour, the father, used to come to Baratta sometimes once a week, at other times once a month, whilst I was there; when he came he lived with the family; Mr. Barbour, during the time I was at Baratta, never took the boy Robert away anywhere; I never knew this boy to sleep away from the house.

By Mr. Barbour: When I was living in the tent, I worked outside and not inside the house; when I lived in the house, I was under the same roof as Robert Barbour; occasionally during this time I went away during the day-time to my work; after six or seven months I went to live in a hut about 50 yards from Fanny Barbour's house; I did not usually get up the horses before breakfast; when I was away Robert Barbour might have been absent without my knowing it; occasionally Robert Barbour was driven away by his father, whither I do not know for certain.

By Commissioner: From the 7th of December, 1873, to the 24th May, 1874, I was absent from Fanny Barbour's selection for one whole week; I came into Deniliquin scarcely once a month, and then I returned the same day, excepting on one occasion when I staid away three days; after breakfast every day I went away to work, and did not return until evening about sunset; Robert Barbour was not absent one day in the week whilst I was at Fanny Barbour's place; I saw Robert Barbour regularly nearly every night that I was at Baratta; I saw him as regularly every morning about breakfast time; occasionally he was away, not very often; I visited his selection twenty or thirty times in eighteen months; I visited it I should say once a week during that time; the shearing was done in a house on that selection; that was the only house then on the selection; I never saw anybody but Hillman, the tank-sinker, living there; there was no furniture, and no cooking utensils, and no bedding; the house was built across the dividing-line between Robert and Leighton Barbour's selection.

By Mr. Barbour: I never saw the boys at the hut on their selections.

Taken and sworn before me, at Deniliquin,
this 5th day of September, 1877,—

A. BARNES.

A. C. S. ROSE, Commissioner.

Isaac Everitt, being duly sworn, saith: I am a publican at Morago; in March, 1874, I went to Baratta to do some fencing for Mr. Barbour; I camped alongside Fanny Barbour's selection on Baratta Creek; Robert Barbour, jun., lived on this selection; at one time of my stay at Baratta I was absent from this selection about seven weeks; I often used to go there once a week, or sometimes twice a week; on these occasions I always saw Robert Barbour there; I returned after the period mentioned, and I went to work to fence in Fanny Barbour's selection; I camped about 25 chains from her house; I used to see my children and Mr. Barbour's playing together; I saw Robert Barbour regularly playing with the other children; I saw him regularly every night and every morning; I know a house built across the dividing-line between Robert and Leighton Barbour's selections; I was on these selections for several weeks at a time once and at other times; I never knew Robert Barbour, jun., to sleep there, but he may have done so; I am quite sure that he never lived there; he lived habitually at Fanny Barbour's place during the time I was at Baratta.

By Mr. Barbour: I used to go away of a morning about 8 or 9 o'clock, and returned home about sunset generally; when I worked, I supped when I came home and went to bed early; the boy may sometimes have gone to his selection without my knowing it; Kerr's place is about a mile and a half from Fanny Barbour's; my children used to tell me about what went on at Fanny Barbour's; this is how I came to know about Robert Barbour's movements; I do not know in any other way.

By Commissioner: I saw Robert Barbour nearly every day at Fanny Barbour's.

Taken and sworn before me, at Deniliquin,
this 5th day of September, 1877,—

I. EVERITT.

A. C. S. ROSE, Commissioner.

Thomas Kerr, being duly sworn, saith: In December, 1873, I was in Mr. Robert Barbour's employment; I camped on Fanny Barbour's selection on Baratta Creek; I staid there some days, and then took a waggon to Echuca for Mr. Barbour's family; on the 22nd February, 1874, I returned to Baratta with my own family; I staid in Mr. Barbour's employment until June, 1875; I staid on my selection, distant from Fanny Barbour's a mile and a half, all that time; I know Robert Barbour the younger; he lived on Fanny Barbour's selection during that time; I had charge of Mr. Barbour's horses; I used to ride about amongst the selections for the purpose of keeping the horses on them; I was very often on Fanny Barbour's, and always saw Robert Barbour, junior, there; I know Robert Barbour's selection; on one occasion I drove him from Fanny's selection to his own selection; at that time Mr. Hillman, a tank-sinker, was staying there; the boy, Robert Barbour, was then about ten years old; I left the boys, Robert and Leighton Barbour, with Hillman, and requested him to look after them for a night; this was a message from Mrs. Barbour; I left the boys there for three days, and then brought them back to Fanny Barbour's; Mrs. Barbour, their mother, was then staying there; I never knew Robert Barbour to sleep in that house on his selection on any other occasion; I have often been on his selection, and I never saw the boy Robert there; he lived regularly on the selection of his sister, Fanny Barbour.

By Mr. Barbour: I took the horses down to Curnella in January, 1875; I was driving an engine at a saw-mill at Baratta five or six weeks or more; this was in March, 1874; I believe I was generally at that time driving this engine; I was at your place once a week or so; I afterwards went to plough at my selection; for some weeks I was digging a waterhole.

By Commissioner: I was driving the engine five or six weeks; I was ploughing eight or ten days; I was, at all events, at Robert Barbour's selection once a week all the time I was in Mr. Barbour's employment; at the time I was driving the engine I went out three or four times; nobody but Hillman lived on Robert Barbour's selection all the time I was at Baratta; sometimes I saw this lad every day, at other times every week; I often visited Fanny Barbour's selection, and I always saw Robert Barbour; I never saw any furniture, or anything to cook with, or bedding in his hut.

Taken and sworn before me, at Deniliquin, this
5th day of September, 1877,—

THOMAS KERR.

A. C. S. ROSE, Commissioner.

Henry Hillman, being duly sworn, saith: I am a contractor for tank sinking; in January, 1875, I went to Baratta to do some work for Mr. Barbour; I know portions 12 and 13, and a house containing four rooms built across the dividing-line between them; I lived in that house about five months; before I went there the house had evidently been used as a wool-shed; when I went there the place presented the appearance of having been used as a shearing-shed; the shearing had been carried on in one room; the other rooms had in them wool-bales—rotten wool-bales; different kinds of timber were lying about; in one room they had pressed the wool, and this room was too dirty for any one to sleep in; the fourth room had strewn over its floor pieces of timber; the shearing season had, of course, been long over when I went there; it took me a whole day, with my men—six men—to clean the place up; we had to cart water a long distance; the chimneys had to be filled with earth before I could light a fire in them; there was no furniture of any kind when I went to the house; once whilst I was living there Mr. Kerr brought three of Mr. Barbour's children—one was Robert, one was Leighton, the other I don't know the name of—to stay with me; as far as I can recollect, Kerr brought with them some blankets and one pillow; all the provisions they brought was one bottle of jam; they staid three days; this was in June, 1875; I went there in the middle of April; I had been there three or four months when these boys came; this was the first time that Robert and Leighton Barbour came to the place during my stay there; they were taken away by Mr. Kerr; I staid six or seven weeks after they left; the boys never came again; when I left the house on portions 12 and 13 I camped about a mile and a half from it; I staid there seven weeks; every Saturday during those weeks I went to the house on portions 12 and 13; I never saw anybody there; no fire was lighted during that time in the house; it was warm weather; there was no firewood there; in September last year I visited the place again and I saw a schoolmaster there, and the boy Robert Barbour and a brother of his, younger than he; for seven weeks after this I visited the house often, and the boys and the schoolmaster were there; in the living room were two buckets, a frying-pan, and some other cooking utensils; there was a fire in the room, and some firewood outside; I used to see Robert Barbour at the Five-mile Point selection, his sister's, whenever I went there.

By Mr. Barbour: During the time I lived in the house on portions 12 and 13 I was absent at Deniliquin only two days.

Taken and sworn before me, at Deniliquin, this
5th day of September, 1877,—

HENRY HILLMAN.

A. C. S. ROSE, Commissioner.

Dudley Keele, being duly sworn, saith: I am Inspector of Conditional Purchases; on the 2nd of July, 1876, I visited a selection of 320 acres, in the county of Townsend, parish of Ricketson, conditionally purchased by Robert Barbour, junior; I have never seen the selector; there was a house on the boundary-line between portions 12 and 13; I saw some man there; a man about thirty years old; there was nobody else there; I asked after the selector, and the reply was, "That he was away at school in Melbourne"; that was the only house on the selection; the improvements were as enumerated in my report.

Taken and sworn before me, at Deniliquin, this }
5th day of September, 1877,— }
A. C. S. ROSE, Commissioner.

DUDLEY KEELE.

Frederick Ricketson, being duly sworn, saith: I know a selection of Robert Barbour's, portion 12, county of Townsend, parish of Ricketson; it was taken up on 20th November, 1873; I had instructions to watch that selection from 20th November to 20th December, 1873; I did watch it; nobody came belonging to Mr. Robert Barbour's family; on the 20th December nobody came during the day; I was inside a calico tent there erected across the boundary between 12 and 13; I was there from sunset till midnight and nobody came; I knew the place for over twelve months after that; at that time I managed Baratta Station; I used to go over those selections very often, at least every week; I know a wooden building on those selections; I saw some men shearing sheep at that house once, and at another time I saw some children there; I do not know whose children they were; I have looked into that house over a dozen times during that twelve months, and I have never seen any signs of the place being inhabited; if any children had occupied that house during the period I have mentioned I must have seen them.

By Mr. Barbour: It was twilight when I went to the tent on the 20th of December, 1873; I saw no mattress in that tent; it could not have been there without me having seen it; ten or twelve days after the selection was taken up I saw some men putting up the tent I have mentioned; I have no doubt that they were your men.

Taken and sworn before me, at Deniliquin, this }
5th day of September, 1877,— }
A. C. S. ROSE, Commissioner.

F. W. RICKETSON.

Peter Nestrom, being duly sworn, saith: In June, 1875, I was in Mr. Robert Barbour's employment; I lived in a house on Fanny Barbour's selection until September, 1876; I was there nearly continuously during that period; I generally slept there: when I went there Mr. Barbour and his family had moved to the Murray; I did not see Robert Barbour, junior, about Baratta at that time; the first time I saw this boy at Baratta after I went to live there was in April, 1876; his uncle, George Pitty, drove him up, and four other children of Mr. Robert Barbour's; between June, 1875, and April, 1876, the boy Robert Barbour was not on Baratta, I feel sure; if he had been I must have seen him; my duty was to look after Mr. Barbour's various selections at Baratta; I know a four-roomed house built across the line between Leighton Barbour's and Robert Barbour's (junior) selections; I saw that house nearly every day, and I am sure that Robert Barbour never lived in that house during the period from June, 1875, to April, 1876; Mr. Smith, an Inspector of Conditional Purchases, was in the locality of Baratta in April, 1876; at this time Robert Barbour, junior, was brought to his selection, and after having staid there till the latter end of May he was taken away again; previous to Mr. Smith's visit to Baratta I placed Mr. Barbour's children on their various selections; it was early in April that Robert Barbour was put on his selection, and he left at the latter end of May; I acted upon Mr. Barbour's instructions in taking the children to their selections; Mr. Beddy, a tutor, lived with Robert Barbour at that time—during those few weeks—on his selection; I used to take rations out to his selection at that time, and I always found the boy Robert Barbour there.

By Mr. Barbour: Mr. Beddy came to Baratta in April, 1876; I am quite sure that he came in April; he came back again in the following August, but not as tutor—he came as a visitor, and staid about a fortnight.

Taken and sworn before me, at Deniliquin, this }
5th day of September, 1877,— }
A. C. S. ROSE, Commissioner.

PETER NESTROM.

Arthur William Robertson, being duly sworn, saith: I am book-keeper to Mr. Henry Ricketson, at Baratta; I have been in this position since April, 1873. I have been often employed during that time in measuring tanks, inspecting station improvements, and in other ways; during the latter end of December, 1873, on the evening of the 20th of that month about sunset, Mr. Henry Ricketson and I went to inspect portion 12, parish of Ricketson, the selection of Robert Barbour, junior; we found a tent placed on the dividing-line between portions 12 and 13, but nobody was there; at break of day Mr. Ricketson and I again visited this tent, and this time again we found no one there, and no sign of any one having been there; the grass was very high inside the tent, and showed no indication of anyone having been inside the place; some months afterwards a four-roomed wooden building was erected on the line between portions 12 and 13; a man named Hillman lived in this place for four or five months; the first time I ever saw Robert Barbour, junior, on his selection was in August, 1876.

By Mr. Barbour: On the morning of the 21st December, 1873, Mr. Ricketson and I visited the tent; we did not dismount from the vehicle in which we drove up, but we saw into the interior of the tent from our seat.

Taken and sworn before me, at Deniliquin, this }
5th day of September, 1877,— }
A. C. S. ROSE, Commissioner.

ARTHUR W. ROBERTSON.

Henry Ricketson, being duly sworn, saith: I know the selection of Robert Barbour, junior; it is portion 12, county of Townsend, parish of Ricketson; portion 13 is Leighton Barbour's selection; in December, 1873, I saw a tent on the line between these portions; I instructed my brother Frederick to watch these selections; Mr. Arthur William Robertson and I passed that tent about half-an-hour before sunset, and again after sunset we passed it; we found no one there; no one had been there; the next morning before sunrise, just at daylight, Mr. Robertson and I went again to the tent; we found no signs of anybody having been inside the tent; the grass was high, and was quite upright; if any one had lain in the tent the grass must have been depressed or crushed down; it was not pressed down; some time after this a building of wood was built on the dividing-line between portions 12 and 13; I was close to this building very often; I am about half my time at Baratta, and when there I have visited this place once or twice a week; in August, 1876, I saw Robert Barbour, junior, on his selection; I will not swear that it was this boy, but I believe so; at the time of Mr. Inspector Smith being there I saw the same boy there; I believe, from my own observation, that the boy, Robert Barbour, was on his selection from August, 1876, to November, 1876.

By Mr. Barbour: It was perhaps an hour after sunset that I was at the tent on the 20th December, 1873; I did not see my brother Frederick there at that time.

Taken and sworn before me, at Deniliquin, this }
6th day of September, 1877,— }
A. C. S. ROSE, Commissioner.

HENRY RICKETSON.

Robert Barbour, being duly sworn, saith: I am the father of Robert Barbour, junior; on the 20th November, 1873, I took up for this lad a conditional purchase of 320 acres in the parish of Ricketson, county of Townsend; the boy was then 8 years of age; at the beginning of December I caused to be erected a calico tent on the line between this selection and a selection of Leighton Barbour's; on the 19th December, 1873, I arrived at a selection of my daughter, Fanny Barbour, at Five-mile Point; the following day, early in the afternoon, about 2 o'clock, we started for Robert's selection; it was about 3 o'clock when we got to his selection; I left him there with his brother Leighton, and called for him again a few hours afterwards, about 9 or 10 o'clock that night; when I returned I found both the boys there; they came from the inside of the tent; we took some rugs and some provisions with us; I gave one or two of the rugs and some provisions to the boys; about 10 o'clock that night I took away with me the boys and the rugs; I conveyed them to their mother, at Fanny Barbour's selection, and they remained there for the rest of that night; I was at Baratta for two or three days after that, and on one of the nights I slept with Robert at his selection; I have at different times—in all possibly twenty or thirty times—slept with this boy

on

on his selection, and taken meals with him there; the calico tent was only a temporary arrangement; the only thing I left there early in January, 1874, was a large mattress; the other things we took away, as the property would have been exposed to injury or loss there; in going to and coming from this selection we passed Mr. Licensed-Surveyor Burdett's camp, which was about 2-a-mile from this selection; this was within a few weeks of date of occupation by Robert Barbour; Mr. Burdett was about a month there; there was also a stretcher there; this was in the tent; at this time, that is, in February or May, we were erecting a four-roomed house on the selections of Robert and Leighton; in that house I have slept with Robert Barbour, and taken meals with him; owing to a series of annoyances and interferences by Mr. Henry Ricketson, which commenced about March or April, 1874, and continued to June, 1875, my wife's mind and bodily health were so seriously affected that I was compelled to move her and the family for a time from Mr. Ricketson's influence; about June, 1875, I took my wife and family to the Murray, about 60 miles from Baratta; for the following two or three months we had scarlatina and whooping cough in the family; Robert Barbour had a slight attack of scarlatina; after he recovered I sent him to school at Curnella; in April, 1876, he went back to Baratta, accompanied by a tutor named Beddy, and remained there till the end of May; he then went to visit his mother, and returned to his selection in August, where he continued to reside till the 20th of November following.

Examined by Mr. Gillott: Within two or three months of Mrs. Barbour's departure from Baratta in June, 1875, she had a miscarriage; in April, or May, or June, 1876, she had a child, now living; I believe that she left for Melbourne in May or June, 1876; a man named Andrew Barnes lived for some time at Fanny Barbour's place at Five-mile Point; his evidence is not true; as a rule I was at Fanny Barbour's place two days out of every seven; I was absent for a longer time occasionally; perhaps once in six weeks I might be absent for a longer time; Mrs. Barnes was a domestic servant in my employment; I believe that the boy Robert lived between his selection and Fanny Barbour's—that is, he was sometimes at the one place, sometimes at the other; I know Henry Hillman; one of the rooms at the house on Robert's selection was used as a shearing-place for 500 sheep; I heard Hillman's evidence, and it was an exaggeration of facts; Robert was at school away from his selection from June, 1875, to April, 1876, except when he was unwell; Beddy was not in my employment when the children Robert and Leighton went to their selections in August, 1876; I believe that our last child but one is now sixteen months old.

Taken and sworn before me, at Deniliquin,
this 6th day of September, 1877,—

ROBERT BARBOUR.

A. C. S. ROSE, Commissioner.

To 1st November, 1877, at Mr. Barbour's request, for evidence on his son's behalf.—A.C.S.R., 8/9/77. Further to 30th November.—A.C.S.R., 1/11/77. No appearance on behalf of conditional purchaser.—A.C.S.R., 30/11/77.

Sarah Barnes, being duly sworn, saith: I am the wife of Andrew Barnes; in December, 1873, I was in the employment of Robert Barbour, senior, at Baratta; my husband lived there too at that time; we began service, as far as I remember, on the 4th of December, 1873; I was housekeeper, and my husband was engaged in general work about the place; on the 9th December, 1873, Mr. Barbour brought his wife and family to Baratta; they came to a house on Fanny Barbour's selection at Baratta Creek; Leighton Barbour, Fanny Barbour, Robert Barbour, junior, and other children of Mr. Barbour's were there; they staid in Fanny Barbour's house the night they arrived; in the afternoon of the next day, about 4 o'clock, they went away in a waggone; Mr. Barbour and six children went away together; among the children who went were Robert and Leighton; they all came back about 9 o'clock or a little after 9 that same night; they took nothing in the way of bedding with them; they all staid that night at Fanny Barbour's place; at that time I was living in a hut close by; on the 25th December, 1873, we went to live in Fanny Barbour's house with Mr. Barbour's family, and we continued to live there eight or nine months afterwards; I was housekeeper and cook; I laid the table for all the meals; Robert Barbour, junior, always lived, that is, slept and had his meals at Fanny Barbour's; at the expiration of eight or nine months we, that is, my husband and I, went to live in a one-roomed house, about 50 yards distant from Fanny Barbour's house; I continued to do the same work as before until I left Mr. Barbour's service in June, 1875; Robert Barbour, junior, continued to live at Fanny Barbour's place during that time; he was absent for a day or so once or twice, but never for any longer time.

Taken and sworn before me, at Deniliquin,
this 1st day of November, 1877,—

SARAH BARNES.

A. C. S. ROSE, Commissioner.

No. 29.

The Chief Commissioner of Conditional Sales to Miss Fanny Barbour.

Department of Lands, Conditional Sales Branch,
Sydney, 28 January, 1878.

Madam,

With reference to my printed letter of 17 July last, inviting your attention to the notice in the Government Gazette of 10 July last, apprising you that your claim to the conditional purchase made by you on the 20 November, 1873, had been referred to Mr. A. C. S. Rose, Commissioner of Conditional Purchases, for inquiry as to the alleged non-fulfilment by you of the conditions of residence and improvements, I am directed to inform you that, under the report of the Commissioner referred to, the Minister for Lands has decided that the purchase shall be brought forward for forfeiture at as early a date as practicable.

I have, &c.,

WM. BLACKMAN.

(For the Chief Commissioner.)

No. 30.

The Chief Commissioner of Conditional Sales to Mr. Leighton Barbour.

Department of Lands, Conditional Sales Branch,
Sydney, 28 January, 1878.

Sir,

With reference to my printed letter of 17 July last, inviting your attention to the notice in the Government Gazette of 10 July last, apprising you that your claim to the conditional purchase made by you on the 20 November, 1873, had been referred to Mr. A. C. S. Rose, Commissioner of Conditional Purchases, for inquiry as to the alleged non-fulfilment by you of the conditions of residence and improvements, I am directed to inform you that, under the report of the Commissioner referred to, the Minister for Lands has decided that the purchase shall be brought forward for forfeiture at as early a date as practicable.

I have, &c.,

WM. BLACKMAN.

(For the Chief Commissioner.)

No. 31.

The Chief Commissioner of Conditional Sales to Mr. Robert Barbour, Junior.

Department of Lands, Conditional Sales Branch,
Sydney, 28 January, 1878.

Sir,

With reference to my printed letter of 17 July last, inviting your attention to the notice in the Government Gazette of 10 July last, apprising you that your claim to the conditional purchases made by you on the 20 November, 1873, had been referred to Mr. A. C. S. Rose, Commissioner of Conditional Purchases,

Purchases, for inquiry as to the alleged non-fulfilment by you of the conditions of residence and improvements, I am directed to inform you that, under the report of the Commissioner referred to, the Minister for Lands has decided that the purchase shall be brought forward for forfeiture at as early a date as practicable.

I have, &c.,

WM. BLACKMAN.

(For the Chief Commissioner.)

No. 32.

R. Barbour, Esq., M.P., to The Secretary for Lands.

Dear Sir,

Parliament House, Sydney, 2 February, 1878.

I have the honor to request that you will delay further departmental action with regard to a report from Mr. Commissioner Rose, Deniliquin, on the conditional purchases named in the margin, until you shall have had an opportunity of going through the cases; and if you think it necessary, I shall lay before you additional evidence in further elucidation of the facts.

The inquiry was an *ex parte* one, as owing to the elections occurring at the time of the adjourned inquiry I could not be present, and I have since been attending to my Parliamentary duties.

The conditional purchasers are my children, all minors. I made the selections for them. I built the family house on the youngest child's selection—the rendezvous, as we called it, while we endeavoured to fulfil the conditions of residence on each of the other selections consistently, and, as I believed, honestly; and I am convinced that had we settled on any other run than that of Henry Ricketson's, the residence would never have been questioned.

From the time we went upon the land, and because I would not sell out to Ricketson, he has kept up a continual persecution; and on one occasion, while I was 200 miles away, he came on to the ground and cut down and destroyed our family house while my wife and children were in it. This and repeated acts of grievous annoyances by Ricketson so affected my wife's health that I had to remove her from Baratta to a place out of Ricketson's reach. After this the children were often away from their selections, on visits to their mother; but they always returned after those visits, and made their selections their home, and except while at school or with their mother they were on their selections.

All these selectors fulfilled the three years' residence, and made the required improvements.

The usual declarations we made, and the interest paid and received by the Land Agent without objection; and the inquiry did not take place until one year after all this had been done. Moreover, although pressed hard by the squatter, the department declined to prosecute the inquiry. The department had before this given letters to each, stating the holdings would not be disturbed. The squatter paid the £10 for the inquiry. I protested to the Commissioner against the inquiry proceeding (see copy protest attached).

All the witnesses examined were examined by Ricketson, and were, all of them, adverse to me, having been in my employment and discharged for drunkenness and misconduct. They vented their revenge, and accepted Ricketson's money to ruin my children, by depriving us of their selections, if possible.

The mode of these examinations by a single individual, who himself writes the evidence, is not such as to elicit truth—the squatter is there, his lawyer is there—the Commissioner might have resided with and received his hospitality previous. Every exertion is made to bias the case in favour of the squatter. The selector is possibly not there, or if there, he feels himself at immense disadvantage, for he cannot cope with the squatter and lawyer; he may fee a lawyer, but the service he gets is of a very indifferent character.

The squatter's influence and power is all pervading, and the insertion of a word or two, or the omission of it, often alters the meaning of a whole sentence, or perhaps the whole evidence.

Yours, &c.,

ROBERT BARBOUR.

Minutes on above.

Refer to reply to letter of same date with reference to the case of Kerr, and make similar inquiry.—
(Written by Chief Commissioner), 16/2/78.

I see no reason for re-opening the cases of the infant selections.—J.S.F., 25/2/78.

[Enclosure to No. 32.]

Protest referred to on other page.

Inquiry *re* Fanny Barbour, Robert Barbour, jun., Leighton Barbour, conditional purchases, Deniliquin, 20th November, 1873.

Deniliquin, 3 September, 1877.

I, ROBERT BARBOUR, father of the abovenamed conditional purchasers, who are all minors of years, do, on their behalf, make the following objections:—

1st. These selections were made under the Land Act of 1861. They were never brought under the amending Land Act of 1875, and as the proceedings for inquiry were brought under the Land Act of 1875, they must go for nothing, as the Act cannot be retrospective.

2nd. The term of three years' residence, of improvements, the declaration and payment of one year's interest, were all duly made, and, I submit, cannot be disturbed otherwise.

3rd. Before such inquiry could proceed, the statutory declaration of residence must be set aside by accusing the declarant of perjury, otherwise an inferior Court would try an issue which belongs to a superior Court.

4th. The delay in instituting this inquiry is another answer to this inquiry proceeding. Surely the dilatoriness of the department should not be allowed to inflict upon selectors uncertainty, distrust, vexation, and large pecuniary loss, and inconvenience, all of which would frustrate the object of the Legislature, which is to encourage settlement.

5th. To compel a selector to prove a three years' continuous residence, after a whole year's obliteration of the facts, and scattering of the witnesses, will be to inflict a very great hardship, for, owing to the migratory nature of the population, it is almost impossible to secure evidence extending over four years.

In these cases several of the witnesses have left the district and gone to Victoria and the Darling District.

ROBERT BARBOUR.

[Deniliquin]

Fanny Barbour,
C.P., Deniliquin,
20th November,
1873, 160 acres.
Leighton Barbour,
C.P., Deniliquin,
20th November,
1873, 330 acres.
Robert Barbour,
junior, C.P., Denili-
quin, 20th Novem-
ber, 1873, 229 acres.

See enclosure.

[Deniliquin, 3 September, 1877.] Inquiry *re* Fanny Barbour, conditional purchaser at Deniliquin, 20 November, 1873. PROTEST by Robert Barbour, of Banangalite, near Baratta, grazier, who says: I am father of Fanny Barbour, the subject of this inquiry. She is a minor, now four years of age, and at the date of the selection was an infant in arms.

On her behalf I make the following objections to the further prosecution of this inquiry, viz.:—
1st. This selection was made under the Land Act of 1861, therefore the regulations under the amending Act of 1875 do not apply.

2nd. The term of three years' residence expired on the 20th November, 1876, nearly a year ago. The declaration required by law was made, interest was paid and accepted, and, I submit, this bars all further inquiry.

3rd. Before this inquiry can proceed, I submit that the statutory declaration of residence must be set aside.

4th. If this inquiry proceeds now, the effect will be to accuse the declarant of perjury, and an inferior Court will try an issue which belongs only to a superior Court.

5th. The delay in instituting this inquiry is a sufficient answer. Surely the dilatoriness of the department ought not to be allowed to inflict upon selectors uncertainty, distrust, vexation, and large pecuniary loss and inconvenience.

6th. To compel a selector to prove a three years' continuous residence after a year's obliteration of the facts and scattering of the witnesses will surely inflict a great hardship, for, owing to the migratory nature of the people of a new country, it is almost impossible to procure evidence extending over four years.

7th. In this case several of the witnesses have left the district—some gone to Victoria, others gone to the Darling and to other portions of New South Wales.

ROBERT BARBOUR.

[Deniliquin, 3 September, 1877.] Inquiry *re* Leighton Barbour, conditional purchaser at Deniliquin, 20th November, 1873.

PROTEST by Robert Barbour, of Banangalite, near Baratta, grazier, who says:—

1. I am father of Leighton Barbour, the subject of this inquiry. He is a minor, now eight years of age, and at the date of the selection was four years.

2. On his behalf I make the following objections to the further prosecution of this inquiry, viz.:—

3. This selection was made under the Land Act, 1861, and the regulations under the amending Act of 1875, do not apply.

4. The term of three years' residence expired on the 20th November, 1876—nearly one year ago; the declaration required by law was made, interest was paid and accepted, and I submit this bars all inquiry further.

5. Before this inquiry can proceed, I submit that the statutory declaration of residence must be set aside.

6. If this inquiry proceeds now, the effect will be to accuse the declarant of perjury, and an inferior Court will try an issue which belongs only to a superior Court.

7. The delay in instituting this inquiry is in itself a sufficient answer. Surely the dilatoriness of the department ought not to be allowed to inflict upon selectors uncertainty, distrust, vexation, and large pecuniary loss and inconvenience.

8. To compel a selector to prove a three years' continuous residence after one year's obliteration of the facts and scattering of the witnesses will surely inflict a great hardship, for, owing to the migratory nature of the people of a new country, it is almost impossible to procure reliable evidence extending over four years.

9. In this case several of the witnesses have left the district—some gone to Victoria, others to the Darling and to other portions of New South Wales.

ROBT. BARBOUR.

[Deniliquin, 3 September, 1877.] Inquiry *re* Robert Barbour, jun., conditional purchaser at Deniliquin, 20 November, 1873.

PROTEST by Robert Barbour, of Banangalite, near Baratta, grazier, who says:—

1st. I am father of Robert Barbour, junior, the subject of this inquiry; he is a minor, now twelve years of age, and at the date of the selection was eight years.

2nd. On his behalf I make the following objections to the further prosecution of this inquiry, viz.:—

3rd. This selection was made under the Land Act of 1861, and the regulations under the amending Act of 1875 do not apply.

4th. The term of three years' residence expired on the 20th November, 1876, nearly one year ago; the declaration required by law was made, interest was paid and accepted, and I submit this bars further inquiry.

5th. Before this inquiry can proceed, I submit that the statutory declaration of residence must be set aside.

6th. If this inquiry proceeds now, the effect will be to accuse the declarant of perjury, and an inferior Court will try an issue which belongs only to a superior one.

7th. The delay in instituting this inquiry is in itself a sufficient answer. Surely the dilatoriness of the department ought not to be allowed to inflict upon selectors uncertainty, distrust, vexation, and large pecuniary loss and inconvenience.

8th. To compel a selector to prove a three years' continuous residence after one year's obliteration of the facts and scattering of the witnesses will surely inflict a great hardship, for owing to the migratory nature of the people of a new country it is almost impossible to procure evidence extending over four years.

9th. In this case several of the witnesses have left the district—some gone to Victoria, others to the Darling and to other portions of New South Wales.

ROBERT BARBOUR.

No. 33.

The Chief Commissioner of Conditional Sales to R. Barbour, Esq., M.P.

Sir,

Department of Lands, Conditional Sales Branch, 18 February, 1878.

Referring to your letter of the 2nd instant, respecting the inquiries held by Mr. Commissioner No. 32. Rose, as to your children's conditional purchases, noted in the margin, I am directed to inform you that Deniliquin, November 20, 1873, C.P. these cases appear from the proceedings to be complete, but they have been for the present delayed, 73/12,291, 320 acres, now pursuant to your request, for consideration of your appeal. 166 acres.

2. The inquiries having been however between parties and on sworn testimony cannot be re-opened, unless you desire another opportunity of bringing forward the evidence in defence, for which the cases were deferred by the Commissioner, at your application, and would no doubt have been further postponed in the circumstances had application been made to him and cause shown. Fanny Barbour, C.P. 73/12,290, 320 acres. Leighton Barbour, C.P. 73/12,291, 320 acres, R. Barbour, jun.

3. I am therefore to request that you will be good enough to state whether your object is to obtain a renewal of the inquiries before the Commissioner.

I have, &c.,

A. O. MORIARTY,
Chief Commissioner.

No. 34.

The Chief Commissioner of Conditional Sales to R. Barbour, Esq., M.P.

Sir,

Department of Lands, Conditional Sales Branch, 26 February, 1878.

I am directed to inform you that, in compliance with your personal request, the Minister for Lands has approved of the case of the conditional purchases noted in the margin being referred back to the Commissioner, to afford you an opportunity of bringing forward evidence in defence, which, owing to the adjourned inquiry having been held at a time when you were engaged in your election as a Member of Parliament, you were unable to do previously.

I have, &c.,

A. O. MORIARTY,
Chief Commissioner.

No. 32.
Deniliquin,
November 20,
1873, C.P.
73/12,291, 320
acres, now
166 acres.
Fanny Barbour,
C.P. 73/12,290,
320 acres.
Leighton Bar-
bour, C.P.
73/12,291, 320
acres, R. Bar-
bour, jun.

Deniliquin,
November 20,
1873, C.P.
73/12,291, Fanny
Barbour, C.P.
73/12,290 320
acres, Leighton
Barbour, C.P.
12,301, 320 acres,
Robt. Barbour.

No. 35.

No. 35.

Forfeited Conditional Purchases.

Department of Lands, Conditional Sales Branch, Sydney, 19 March, 1878.

HIS Excellency the Governor, with the advice of the Executive Council, directs it to be notified that the undermentioned portions of Crown lands, conditionally purchased under the "Crown Lands Alienation Act of 1861," having, by the non-residence of the purchasers on their original selections, or the conditions of which have not been fulfilled, been abandoned, within the meaning of the said Act, the same are hereby declared forfeited, and such of the said lands as shall not in the meantime be conditionally purchased will be sold accordingly, by auction, on a day or days to be hereafter notified.

JAMES S. FARNELL.

Reg. No.	Land Agent's No.	No. of C.P.	Name.	Place of Selection.	Date of Selection.	Area.
43,727	591	73/12,300	Leighton Barbour	Deniliquin	20 Nov., 1873 ...	320 acres.
43,728	592	73/12,301	Robert Barbour	do	do	320 "
43,730	582	73/12,291	Fanny Barbour.....	do	do	320 "
						now 166 acres.

No. 36.

Memorandum by Chief Commissioner of Conditional Sales.

Forfeited selections—Fanny, Robert, and Leighton Barbour.

THESE selections having now been declared forfeited, attention is directed to the fact that they are declared to be improved to the extent of £1 per acre, and that consequently there are improvements thereon, valued at £1,000, which are now the property of the public.

Whether it may be thought advisable to sell these by auction with the land (as in other cases) or not, it is obvious that it is desirable that they should be protected in the mean time, and as the land will, under the 19th clause of the Act of 1875 (and) revert to the former lessee, who has been the prosecutor in the recent inquiries, and who can have no claim to the improvements, it is submitted that steps should be taken to prevent their being interfered with, or the question being further complicated by the erection of further improvements by the lessee, with a view to a claim being made to purchase in virtue thereof.

In the circumstances, I respectfully recommend that these portions be now withdrawn from lease, under the 5th clause of the "Crown Lands Occupation Act of 1861."—A.O.M., 21/3/78.

Approved.—J.S.F., 22/3/78.

No. 37.

Minute of Executive Council.

Withdrawal from Lease.

Department of Lands, Sydney, 23 March, 1878.

It is recommended to His Excellency the Governor and the Executive Council that the portions of land in the county of Townsend, parishes of Banangalite and Ricketson, on Baratta Run, being portions 3, 12, and 13, be withdrawn from lease, under the 5th section of the "Crown Lands Occupation Act of 1861," for public purposes.

J. S. FARNELL.

The Executive Council advise that the portions of land herein described be withdrawn from lease, in terms of the 5th clause of the "Crown Lands Occupation Act of 1861."—ALEXANDER C. BUDGE, Clerk of the Council. Minute 78/13.—25/3/78. Confirmed.—1/4/78.

Approved.—H.R., 25/3/78.

Minutes on No. 37.

The declaration should be repeated and interest refunded in each case. The £10 having been paid in each case, for inquiry, should be refunded. Submitted for decision as to whether the portions should go on to auction with the value of improvements added to the upset price.—C.N., 23/5/78. Approved.—J.S.F., 10/6/78.

* Miss F. Barbour and L. and R. Barbour, junr., care of Robert Barbour, Esq., M.P.; and Treasury informed of refund of interest. * Mr. Ricketson, care of A. G. Blomfield, Esq.; and Treasury informed of refund of investigation fees.—12 June, 1878.

No. 38.

Gazette Notice.

Department of Lands, Sydney, 26 March, 1878.

Reserve from lease for public purposes.

It is hereby notified, for general information, that His Excellency the Governor, with the advice of the Executive Council, has been pleased to withdraw, for public purposes, the portions of land hereinafter described from the Baratta Run, of which they hitherto formed part.

JAMES S. FARNELL.

Murrumbidgee District.

No. 317. County of Townsend, portion 3, parish of Banangalite, containing 158 acres; portions 12 and 13, parish of Ricketson, containing 320 acres each.

No. 39.

R. Barbour, Esq., M.P., to The Secretary for Lands.

Sir,

Parliament House, Sydney, 29 March, 1878.

I am informed that Mr. Henry Ricketson has applied for two of my children's selections (gazetted about ten days ago as forfeited, but which forfeiture I protest against as illegal), under the 31st clause; if this be so, I hope you will see the advisability of at once voiding his applications, and again declaring the selections excised from the Crown tenants' lease.

ROBERT BARBOUR.

Minute on above.

Send answer to Mr. Barbour as to what we have done.—J.S.F.

No. 40.

R. Barbour, Esq., M.P., to The Secretary for Lands.

Sir,

Darling Point, Sydney, 3 February, 1879.

I beg leave to submit for your decision the following cases, and to ask you to reverse the forfeitures, and to reinstate the selectors—my own children:—

Fanny Barbour, 176 acres, selected Deniliquin, 20 November, 1873.

Robert Barbour, jun., 320 acres, do. do.

Leighton Barbour, 320 acres, do. do.

all minors, on the Baratta Run, county of Townsend.

All the conditions were fulfilled, the three years had expired, a statutory declaration was made in each case, interest was made and received by the Crown, and notwithstanding all this an inquiry was made about twelve months thereafter by Commissioner Rose, at the instance of Henry Ricketson. The Commissioner reported that in his opinion continuous residence had not been fulfilled, and that the selections should be forfeited, and they were so gazetted. I contend that it never was intended that children of tender years (minors' selections being encouraged by the Government)—that they should not attend school as part of their daily avocations, as necessary as a shepherd to attend his sheep, although necessitating his absence from his home for several months at a time; and as proof of the general feeling in regard to this matter, one residence for all minors is acknowledged sufficient.

I have confidence that my children will not be any worse treated.

Fanny Barbour at the date of selection was an infant some four months old. She arrived on her selection with her mother within one month from date of selection, and was there continuously for one year and six months. Her mother having to leave the bush for the city, to be attended by the family doctor, the child Fanny, scarcely two years, had to be taken with her mother. After an absence of a few months the mother returned to Riverina with her ninth living child, and Fanny with her, but not to Baratta—to another property I have on the Murray, where the sawmills are, about 80 miles distant from Baratta. Mrs. Barbour objected to go to Baratta, as I was often absent on business; and on one of these occasions Ricketson had brought a mob of men and cut down the house we lived in, and this had frightened her; but the child Fanny was sent to her selection in company with her sisters; and if you turn up the surveyor's report you will find that he visited the selection about this time and reports her resident. The child had occasionally to be taken to her mother for a week or two, and brought back again to her selection, but the servants were continually there, and the stock was continually there.

As to the two boys, they fulfilled an honest residence during the whole three years. Some part of the time they were absent attending school, and occasionally during the latter part of the time paying a visit to their mother; but if they were at times away the servants were there—the stock were there—and the work went on the same as if they had been day and night chained to the bed-post.

No doubt Ricketson did all he could by himself, his accommodating servants, and my discharged, drunken, and dissatisfied ones, to pour in negative evidence, and give the Commissioner something to hang his opinion on, but after all it is but his opinion; and from the intimate relationships that exist about Deniliquin, and for other reasons which I have suggested in two other applications, you will, I think, have no difficulty, from duty and policy, to protect settlement.

ROBERT BARBOUR.

Minutes on above.

The Chief Commissioner of C.P.'s. Please let me have papers in these cases.—J.H., 3/1/79. Papers herewith.—4/2/79. Mr. Barbour, M.P., to be informed that after a careful perusal of the papers relating to Fanny Barbour's C.P. I see no reason for reversing the decision of my predecessor (Mr. Farnell).—J.H., 11/2/79. Mr. Barbour, M.P., to be informed that after perusing the papers in the case I see no reason for reversing the decision of my predecessor (Mr. Farnell) in respect to Robert Barbour, jun.'s, conditional purchase.—J.H., 11/2/79. I see no reason for reversing the decision of my predecessor (Mr. Farnell) in respect to Leighton Barbour's C.P.—J.H., 11/2/79.

No. 41.

The Chief Commissioner of Conditional Sales to R. Barbour, Esq., M.P.

Department of Lands, Conditional Sales Division,

Sir,

Sydney, 20 February, 1879.

I am directed by the Minister for Lands to acknowledge receipt of your letter of the 3rd instant, submitting for his consideration the cases of the conditional purchases noted in the margin, and have to inform you that the Minister, having carefully perused the papers relating to the respective selections of F. Barbour, L. Barbour, and R. Barbour, jun., see no reason for reversing the decisions given by his predecessor (Mr. Farnell) therein.

I have, &c.,

A. O. MORIARTY,
Chief Commissioner.

No. 40.
Deniliquin.
C.P. 73-12,291,
176 acres, Fanny
Barbour.
C.P. 73-12,300,
320 acres,
L. Barbour.
C.P. 73-12,301,
320 acres,
R. Barbour, jun.

1878-9.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

CONDITIONAL PURCHASE OF THOMAS ROSE.

(CORRESPONDENCE, &c.)

Ordered by the Legislative Assembly to be printed, 6 June, 1879.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 5 February, 1878, That there be laid upon the Table of this House,—

“Copies of all Papers referring to a selection made by Thomas Rose, at Deniliquin, and an attempt to cause his ejectment by the Messrs. Landale, “in the Supreme Court.”

(*Mr. Barbour.*)

SCHEDULE.

NO.	PAGE.
1. Application by Thomas Rose for the conditional purchase of 320 acres, parish of Boonoke, county of Townsend, with minutes thereon. 21 August, 1873.....	2
2. Declaration of conditional purchaser as to residence and improvements, with minute thereon. 27 September, 1876	2
3. A. Armstrong to the Minister for Lands, applying on behalf of Thomas Rose for acceptance of application. 17 October, 1876	3
4. Same to same, for reversal of voidance of the C.P. in question, with enclosure. 2 November, 1876	3
5. Same to same, again applying for acceptance of application, with minutes thereon. 2 November, 1876	3
6. Same to same, applying for issue of deed of grant, with minutes thereon. 20 February, 1877	3
7. Question and answer in the Assembly, respecting the C.P. in question, with minute thereon. 2 March, 1877	4
8. Notification of alienation of said C.P., with minutes thereon. 23 October, 1877	4
9. Thomas Rose to — Blackman, Esq., requesting withdrawal of cancellation of his selection, with minutes thereon. 27 April, 1878	4
10. A. O. Moriarty, Chief Commissioner, to T. B. Carne, Inspector of Conditional Purchases, for report on the C.P. 12 October, 1878	5
11. Same to Thomas Rose, in reply to letter No. 9. 31 October, 1878	5
12. A. Armstrong to the Chief Commissioner of Conditional Sales, further respecting the case of Thomas Rose. 31 October, 1878	5
13. Thomas Rose to same, in reply to letter No. 11. 8 November, 1878	5
14. Gazette Notice.—Conditional purchases referred to Commissioners for Inquiry. 15 November, 1878	5
15. Mr. Commissioner Rose to the Chief Commissioner, transmitting evidence taken at inquiry on Rose's C.P., with minutes thereon	6

CONDITIONAL PURCHASE OF THOMAS ROSE.

No. 1.

Application by Thomas Rose, minor, for the Conditional Purchase, without competition, of 320 acres unimproved Crown Land, under section 13 of the Lands Alienation Act of 1861.

RECEIVED by me, with a deposit of £80, this 21st day of August, 1873, at 11:35 o'clock.

J. A. BROUGHTON,
Agent for the Sale of Crown Lands at Deniliquin.

Sir,

21 August, 1873.

I am desirous of purchasing without competition, under the 13th section of the "Crown Lands Alienation Act of 1861," the portion of unimproved Crown land hereunder described, containing 320 acres; and I herewith tender the sum of £80, being a deposit at the rate of five shillings (5s.) per acre on the area for which I apply, and on which it is my intention to reside.

I am, &c.,
THOMAS ROSE, a Minor,
Deniliquin.

To the Agent for the
Sale of Crown Lands at Deniliquin.

DESCRIPTION.

County of Townsend, parish of Boonoke, 320 acres, north of the Union Dam, and about 3 miles north-west of the Conargo Road, starting on the south by a peg to be pointed out and running west, north, and then easterly, and then to the point of commencement. Numbered 18.

Minutes on above.

The land herein referred to is advertised for sale on the 26th September, and comes partly within reserve No. 768, Union Dam Reserve, which was revoked on the 26th August, 1873, the revocation to take effect at the expiration of thirty clear days from that date. The land sale being held on a Friday, 26th instant, prevents the land from being open to C.P. until the following land office day. The conditional purchase, I suppose, must be cancelled, but shall the land be withdrawn from sale?—T.H.L., 15 Sept., /73.

The dates of sale are fixed in the Lands Department, and I cannot interfere with them. The conditional purchase must be cancelled.—R.D.F.G., 15 Sept., /73. Urgent.

The C.P. must be cancelled. The sale should go on for auction as advertised.—W.W.S., 18 Sept., /73. Approved.—J.S.F., 18/9/73.

It has been explained to me that the day fixed for the sale was purely accidental, and attributable to the fact that one officer fixes the day of sale while other officers deal with the cancellation of reserves. Under these circumstances, and as the day of sale is near at hand, I do not think it would be prudent to stop the sale. The sale is in agreement with the 67th Regulation, therefore lawful; still, more time should I think have been allowed between the expiration of the thirty days and the day fixed for the sale. In future, in like cases, a reasonable time should intervene between the expiration of the thirty days and the day fixed for the sale by auction.—J.S.F. *Thirty-one days in this case.*

In transmitting the schedule of lands for sale from the Survey Office to the Auction Branch of this department, care should be taken in future to draw attention to all cases where the lands to be sold fall within recently revoked reserves, in order that the above decision may be carried out.

Surveyor General.—W.W.S., B.C., 7 Oct., /73.

No. 2.

Declaration.

(C.P. No. 73/8,763.)

E.

[Alienation Act.]

Declaration of Conditional Purchaser under the 18th section of the "Crown Lands Alienation Act of 1861."

I, THOMAS ROSE, of Rosedale, do solemnly and sincerely declare that I am the lawful owner, by conditional purchase, under the 18th section of the "Crown Lands Alienation Act of 1861," of the land hereunder described, and that improvements consisting of house, woolshed, yards, fencing, and tank, and to the value of £350, have been made on such land; and I declare further, that the said land has been the *bonâ fide* residence, continuously, of myself from the period of selection and first occupation to the present date (and that no alienation of the land has been made by the abovenamed holder, until after the residence thereon of such holder for a period of one whole year, each alienation having been notified to the Land Agent of the district within one month of its having been made). And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the ninth year of the reign of her present Majesty, intituled "*An Act for the more effectual abolition of oaths and affirmations taken and made in various departments of the Government of New South Wales and to substitute declarations in lieu thereof and for the suppression of voluntary and extra-judicial oaths and affidavits.*"

THOMAS ROSE.

Taken and declared at Deniliquin, this 27th day of September, 1876, before me,—

JAS. WATSON, J.P.

DESCRIPTION.

County of Townsend, parish of Boonoke, 320 acres, at Deniliquin, being conditional purchase No. 165, of 1873, in the district of Deniliquin, made on the 21st August, 1873.

Minute

3

Minute on No. 2.

£12 paid to Suspense Account from Mr. Armstrong as the purchase stands as void. Will the Under Secretary for Lands be good enough to say whether the amount can be accepted.—G.E. The Treasury, 26 Oct., 1876.

No. 3.

Mr. A. Armstrong to The Secretary for Lands.

Sir,

Land Agency Office, 26, Bridge-street, Sydney, 17 October, 1876.

I have the honor to apply for the acceptance of the application of the selection noted in the margin, and the issue of approval of description, in accordance with the 14th clause of the "Lands Act Amendment Act of 1875."

I have, &c.,

A. ARMSTRONG,

Agent for Thomas Rose.

Land Agent's No., 73-165, Thomas Rose, District Deniliquin, August 21, 1873.

No. 4.

Mr. A. Armstrong to The Secretary for Lands.

Sir,

Land Agency Office, 26, Bridge-street, Sydney, 2 November, 1876.

Referring to the selection of Thomas Rose, Deniliquin, 320 acres, August 21, 1873, I have the honor to hand herewith certificate from selector's solicitor, to effect that the Supreme Court upheld my client's title to the land, and am informed by Messrs. McCarthy and Robertson that they acted for the Crown lessee, and that it was ascertained that the conditional purchase in question was erroneously declared void, and that it did not in any way encroach upon a reserve. Enclosed.

I have therefore the honor to request that the voidance of the conditional purchase in question be reversed, and the interest paid to Suspense Account, Treasury, to be placed to credit of the selection now in dispute, and that ratification of selection be made, as per application herewith.

I have, &c.,

A. ARMSTRONG.

* See No. 5.

[Enclosure to No. 4.]

Mr. Asser V. Wren to Mr. F. Rose.

Sir,

Acting as your solicitor in the action brought by Messrs. Landale against your son, Thomas Rose, in ejectment, I hereby certify that judgment was given in your favour on 22nd April, 1875, and your selection was thereby declared valid.

Deniliquin, 24 October, 1876.

Yours, &c.,

ASSER V. WREN.

No. 5.

Mr. A. Armstrong to The Secretary for Lands.

Sir,

Land Agency, 26, Bridge-street, Sydney, 2 November, 1876.

I have the honor to apply for the acceptance of the application of the selection noted in the margin, and the issue of approval of description, in accordance with the 14th clause of the "Lands Act Amendment Act of 1875."

I have, &c.,

A. ARMSTRONG,

Agent for Thomas Rose.

C.P. No. 73-8,763. Thomas Rose, 320 acres, August 21, 1873, District Deniliquin.

Minutes on above.

Conditional purchase cancelled. Original application sent to Court, Deniliquin, for production, 10/4/75; telegram received in office, 18/10/75, from Land Agent, stating that application was then in the hands of the Prothonotary.

Make a copy of the application, Thomas Rose's, and send to Charting Branch, to ascertain whether any error has been made in declaring purchase void.—C.N., 9/12/76.

No. 6.

Mr. A. Armstrong to The Secretary for Lands.

Sir,

Land Agency Office, 26, Bridge-street, Sydney, 20 February, 1877.

Referring to my letters in the case of Thomas Rose, Deniliquin, conditional purchase 73/8,763, I have the honor to draw your early attention thereto, and to request that application for the issue of certificate of approval of description under 14th clause may be withdrawn, and deed of grant be issued in lieu thereof. See Nos. 3, 4, and 5.

I have, &c.,

A. ARMSTRONG,

Agent for Thomas Rose.

Minute on above.

Before any further action can be taken in this case by the department it will be necessary to ascertain the position, as decided by the Supreme Court, of reserve referred to, for which purpose these papers should now be sent to the Crown Solicitor's Office, and the verdict arrived at.—F.W.R., 14 January, 1878.

No. 7.

No. 7.

Question and answer in the Legislative Assembly.

Friday, 2 March, 1877.

Question :—Selection made by Thomas Rose, Deniliquin.—*Mr. Driver*, on behalf of Mr. McElhone, asked the Secretary for Lands, pursuant to Notice,—

- (1.) Is it a fact that a selection made by Thomas Rose, at Deniliquin, in 1873, was declared void in error?
- (2.) Is it a fact that such error was proved in an action of ejectment brought by Messrs. Landale against Rose?
- (3.) Is it a fact that balance of purchase money tendered upon such selection has been passed to Suspense Account at the Treasury?
- (4.) Is it a fact that papers referring to the case have been lost in the Department of Lands?
- (5.) Is it his intention to effect early inquiry into the case, and issue deeds of grant to the selector, in accordance with application?

Answer :—*Mr. Baker* answered,—

- (1.) The selection referred to was declared void on the 21st August, 1873, under a report from the Survey Department, that it came partly within a reserve at the date of application.
- (2.) It appears that an action of ejectment was brought against the selector; and it is alleged that in the course of such action it was proved that the land did not encroach upon the reserve as supposed.
- (3.) The balance of purchase money has not been tended, but £12, on account of interest thereupon, has been received, and passed to the Suspense Account at the Treasury.
- (4.) The papers have not been lost in the Department of Lands, but the application, with reports, was impounded in the Supreme Court for some time, having been produced in evidence at the trial. They had been applied for, but have only recently been received.
- (5.) The case will now be further examined, and dealt with on its merits.

Minutes on above.

Register, 9/3/77. The Chief Commissioner, 14/3/79. This matter has, I think, been separately dealt with.—A.O.M., 26/5/77. The correct position of reserve 768 (Union Dam) as in existence at date of C.P. should be defined hereon, in order that the necessary steps may be taken upon these papers to bring this matter to a settlement.—F.W.R., 28 June, 1877. The supposed position of the reserve is shown on plan T 282, but as the description in Gazette does not define any particular well as the starting point, a well shown on plan T 352 is supposed to be the one intended.—J.W.E., 18 July, 1877.

No. 8.

Notification of Alienation of Conditional Purchase.

Notification of Alienation of Conditional Purchase by Frederick Rose, in the district of Deniliquin.

I HEREBY notify to you, as the Agent for the Sale of Crown Lands for the district of Deniliquin, that I have (after a residence thereon of at least twelve months) this day alienated to the Bank of New South Wales, of Sydney, the three hundred and twenty acres of land, situated in the county of Townsend, parish of Boonoke, which I selected at Deniliquin, as a conditional purchase, under the 13th section of the "Crown Lands Alienation Act of 1861," on the 21st August, 1873 (*as also the following additional purchases, to be inserted with particulars thereof if necessary*):—Thomas Rose's conditional purchase, alienation on to Frederick Rose (myself).

FREDERICK ROSE,
Deniliquin.

Dated at Deniliquin, this 23rd Oct., 1877.

I HAVE duly registered the above notification of alienation in the records of this office.—

District of Deniliquin Land Office,

Deniliquin, 29th October, 1877.

J. A. BROUGHTON,
Agent for the Sale of Crown Lands.

Minutes on above.

The Crown Lands Agent, Deniliquin, is requested to inform the parties interested in this transfer that it is disallowed, the selection therein referred to having been cancelled, as being within a reserve (No. 768), and refund voucher furnished to applicant, and agent informed of cancellation on 19th Sept., 1873.—W.B. (for the Chief Commissioner), B.C., 12th July, 1878. To be returned. The Crown Lands Agent, Deniliquin.

Parties interested in within transfer informed as required.—J. A. BROUGHTON, Deniliquin, 22/7/78.

No. 9.

Mr. T. Rose to Mr. W. Blackman.

Sir,

I have the honor to request you to have the cancellation of my selection, No. 18, parish of Boonoke, county of Townsend, withdrawn, and to notify the same to Mr. Broughton, land officer, Deniliquin. It is some two years since this case was settled, and the land officer at Deniliquin will not receive the interest, as the cancellation has not been withdrawn from his books, and this necessitates my paying it at Sydney. The only cause I am told of this delay is that the Crown lessee, Mr. Landale, keeps the cancellation on account of compensation from the department not being made to him. I therefore beg to request that you will have this matter settled at your earliest convenience, as I am very anxious, and it will save me the expense and trouble of coming to Sydney about it, and I can ill afford the expense.

I have, &c.,
THOMAS ROSE.

Minutes

Minutes on above.

Submitted that nothing is to be gained by keeping this matter open. A sum has been placed on the Estimates, and voted in part, to compensate Messrs. Landale for the cost of attempting to remove the present claimant.

The cancellation of the selection should be revoked, subject to the claimant showing that the conditions have been duly complied with, to which end the case should be remitted to Commissioner Rose for full inquiry, and Mr. Carne directed to inspect the matter, and to give evidence as to the fulfilment of conditions.—A.O.M., 15/5/78. Approved.—J.S.F., 18/5/78. Included in Schedule.—W.H.C. Selector informed. Commissioner Rose.—B.C., 22 November, 1878.

No. 10.

The Chief Commissioner of Conditional Sales to Inspector Carne.

Department of Lands, Conditional Sales Division,
Sydney, 12 October, 1878.

Sir,

I have to request that you will be good enough to inspect the conditional purchase mentioned in the margin, in order that you may be prepared to give evidence as to the fulfilment of the conditions, when the case is inquired into by the Commissioner.

I have &c.,

A. O. MORIARTY,
Chief Commissioner.

T. Rose, Deniliquin, 21 August, 1873, 320 acres.

No. 11.

The Chief Commissioner of Conditional Sales to Mr. T. Rose.

Department of Lands, Conditional Sales Division,
Sydney, 31 October, 1878.

Sir,

In reply to your letter of the 27th April last, on the subject of your conditional purchase, I am directed to inform you that the Minister for Lands has decided that the cancellation may be revoked, subject to your showing that the conditions have been duly complied with, to which end the papers in the case will be forwarded to the Commissioner (Mr. Rose), who will give you due notice of the holding of the inquiry.

I have, &c.,

A. O. MORIARTY,
Chief Commissioner.

*See No. 9.
Deniliquin, 320 acres, 21 Aug., 1873.

P.S.—Will you be good enough to return the refund voucher forwarded to you in September, 1873.

No. 12.

Mr. A. A. Armstrong to The Chief Commissioner of Conditional Sales.

Sir,

Land Agency Office, 26, Bridge-street, Sydney, 31 October, 1878.

Referring to the case of Thomas Rose, who selected at Deniliquin during 1873 (the particulars of which selection are noted in the margin), I have the honor to draw your attention to the delay in effecting reversal of voidance since the delivery of verdict of the Supreme Court, to the effect that my client's selection does not interfere with a reserve; and in order to assist the Survey Department in establishing this fact, to hand herewith *tracing given to my client by Mr. Licensed-surveyor Orr, now acting as District Surveyor at Deniliquin, with certificate at foot thereof that the plans do not show any reserve which should interfere with the selection referred to.

C.P. 73-3763
Thos Rose,
Deniliquin.

*Not with
papers.

I have therefore to request that the Treasury may be informed at an early date that the voidance of such selection has been reversed, in order that interest now lying to Suspense Account may be duly credited, and that acceptance notification may be issued of the declarations duly made by my client.

I have, &c.,

A. A. ARMSTRONG,
Agent for Thomas Rose.

No. 13.

Mr. T. Rose to The Chief Commissioner of Conditional Sales.

Sir,

Deniliquin, 8 November, 1878.

In answer to your letter of the 31st October, 1878, I have the honor to inform you that I never received a refund voucher on account of my conditional purchase in September, 1873, or at any other time.

See No. 11.

I have, &c.,

THOMAS ROSE.

No. 14.

Gazette Notice.

Department of Lands, Conditional Sales Division,
Sydney, 15 November, 1878.

It is hereby notified, for the information of all parties interested, that information having been received to the effect that the conditions as to residence or improvements have not been or are not being fulfilled in respect to the undermentioned conditional purchases, the claims of the holders of such purchases have been severally referred to Commissioners for inquiry, pursuant to the "Lands Acts Amendment Act 1875."

Due

Due notice will be given by the respective Commissioners of the times and places appointed by them for holding such inquiries.

JAMES S. FARNELL.

C.S. No.	C.P. No.	Name of Selector.	Date of Selection.	Area.	District.	County.	Parish.	Commissioner to whom referred.
	73-8,763†	Rose Thomas	21 Aug., 1873	320acres	Deniliquin	Townsend	Boonoke	A. C. S. Rose, Esq.

No. 15.

Mr. Commissioner Rose to The Chief Commissioner of Conditional Sales.

REPORT of an inquiry held at Deniliquin, on the 10th and 11th December, 1878, by A. C. S. Rose, Commissioner for the South-western Division, respecting the conditional purchase of Thomas Rose, made at Deniliquin on the 21st August, 1873.

Sir,

Enclosed.

See No. 14.

I have the honor to transmit herewith, for the consideration of the Honorable the Minister for Lands, minutes of evidence taken at an inquiry under the "Lands Acts Amendment Act of 1875," held by me in pursuance of the reference notified in the Gazette of the 15th November, 1878, in the matter of the above-described conditional purchase.

The claimant having been duly served with notice of the time and place of holding the inquiry, was present thereat.

The following facts bearing upon the fulfilment by the selector of the conditions of purchase were elicited in evidence, viz. :—

The conditional purchaser himself and a witness named John Clarke depose that the condition of residence was fulfilled by the former. It appears to me that this is corroborated by the evidence of Mr. Carne, Inspector of Conditional Purchases.

Mr. Carne, on the 30th November last, found on this land improvements which he valued at £330. It is sworn by the conditional purchaser that these improvements were effected before the expiration of three years from time of purchase.

I have therefore to report that I find such conditions to have been fulfilled, and to recommend that this conditional purchase be upheld.

I have, &c.,

A. C. S. ROSE,

Commissioner.

MEMO.—The conditional purchaser has applied to me for expenses in this case, to enable him to pay his advocate and his witnesses. The case seems to me one of such peculiar hardship that I venture to recommend his application to the favourable consideration of the Honorable the Minister for Lands.—A.C.S.R.

Minutes on above.

* See minute on No. 9 for decision.

† Usual forms sent.

Cancellation, to be now revoked, pursuant to the * decision of the late Minister, enclosed. Declaration then for approval under this report.—A.O.M., 18/3/79. Approved.—J.H., 18 March, '79.

Mr. T. Rose † informed of acceptance of declaration, 7 April, 1879. Mr. Lackey, for action on revoking cancellation. Applicant, Agent, and Treasury † informed that cancellation is revoked, 17 April, 1879.

[Enclosure to No. 15.]

Evidence alluded to.

Thomas Broughton Carne, being duly sworn, saith :—I am an Inspector of Conditional Purchases for the South-western District; in pursuance of special instructions from the Lands Department I visited, on the 30th of November last, an area of 320 acres, situated in the county of Townsend, and parish of Boonoke, conditionally purchased on the 21st of August, 1873, by Thomas Rose, under the provisions of the 13th section of the "Crown Lands Alienation Act of 1861"; this land is portion number 18, in the parish of Boonoke; I had a tracing of this land as a guide; it was supplied to me by the Department of Lands; I began to run the lines at the northern boundary at a peg with the No. 18 on it; I followed this line down to the southern boundary, a distance of 40 chains; at the south-west corner I found another peg with the number 18 on it; I started from this point and ran the southern boundary 80 chains to the east, where I found a peg marked with the number 18 on one side and 11 on the other; the number 11 indicated James Rose's selection, which adjoins Thomas Rose's; starting from the south-east peg, I ran the eastern line north 40 chains, and found another peg with the number 18 on it; thence I ran the north line 80 chains west to the starting point; I found on this selection a small hut built of round pine saplings; it had been covered with iron in all probability, as some pieces of iron were lying about, but the roof had disappeared at the time of my visit; there was no chimney to this hut; the place appeared to have been used as a residence at some time; there was a large heap of ashes outside the hut; there was an old bunk inside the hut; I value this hut in its original state at £10; there was a wool-shed built of pine slabs, dressed with an adze, 24 feet by 24 feet, floored, and divided into sheep-pens, which were battened and covered with bark; the roof of the building was covered with bark; I value this building at £90; there were three sheep-yards, with four pens of five rails to receive the sheep when shorn; I value this at £45; I found 120 chains of five-wire fence, with the posts included, for six wires; I value this at £105; there was a tank of about 1,200 yards, which at the time of my visit was full of water; I value this at £80; the length of the tank was 25 yards, the breadth 17 yards, and the depth 9 feet, the slope 1 in 2; the conditional purchaser was staying at the wool-shed when I was there; he is now of age, and told me that he was married.

T. B. CARNE.

Taken and sworn before me, at Deniliquin, this }

10th day of December, 1878,—

A. C. S. ROSE, Commissioner.

Thomas Rose, being duly sworn, saith :—On the 21st August, 1873, I conditionally purchased 320 acres in the parish of Boonoke; the day after I selected I went to reside on this land; I have resided continuously on this land ever since, up to the present time; I am now married, and my wife resides there with me; shortly after I took up this selection I put up a hut, where I lived for about two years, and then I moved to the wool-shed, which I built close by on the selection, and I lived there, and still live there; I have had no other home or place of residence than my selection ever since I took it up; I have heard Mr. Carne's evidence as to improvements, and it is quite correct, with some trifling exceptions; those improvements were made within three years of date of selection; there is a reserve at the south of my selection, and divided from it by a road; I have understood that this land is a reserve, but I know this only from what I have heard; this land in no way interferes with my

my selection, and my selection does not encroach on it; the peg at which I start at the south is at the south-east corner, and was there when I selected; it was numbered 18; the south boundary runs to a peg, with 18 on it, towards the west, and then the lines run north, and then east, and then south, to point of commencement, as in description at foot of application; this land at time of selection was measured as portion 18.

THOMAS ROSE.

Taken and sworn before me, at Deniliquin, this }
11th day of December, 1878,— }
A. C. S. ROSE, Commissioner.

John Clarke, being duly sworn, saith:—I am a labourer, and am now in the employment of Mr. Frederick Rose, whose son's selection is now being inquired into; I have known Thomas Rose's selection of 320 acres at Boonoke, portion 18, since September, 1873; I slept there in the same hut with Thomas Rose for such a thing as eight months at a stretch; I know that Thomas Rose slept there habitually; we used to take our meals at his father's place generally; Thomas Rose used to work regularly on his selection week after week for three years; sometimes he lent his father a hand; I worked with Thomas Rose for a long time on his selection.

JOHN CLARKE.

Taken and sworn before me, at Deniliquin, this }
11th day of December, 1878,— }
A. C. S. ROSE, Commissioner.

William Orr, being duly sworn, saith:—I am a staff surveyor, and am in charge of the Deniliquin District; I produce a tracing of portions in the parishes of Boonoke and Wandook, in the county of Townsend, which was exhibited at sale at Deniliquin on the 26th September, 1873; I find that portion 18, in the parish of Boonoke, was conditionally purchased by Thomas Rose; it must have been selected prior to sale, as Rose made his conditional purchase on the 21st August, 1873, and the sale was 26th September, 1873; the description at foot of Rose's application has nothing in it inconsistent with the features of portion 18, as delineated in the map; the map shows no reserve anywhere near Thomas Rose's selection; an old map, a very inaccurate one, now in the Land Office at Deniliquin shows a reserve which overlaps portion 18, parish of Boonoke; this reserve was notified in a Government Gazette in the year 1870, but I cannot find this Gazette in the files in the Court House at Deniliquin; there are several more recent maps, as well as the map now produced, and including the county map supplied by the Lands Department for the guidance of the Crown Lands Agent, which do not show this reserve.

WILLIAM ORR.

Taken and sworn before me, at Deniliquin, this }
11th day of December, 1878,— }
A. C. S. ROSE, Commissioner.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

C. A. GOODCHAP'S CONDITIONAL PURCHASE AT SPRINGWOOD.

(CORRESPONDENCE, &c.)

Ordered by the Legislative Assembly to be printed, 17 June, 1879.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 11 March, 1879, That there be laid upon the Table of this House,—

“Copies of all Correspondence between the Government and any person or persons with reference to C. A. Goodchap's conditional purchase of 40 acres 2 roods at Springwood; also all documents having reference to the forfeiture and re-selection of the said conditional purchase; and all correspondence and other papers in the possession of the Government with reference to any claim or claims preferred by any person or persons to the possession of the said conditional purchase.”

(Mr. McElhone.)

SCHEDULE.

No.	PAGE.
1. Application by Charles A. Goodchap for the conditional purchase of 40 acres 2 roods, parish of Coomassie, Cook. 16 November, 1876.....	3
2. Notification of alienation of above conditional purchase to Frederick Somers. 5 June, 1878.....	3
3. Charles A. Goodchap to the Minister for Lands, respecting non-fulfilment of conditions in regard to his conditional purchase, with minutes thereon. 28 June, 1878.....	3
4. Same to F. Somers, respecting the same matter. 28 June, 1878.....	4
5. F. Somers to Charles A. Goodchap, in reply, with enclosure. 5 July, 1878.....	4
6. George Smith, Inspector of Conditional Purchases, to the Under Secretary for Lands, reporting on conditional purchase in question. 13 July, 1878.....	4
7. A. O. Moriarty, Chief Commissioner, to Charles A. Goodchap, in reply to letter No. 3. 22 July, 1878.....	4
8. Same to F. Somers, same subject. 22 July, 1878.....	5
9. Gazette Notice, referring the conditional purchase for inquiry. 23 July, 1878.....	5
10. F. Somers to Commissioner Johnson, with reference to said inquiry. 24 July, 1878.....	5
11. Commissioner Johnson to F. Somers, notifying date for holding inquiry. 24 July, 1878.....	5
12. Report by Commissioner Johnson of the inquiry, with enclosure and minute thereon. 29 July, 1878.....	5
13. Charles A. Goodchap to the Chief Commissioner, referring to letter No. 3, with minutes thereon. 7 August, 1878.....	6
14. Chief Commissioner to Charles A. Goodchap, in reply. 14 August, 1878.....	6
15. Edward Squires, appointing Thomas Smith his agent. 31 August, 1878.....	7
16. Volunteer Order selection by Edward Squires, of Charles A. Goodchap's forfeited conditional purchase, with minutes thereon and enclosure. 3 September, 1878.....	7
17. Receipt from Land Agent, Penrith, for Volunteer certificate of Edward Squires. 3 September, 1878.....	7
18. Charting Branch memo. respecting measurement of above portion. 3 September, 1878.....	7
19. J. A. Cunneen, agent for F. Somers, to the Chief Commissioner, with reference to the above selection, with minutes thereon. 6 September, 1878.....	7
20. Same to Under Secretary for Lands as above, with minutes thereon. 6 September, 1878.....	8
21. Land Agent, Penrith, to same, also respecting above, with minutes thereon. 23 September, 1878.....	8
22. W. C. Edwards, for Under Secretary for Lands, to Land Agent, Penrith. 27 September, 1878.....	9
23. Same to J. A. Cunneen. 27 September, 1878.....	9
24. Same to Edward Squires. 27 September, 1878.....	9
25. J. A. Cunneen to Under Secretary for Lands, in reply to letter No. 23, with minutes thereon. 3 October, 1878.....	9
26. W. C. Edwards for the Under Secretary, in reply to No. 25. 7 October, 1878.....	9
27. F. Somers to the Under Secretary for Lands, in reply to No. 26. 9 October, 1878.....	9

28. Application by F. Somers for a Volunteer order selection—Charles A. Goodchap's forfeited conditional purchase, with minutes thereon. 15 October, 1878	10
29. W. C. Edwards for the Under Secretary to Edward Squires, in reference to letter No. 24. 16 October, 1878 ..	10
30. Same to F. Somers, in reply to letter No. 27. 16 October, 1878.....	10
31. Same to Land Agent, Penrith, as above. 16 October, 1878.....	11
32. J. A. Cunneen, agent for F. Somers, in reply to letter No. 30, with minutes thereon. 17 October, 1878.....	11
33. Same to the Minister for Lands with reference to the disputed claim of Somers and Squires. 19 October, 1878	11
34. Report of an inquiry held by C. Oliver in reference to above, with minutes and enclosures. 22 October, 1878 ...	11
35. W. C. Edwards for the Under Secretary to F. Somers, conveying Minister's decision in the case. 30 October, 1878	14
36. Same to Thomas Smith. 30 October, 1878	14
37. Same to Crown Lands Agent, Penrith. 30 October, 1878.....	14
38. F. Somers to the Minister for Lands, with enclosure. 1 November, 1878	14
39. S. C. Brown to Edward Squires, respecting the case in question. 28 November, 1878	15
40. Chief Commissioner to J. A. Cunneen, in reply to letter No. 19. 30 November, 1878	15
41. Decision of the Minister for Lands in this case. 4 December, 1878	16
42. Phillip Richardson, for the Under Secretary for Lands, to Thomas Smith. 13 December, 1878	16
43. Same to F. Somers, care of J. A. Cunneen. 13 December, 1878.....	16
44. F. Somers to the Minister for Lands, applying for copies of papers, &c., in connection with this case, with minutes thereon. 27 December, 1878	17
45. Same to same, in reply to letter No. 43, with minute thereon. 27 December, 1878	17
46. Same to same, further respecting above, with minutes thereon. 14 January, 1879	17
47. Crown Solicitor to the Under Secretary for Lands, transmitting Attorney General's opinion in the matter, with minutes thereon. 14 February, 1879.....	18
48. W. C. Edwards, for the Under Secretary, to T. R. Smith, M.P., transmitting copy of opinion. 17 February, 1879	19
49. Same to F. Somers, in reply to No. 46, and also transmitting copy of opinion. 17 February, 1879	19
50. F. Somers to the Minister for Lands, in reply to No. 49, with minutes thereon. 19 February, 1879.....	19
51. W. C. Edwards for Under Secretary, in reply to No. 50. 26 February, 1879	19
52. F. Somers to the Minister for Lands, in reply to No. 51, with minutes thereon. 6 March, 1879	20
53. W. C. Edwards for Under Secretary, in reply to No. 52. 12 March, 1879	20
54. T. R. Smith, M.P., to the Minister for Lands, urging preparation of deed in favour of Squires, with minutes thereon. 17 March, 1879.....	20
55. Charles Oliver, for the Under Secretary for Lands, to T. R. Smith, M.P., in reply to No. 54. 24 March, 1879...	20
56. Description of Deed for issue to E. Squires	20
57. F. Somers to the Minister for Lands, protesting against issue of deeds to Squires, with minute thereon. 7 May, 1879	21

C. A. GOODCHAP'S CONDITIONAL PURCHASE AT SPRINGWOOD.

No. 1.

Application by C. A. Goodchap, Esq., for conditional purchase.

C.P. No. 76, 24 L.A. No.

Applicant, Charles Augustus Goodchap; police district, Penrith; date, 16 November, 1876; time, 11:30 o'clock; area, 40 acres 2 roods; section, 13th.

Description:—

40 acres 2 roods, county of Cook, parish of Coomassie, on the north side of the Bathurst Road, being surveyed by Mr. Surveyor Pitt, and numbered 69 on plan, adjoining Fletcher's 25-acre block.

No. 2.

Notification of Alienation.

K.

[Alienation Act, section 13.]

Notification of Alienation of Conditional Purchase under the "Crown Lands Alienation Act of 1861."

Notification of alienation of conditional purchase by Charles A. Goodchap, in the district of Penrith.

I HEREBY notify to you, as the Agent for the Sale of Crown Lands for the district of Penrith, that I have (after a residence thereon of at least twelve months) this day alienated to Frederick Somers, of Sydney, the 40½ acres of land, situated in the county of Cook, parish of Coomassie, which I selected at Penrith as a conditional purchase, under the 13th section of the Crown Lands Alienation Act of 1861, on the 16th November, 1876.

Dated at Sydney, this 5th June, 1878.

To the Agent for the Sale of Crown Lands at Penrith.

CHS. A. GOODCHAP,
Sydney.

I have duly registered the above notification of alienation in the records of this office,—

District of Penrith,
Land Office, Penrith, 6 June, 1878.

J. K. CLEEVE,
Agent for the Sale of Crown Lands.

No. 3.

C. A. Goodchap, Esq., to The Secretary for Lands.

Sir,

Sydney, 28 June, 1878.

I have the honor to inform you that about two years ago I selected under the provisions of the conditional purchase section of the Lands Act some 40 acres of land, situated at Springwood, intending at that time to erect a residence thereon. I shortly afterwards abandoned the intention, and concluded that the land would be forfeited by reason of my non-compliance with the conditions of purchase.

A few days since, inquiry was made of me, at my office, in respect of this land, by Mr. Somers, and I then ascertained that it had not been forfeited.

Mr. Somers desired me to part with my interest in the land, whatever it might be, as he stated he was desirous of taking up some back land in connection therewith. I informed him that I had not complied with the conditions, and scarcely knew what interest I had, but that I had no objection to part with any interest I might be held to possess if I could legally do so. I was assured by him and Mr. Cunneen (land agent), who accompanied him, that there was no difficulty in this respect—that I had a disposable interest; and Mr. Somers gave me £100 on my signing a paper stating that I had alienated my interest in the land to him.

Being very busy at the time, I did not read the document closely, and I have since found that it is so worded that I am made to state that I have resided on the land for at least twelve months. Now, I have not resided on this land at all, and need not state that I should not have signed the document had I known it contained a clause of the kind.

Mr. Somers was perfectly aware that I had not resided on the land, as I not only so informed him, but he stated to me that he had been on the land and ascertained that fact for himself.

I have made this communication to you immediately upon becoming aware of my oversight; and as I cannot of course benefit in a transaction of the kind, I have written to Mr. Somers, calling his attention to the circumstances of the case, and stating that I will return at once the money he paid me.

I beg to apologise for troubling you on a matter which I freely admit is the result of a great inadvertence on my part.

I have, &c.,

CHS. A. GOODCHAP.

Minutes on above.

Refer to Commissioner for inquiry as usual. Inform Mr. Goodchap that this course is necessary under the Act, before the notice of abandonment can have effect by the forfeiture of the selection.

Inform the present holders that Mr. Goodchap has represented that he had not complied with the condition of residence, and that the inquiry will take place after due notice.—A.O.M., 28/6/78.

Included in schedule. Commissioner Johnson.—W.H.C., B.C., 24 July, 1878.

No. 4.

C. A. Goodchap, Esq., to F. Somers, Esq.

Sir,

Lady Young Terrace, 28 June, 1878.

I find that the document which you gave me to sign as a transfer of my interest in the free selection at Springwood contains a statement that I had resided on the land for twelve months. I regret much that after informing you and Mr. Cunneen that I had never resided on the land, you did not call my attention (hurried as I was at the time) to this clause.

On discovering my oversight, I considered it to be my duty to write at once to the Secretary for Lands, explaining the circumstances of the case.

I learn upon inquiry that, owing to my non-residence on the land, I had no disposable interest therein, notwithstanding the statement to the contrary made by yourself and Mr. Cunneen.

As I could not of course benefit by the transaction, arising as it has done from a misapprehension on the part of yourself and Mr. Cunneen, I am prepared to return to you, on your calling at the above address, the amount you paid me for my supposed interest in the selection.

I am, &c.,

C. A. GOODCHAP.

No. 5.

F. Somers, Esq., to C. A. Goodchap, Esq.

Sir,

183, Pitt-street, Sydney, 5 July, 1878.

I am in receipt of your communication of the 27th (?) ultimo, respecting the free selection at Springwood which I purchased from you.

In reply I have to state that the circumstances connected therewith are in accordance with the facts as stated therein, and have no hesitation in complying with your request to annul the purchase.

Yours, &c.,

F. SOMERS.

[Enclosure to No. 5.]

Sydney, 10 July, 1878.

RECEIVED from Mr. Chas. A. Goodchap the sum of £100, being amount paid by me to him for his disposable interest, which I informed him he possessed in land at Springwood free selected by him, and upon which, he stated to me, he had not resided.

I acknowledge that I purchased the land from Mr. Goodchap with all risks, and with the distinct understanding that he was to make no statement of having resided thereon; and I further acknowledge that when the transfer paper was submitted for his signature he put the question whether it contained any declaration of residence, and I informed him that it did not.

The present refund is made not upon claim thereto by me, but upon Mr. Goodchap's voluntary offer upon his being advised that he had, in fact, no interest in the land to sell.

F. SOMERS.

No. 6.

Inspector Smith to The Under Secretary for Lands.

Sir,

Manly, 13 July, 1878.

I have the honor to report that I visited and inspected the above-described conditional purchase on the 11th July instant, and that I found the selector then not resident upon his selection.

The land, which consists of scrub and rocks, and comprises (40) forty acres 2 roods, is not occupied and used by the selector as his residence; and the selector, who follows the avocation of Commissioner for Railways, had at the time of my visit made the improvements hereunder particularly described, the value of which I estimate at the sums respectively stated, viz. :—

Improvements, nil.

From the appearance of the land and the circumstances stated in the following remarks, I am of opinion that the selector has not been continuously resident upon the selection.

I cannot find any sign of residence upon this land, and there are no improvements.

I find that some one has recently been cutting down some of the saplings.

I have frequently seen this selection when inspecting others near it, and never saw the selector or anyone either living or working on it.

I have, &c.,

GEORGE SMITH,

Inspector of Conditional Purchases.

No. 7.

The Chief Commissioner to C. A. Goodchap, Esq.

Sir,

Department of Lands, Conditional Sales Division, Sydney, 22 July, 1878.

In reference to your letter of the 28th ultimo, intimating that you have abandoned the conditional purchase noted in the margin, I am to inform you that before the notice of abandonment can have effect by the forfeiture of the selection in question, reference to the local commissioner will be necessary.

I have, &c.,

A. O. MORIARTY,

Chief Commissioner.

See No. 3.
C.P. 76-24,
Penrith, 40 acres
2 roods, 16 Nov.,
1876.

No. 8.

No. 8.

The Chief Commissioner to F. Somers, Esq.

Sir,

Department of Lands, Conditional Sales Division, Sydney, 22 July, 1878.

With reference to the conditional purchase noted in the margin, which was transferred to you on the 5th ultimo, I am to inform you that, as Mr. Goodchap has represented that he had not complied with the conditions of residence on the selection referred to, the case will be referred at once to the local commissioner for inquiry.

Due notice will be given by the commissioner of the time and place appointed for holding such enquiry.

I have, &c.,

A. O. MORIARTY,

Chief Commissioner.

C.P. 76-24.
Penrith, 40 acres
2 roods, 16 Nov.,
1876, by Chs.
A. Goodchap.

No. 9.

Gazette Notice.

Department of Lands, Conditional Sales Division, Sydney, 23 July, 1878.

It is hereby notified for the information of all parties interested, that information having been received to the effect that the conditions as to residence or improvements have not been or are not being fulfilled, in respect to the undermentioned conditional purchases, the claims of the holders of such purchases have been severally referred to commissioners for inquiry pursuant to the "Lands Acts Amendment Act of 1875."

Due notice will be given by the respective commissioners of the times and places appointed by them for holding such inquiries.

JAMES S. FARNELL.

C.S. No.	C.P. No.	Name of Selector.	Date of Selection.	Area.	District.	County.	Parish.	Commissioner to whom referred.
*	*	*	*	*	*	*	*	*
78-23,823	76-24	Goodchap, C. A., transferred to Fredk. Somers.	16 Nov., 1876 ...	a. r. p. 40 2 0	Penrith...	Cook ...		W. Johnson.

No. 10.

F. Somers, Esq., to Commissioner Johnson.

Sir,

Mort's Chambers, 183 Pitt-street, Sydney, 24 July, 1878.

With regard to the conditional purchase of 40 acres 2 roods, made by C. A. Goodchap, Esq., at Penrith, on the 16th November, 1876, and transferred to me by him on the 5th ultimo, and which is now under reference to you for inquiry, I hereby consent to you holding your court to inquire into the same, in Sydney, at the earliest date you may please to appoint.

I am, &c.,

FREDERICK SOMERS.

No. 11.

Commissioner Johnson to F. Somers, Esq.

NOTICE to conditional purchaser to appear at Court of Inquiry held under sections 44-47 of regulations under 39 Vic. No. 13.

I HEREBY notify to you that a Court of Inquiry, under the provisions of the "Lands Acts Amendment Act of 1875," will be held on Monday, the (29) twenty-ninth day of July, 1878, at the Lands Department at Sydney, at 11 o'clock in the forenoon, when the matter or question as stated at foot hereof will be inquired into.

On proof of the service of this notice within the terms of the 45th section of the said regulations, the inquiry will proceed whether you appear at the court or not.

Given under my hand at Sydney, this twenty-fourth day of July, 1878.

WHITTINGDALE JOHNSON,

Commissioner.

MATTER FOR INQUIRY.

The fulfilment of the conditions as to residence upon the conditional purchase of 40 acres 2 roods, made by Charles Augustus Goodchap, at Penrith, parish of Coomassie, county of Cook, on the 16th November, 1876, and transferred by him to Frederick Somers on the 5th June, 1878, has not been fulfilled.

No. 12.

Commissioner Johnson to The Chief Commissioner.

REPORT of an inquiry held at Sydney on the 29th July, 1878, by the Commissioner for the Metropolitan Division, respecting the conditional purchase of Charles A. Goodchap, made at Penrith on the 16th November, 1876.

Sir,

I have the honor to transmit herewith, for the consideration of the Honorable the Minister for Lands, minutes of evidence taken at an inquiry under the "Lands Acts Amendment Act of 1875," held by me in pursuance of the reference notified in the Gazette of the 23rd July, 1878, in the matter of the above-described conditional purchase.

The claimant having been duly served with notice of the time and place of holding the inquiry, was present thereat.

The

See No. 9.

The following facts bearing upon the fulfilment by the selector of the conditions of purchase were elicited in evidence, viz:—The claimant admits that he never resided on the land in question, and satisfactorily explains in his evidence, and by documents handed in and attached to the proceedings, that he signed the transfer paper alienating his selection to Frederick Somers without being aware that it contained any statement as to his fulfilment of the residence condition, of the failure of which on his part the transferee was made fully aware by him at the time of sale.

The transferee, although duly noticed, did not attend the inquiry.

I have therefore to report that I find such conditions not to have been fulfilled, and to recommend that this conditional purchase be forfeited.

I have, &c.,
WHITTINGDALE JOHNSON,
Commissioner.

Enclosure to No. 12.

(Minutes of evidence referred to.)

New South Wales, }
Sydney, to wit. }

Department of Lands, Sydney, 29 July, 1878.

Before Whittingdale Johnson, Esq., Commissioner.

INQUIRY, under the provisions of the "Lands Act Amendment Act of 1875," into the matter of the alleged failure of Charles Augustus Goodchap to fulfil the condition of residence on his conditional purchase of 40 acres 2 roods, situated in the county of Cook, parish of Coomassie, selected at Penrith on the 16th November, 1876, and by him transferred to Frederick Somers on the 5th June, 1878.

Charles Augustus Goodchap, on oath, states:—On the 16th of November, 1876, I selected 40 acres 2 roods at Penrith, situated in the county of Cook, parish of Coomassie; I never resided upon it; on the 15th June last, I transferred it to Frederick Somers under the circumstances mentioned in my letter of the 28th June last; at the time I signed the document, which I inadvertently omitted to read (having informed the transferee that I had never resided on the land), I was not aware that it contained any statement as to residence; I hand in copies (*marked B & C) of letters which subsequently passed between Mr. Somers and myself on the subject.

Taken and sworn before me at Sydney, }
this 29th July, 1878,— }
WHITTINGDALE JOHNSON. }

William Henry Capper, on oath, states:—I am a clerk in the Department of Lands; on the 24th July, I served a copy of the annexed notice on Frederick Somers by leaving the same at his usual place of business; it is a notice to appear at the Department of Lands on the 29th instant at 11 o'clock a.m.; it is now 1-past 12, and he has not appeared.

Taken and sworn before me at Sydney, this 29th }
July, 1878,— }
WHITTINGDALE JOHNSON, Commissioner. }

Minute on No. 12.

For forfeiture.—A.O.M., 20/8/78.

No. 13.

C. A. Goodchap, Esq., to The Chief Commissioner.

Sir,

Sydney, 7 August, 1878.

Referring to my letter of the 28th June last, and to the subsequent inquiry held by the local commissioner, with respect to the circumstances connected with the land at Springwood which I free selected, I have the honor to inquire whether there is any further explanation required of me in connection with this matter.

I shall be glad to afford any information in my power.

I have, &c.,
CHS. A. GOODCHAP.

Minutes on above.

May be informed that under the commissioner's report and pursuant to his notice of abandonment and evidence, the selection has been brought forward for forfeiture. No further explanation or information is necessary. Mr. Goodchap appears to have taken the proper course in calling attention to the unobservance of his conditions.—A.O.M., 8/8/78. Approved.—J.S.F., 13/8/78. Forfeited, 2nd September, 1878. I believe this land has been taken up since forfeiture—if so, note forfeiture.—J.W., 16/9/78.

No. 14.

The Chief Commissioner to C. A. Goodchap, Esq.

Sir,

Department of Lands, Conditional Sales Division, Sydney, 14 August, 1878.

With reference to your letter of the 7th instant, inquiring whether any further explanation is required of you respecting the land at Springwood conditionally purchased by you, I am directed to inform you that under the report of Mr. Commissioner Johnson, pursuant to your notice of abandonment and subsequent evidence, the selection has been brought forward for forfeiture. I am to add that no further explanation or information is necessary, and that you appear to Mr. Farnell to have taken the proper course in calling attention to the non-observance of your conditions.

I have, &c.,
A. O. MORIARTY,
Chief Commissioner.

No. 15.

Appointment of Mr. T. Smith as agent for E. Squires, Esq.

675, George-street, Sydney, 31 August, 1878.
I hereby appoint Mr. Thomas Smith, publican, of Penrith, my agent.

EDWARD SQUIRES.

No. 16.

Volunteer Order Selection by E. Squires, Esq.

Volunteer Order Selection.

Application by Edward Squires, of Ultimo, Sydney, for a grant of fifty acres of land, under clauses 44 and 45 of the "Volunteer Regulation Act of 1867."

RECEIVED with certificate, this 3rd day of September, 1878, at 10 o'clock, by

J. K. CLEEVE,

Land Agent for Penrith District.

Sir,

Sydney, Tuesday, 3rd September, 1878.

In virtue of enclosed certificate, I hereby apply for a grant of fifty acres of unimproved Crown land, hereunder described.

I am, &c.,

Enclosed.

EDWARD SQUIRES,

Sydney.

The Crown Lands Agent, Penrith.

DESCRIPTION.

County of Cook, parish of Coomassie. Containing 40 acres 2 roods, as measured by Mr. Surveyor Pitt, and numbered sixty-nine (69), on the north side of Bathurst Road, being conditionally purchased by Charles Augustus Goodchap, 16th February [*gy.* 16 November], 1876 alienated to Frederick Somers, 5th June, 1878, and now forfeited.

Minutes on No. 16.

Charting Branch, 6/9/79.—It has been verbally reported that the land hereby applied for is the subject of a conflicting claim.—F.W.R., 10/10/78. Alienation Branch, *See decision of Minister on No. 34.
78/8,157 aln. The Charting Branch, 13/12/78.

Enclosure to No. 16.

Volunteer Force.—Certificate for grant of land.

I CERTIFY that Private Edward Squires, of the Penrith Corps of Volunteer Rifles, has served as an efficient Volunteer for the prescribed period of five years, thereby entitling him, the said Private Edward Squires, to a grant of land, as specified in clauses 44 and 45 of the "Volunteer Regulation Act of 1867."

Sydney, 14th August, 1876.

JOHN S. RICHARDSON, Lieut.-Col.,

Commandant.

Registered.—P.F.R., 6/9/78.

Deed prepared, 21/4/79.

No. 17.

Receipt from The Land Agent, Penrith.

[No. 32,403]

Police District of Penrith, 3 September, 1878, at 10 o'clock.

RECEIVED from Edward Squires, *per* Thomas Smith, of Sydney, a Volunteer land order, with certificate in favour of applicant, on 40½ acres of unimproved land, situated at Coomassie, in the county of Cook, and which has been selected by a written application as a purchase, under the 44th and 45th sections of the "Volunteer Regulations Act of 1867."

J. K. CLEEVE,

Agent for the Sale of Crown Lands.

No. 18.

Charting Branch Memo.

V.L.O. No. 78/273, 3 September, 1878, of Penrith District.

Applicant, Edward Squires; area of portion, 40ac. 2r.; parish, Coomassie; county, Cook.

Description:—

As measured by Mr. Surveyor Pitt, and numbered 69, on the north side of Bathurst Road, being conditional purchase by Charles Augustus Goodchap, 16 February [*gy.* 16 November], 1876, alienated to Frederick Somers, 5 June, 1878, and now forfeited.

Surveyor General's Office, 28 September.

Mr. Licensed-Surveyor Pitt will be good enough to furnish immediately, the date of transmission, and No. of his plan. In the event of the lands not having been measured by you, you will be good enough to send this at once to the District Surveyor, in order that the information required may be obtained, and thus save the land applied for from being sent in for auction sale.

J.B.K., *pro* Surveyor General.

August 26, 1876/26.—G. M. Pitt, Oct. 7th, 1878.

No. 19.

J. A. Cunneen, Esq., to The Chief Commissioner.

Sir,

183, Pitt-street, Sydney, 6 September, 1878.

As agent for F. Somers, I respectfully bring under your notice for consideration, the following case:—At Penrith, on 16th November, 1876, Mr. C. A. Goodchap conditionally purchased 40 acres 2 roods of land, county of Cook, parish of Coomassie, under the 13th section of the "Land Act of 1861."

On

On the 5th June, 1878, he sold his interest in it to F. K. Somers, who, on the 6th June made an additional conditional purchase of 60 acres, on the 13th June one of 50 acres, and on the 20th June another of 50 acres, making 160 acres on account of it, upon which he paid deposits amounting to £40.

Shortly after this, Mr. Goodchap informed the Lands Department he had not performed residence on the land transferred, and the result has been that the original, as well as the three additional selections, were declared forfeited on the 2nd instant.

Mr. Somers made the additional selection in the belief that the requirements of the law had been performed on the original, otherwise he would not have made them, and also with the determination to complete the requirements of the law *bonâ fidedly*.

Under these circumstances, I respectfully ask that a refund of the £40 paid by my client on the additional conditional purchases referred to, may be made to him.

I have, &c.,
J. A. CUNNEEN.

Minutes on above.

It is submitted that the three additional purchases made by Mr. Somers in right of the original purchase be declared void, as requested.—C.N., 28/10/78.

It appears from the evidence at the inquiry that Mr. Somers was duly made aware, at the date of purchase of the original conditional purchase from Mr. Goodchap, that the condition as to residence thereon had not been observed. I do not think in the circumstances, that the deposit upon the additional conditional purchases should be refunded as desired.—A.O.M., 5/11/78.

Approved.—J.S.F., 6/11/78.

No. 20.

J. A. Cunneen, Esq., to The Under Secretary for Lands.

Sir, 183, Pitt-street, Sydney, 6 September, 1878.

I respectfully bring under your notice, for consideration, the following facts.

On the 2nd instant the conditional purchase of 40 acres 2 roods, made by C. A. Goodchap, at Penrith, on the 16th November, 1876, was declared forfeited by Gazette notice.

At the Lands Office, Penrith, on Tuesday, the 3rd instant, as agent for Frederick Somers, I tendered an application to purchase the said land with Volunteer land order, and Thomas Smith (as land agent for E. Squires) also applied to purchase it with land order.

The Land Agent not being officially informed of the forfeiture of the land, would not give a receipt, nor complete the sale, until he obtained what he deemed official or authoratative information of the forfeiture. Under those circumstances, Mr. Smith and I left the office.

Some time after, I returned and found Mr. Smith at the office, and the Land Agent preparing him a receipt for his land order and application; he having, in the meantime, received notification of the forfeiture. This was an hour and a half after I tendered the application before referred to.

As I tendered the application so long before Mr. Smith's was accepted and receipt given, I now respectfully urge and claim that the applications be decided by lot.

I am, &c.,
J. A. CUNNEEN.

Minutes on above.

Mr. E., register and return.—W.W.S., 16 Sept. If the circumstances are as herein stated, the land was legally open to Volunteer land order selection at the time Mr. Cunneen applied for it; and if he is not entitled to the land as the prior applicant, the matter should, I think, be decided by lot.—W.W.S., 17 Sept. Approved.—J.S.F., 19/9/78. The Land Agent, Penrith, if the facts are as stated, will proceed to settle the matter by lot, giving due notice to the parties.—W.W.S., B.C., 20 Sept.

No. 21.

The Land Agent, Penrith, to The Under Secretary for Lands.

Sir, Land Office, Penrith, 23 September, 1878.

I have the honor to acknowledge the receipt of the application of Mr. J. A. Cunneen, of the 6th instant, to your office, with two notations thereon, and before acting further in the matter, desire to state that on the 3rd instant, at 10 o'clock, Mr. Thomas Smith, as agent for E. Squires, tendered to me a Volunteer land certificate with application for the 40 acres 2 roods, taken as a conditional purchase by C. A. Goodchap, on the 16th November, '76, at the same time saying that the said land was forfeited, and did appear in the Government Gazette of the 2nd instant. I asked him to show me the Gazette, but he did not have one with him; he again assured me of this fact when I decided to accept his application, pending the receipt of the Gazette showing the date of issue and forfeiture of land; at this time, ten minutes past 10 o'clock, Mr. Cunneen tendered another Volunteer land certificate with application on behalf of Mr. Somers for the said land. I told him what I had done with Smith when he withdrew his application, saying that as soon as he knew that the Government Gazette was issued that he would tender it again. About 11 o'clock Mr. Smith returned, and produced the Gazette, dated 2nd instant, and showing the forfeiture of this land; but the court being busy with small debts cases, I could not give him the receipt till after the court closed. Afterwards, while writing out the receipt for Mr. Smith, Mr. Cunneen returned to renew his application, but, upon my showing him the Gazette, dated 2nd instant, he seemed surprised, and did not complete his application.

Would you inform me if I am to settle this matter between the two parties by lot, or how I am to act after the above statement.

I have, &c.,
J. K. CLEEVE, JUNR.,
Land Agent.

Minutes on No. 21.

Stop the ballot, and take no further action until the case is inquired into.—J.S.F., 30/9/78. Telegram sent to above effect to Land Agent at Penrith, 30 September, 1878. The papers disclose the fact that Squires' application was prior to Somers' application, therefore Squires is entitled to the Land.—J.S.F., 4/10/78.

No. 22.

No. 22.

The Under Secretary for Lands to The Land Agent, Penrith.

Sir, Department of Lands, Sydney, 27 September, 1878.
I am directed to request that you will be good enough to decide by lot the claim to C. A. Goodchap's forfeited conditional purchase, applied for by E. Squires, Esq., and by J. A. Cunneen, Esq., on the 3rd instant.

I have, &c.,
W. C. EDWARDS,
(For the Under Secretary).

No. 23.

The Under Secretary for Lands to J. A. Cunneen, Esq.

Sir, Department of Lands, Sydney, 27 September, 1878.
I am directed to inform you that the Crown Lands Agent at Penrith has been instructed to decide by lot the claim to C. A. Goodchap's forfeited conditional purchase, applied for by you and by E. Squires, Esq., on the 3rd instant.

I have, &c.,
W. C. EDWARDS,
(For the Under Secretary).

No. 24.

The Under Secretary for Lands to E. Squires, Esq.

Sir, Department of Lands, Sydney, 27 September, 1878.
I am directed to inform you that the Crown Lands Agent at Penrith has been instructed to decide by lot the claim to C. A. Goodchap's forfeited conditional purchase, applied for by you and J. A. Cunneen, Esq., on the 3rd instant.

I have, &c.,
W. C. EDWARDS,
(For the Under Secretary).

No. 25.

J. A. Cunneen, Esq., to The Under Secretary for Lands.

Sir, 183, Pitt-street, Sydney, 3 October, 1878.
I respectfully acknowledge your letter of the 27th September, informing me that "the Land Agent at Penrith has been instructed to decide by lot the claim to C. A. Goodchap's conditional purchase (forfeited), applied for by me and E. Squires, Esq., on the 3rd September last." See No. 23.

This morning I received a letter from the Land Agent, informing me that he was instructed on the 30th September not to proceed with the lot until further inquiry.

I respectfully request I may be informed the reason why the taking of the lot as at first decided has been departed from—and what further inquiry is to take place—and when it is to be.

Yours, &c.,
J. A. CUNNEEN.

Minutes on above.

Mr. Cunneen should perhaps be informed of the grounds of the Minister's decision. Is any further inquiry to be made into the matter as suggested by Mr. Cunneen.—W.W.S., 5 Oct.

If Mr. Cunneen desires an opportunity of rebutting the Land Agent's statements, he may have it.—J.S.F., 7/10/78. Urgent. Inform.

No. 26.

The Under Secretary for Lands to J. A. Cunneen, Esq.

Sir, Department of Lands, Sydney, 7 October, 1878.
In reference to your letter of the 3rd instant, relating to the claim of C. A. Goodchap's No. 25. forfeited conditional purchase, for which applications were tendered to the Crown Lands Agent at Penrith, on the 3rd ultimo by E. Squires and by you, I am directed to inform you that the Minister for Lands has decided that Mr. Squires is entitled to the land, as from the Land Agent's report it appears that your application was not tendered until after that gentleman's.

2. I am to add that should you desire to offer any evidence in opposition to the statement of the Land Agent, it is requested that you will be good enough to do so at your earliest convenience.

I have, &c.,
W. C. EDWARDS,
(For the Under Secretary).

No. 27.

F. Somers, Esq., to The Under Secretary for Lands.

Sir, 183, Pitt-street, Sydney, 9 October, 1878.
I have the honor to acknowledge your letter of the 7th instant, addressed to Mr. Cunneen, No. 23. who as agent in the case, tendered an application from me, on the 3rd ultimo, at the Land Office, Penrith, to purchase C. A. Goodchap's forfeited conditional purchase.

In reference to the invitation to offer any further evidence I may desire in the case, I herewith enclose a declaration from Mr. Cunneen that he tendered his application at 10 o'clock, before which no application could be properly or legally received.

Under the circumstances, I respectfully urge that the claim to the land may be decided by lot, as was first determined by your letter of the 27th ultimo. Enclosed. See No. 23.

Yours, &c.,
FREDERICK SOMERS.

Minutes on No. 27.

Mr. Cunneen has sent in a declaration, but it does not affect the case, except inferentially. I think the best way to settle the matter is for Mr. Oliver to hold an inquiry, where and when all parties can be heard. Mr. Oliver can fix a day. Apprise Mr. Cunneen and the Land Agent. Let the inquiry be held as early as possible.—J.S.F., 14/10/78. Mr. De Low,—Inform, as directed by the Minister.—W.C.E., 16/10/78.

Enclosure to No. 27.

Statutory Declaration.

I, James Augustine Cunneen, of Sydney, do hereby solemnly and sincerely declare as follows:—That on the 3rd September, 1878, I attended the Crown Lands Office at Penrith, and tendered an application from Frederick Somers to purchase with a Volunteer land order the forfeited conditional purchase of C. A. Goodchap. That on entering I noticed the clock of the establishment was not going. That by the time-piece on me and another I had compared it with immediately before going in, it was then only 10 o'clock, which I believe, and feel positive, was the correct time; and I make this solemn declaration, conscientiously believing the same to be true, and in virtue of the provisions of an Act made and passed in the ninth year of the reign of Her present Majesty, intituled "An Act for the more effectual abolition of oaths and Affirmations taken and made in various Departments of the Government of New South Wales, and to substitute declarations in lieu thereof, and for the suppression of Voluntary and extra-judicial Oaths and affidavits."

Declared at Sydney this 9th day of October, 1878, before me.—

JNO. S. GORDON, J.P.

J. A. CUNNEEN.

No. 28.

F. Somers, Esq., to The Land Agent, Penrith.

Volunteer Order Selection.

Application by Frederick Somers, 78/321, of Sydney, for a grant of 50 acres of land, under clauses 44 and 45 of the "Volunteer Regulation Act of 1867."

RECEIVED with certificate, this 15th day of October, 1878, at a quarter past 3 o'clock, by

J. K. CLEEVE, JUN.,

Land Agent for Penrith District.

Sir,

Sydney, 15 October, 1878.

In virtue of the enclosed certificate, I hereby apply for a grant of 50 acres of unimproved Crown land, hereunder described.

I have, &c.,

FREDERICK SOMERS,

Sydney.

DESCRIPTION.

County of Cook, parish of Coomassie, 40 acres 2 roods, being measured portion No. 69, known as the forfeited selection of C. A. Goodchap; bounded on the south by the Bathurst Road; on the west by reserved road; on the east by D. Fletcher's portion and measured lot No. 68; on the north by Crown lands.

Minutes on No. 28.

Received under protest, subject to the approval of the Honorable the Minister for Lands, supposed to be already taken under Volunteer land order by Edward Squires, 3/9/78.—J. K. CLEEVE, Junr., 15/10/78.

This application has not yet been entered in the Volunteer Land Order Register Book.—R.H.D., 30/10/78. Declared void. Certificate returned.—P.F.R., 16/12/78.

No. 29.

The Under Secretary for Lands to E. Squires, Esq.

Sir,

Department of Lands, Sydney, 16 October, 1878.

In reference to my letter of the 27th ultimo, advising you that the claim to C. A. Goodchap's forfeited conditional purchase would be decided by lot, I am now directed to inform you that in order to settle the difference between Mr. Somers and yourself respecting the claim to the land, an inquiry, at which all parties can be heard, will be held, and of which you will be duly apprised.

I have, &c.,

W. C. EDWARDS,

(For the Under Secretary).

No. 30.

The Under Secretary for Lands to F. Somers, Esq.

Sir,

Department of Lands, Sydney, 16 October, 1878.

In reference to your letter of the 9th instant, enclosing a declaration made by Mr. J. A. Cunneen, relative to an application tendered on your behalf to the Land Agent at Penrith, on the 3rd ultimo, to select C. A. Goodchap's forfeited conditional purchase in virtue of a Volunteer land order, I am directed to inform you that in order to settle the difference between Mr. Squires and yourself respecting the claim to the land, an inquiry, at which all parties can be heard, will be held, and of which you will be duly apprised.

I have, &c.,

W. C. EDWARDS,

(For the Under Secretary).

No. 31.

11

No. 31.

The Under Secretary for Lands to The Land Agent, Penrith.

Sir,

Department of Lands, Sydney, 16 October, 1878.

In reference to the correspondence which has taken place respecting the claim to C. A. Goodchap's forfeited conditional purchase, applied for in virtue of Volunteer land order, on the 3rd ultimo, by Mr. J. A. Cunneen, as agent for Mr. F. Somers, and by Mr. Ths. Smith, as agent for Mr. E. Squires, I am now directed to inform you that in order to settle the question, an inquiry, at which all parties can be heard, will be held, and of which you will be duly apprised.

I have, &c.,

W. C. EDWARDS,

(For the Under Secretary).

No. 32.

J. A. Cunneen, Esq., to The Under Secretary for Lands.

Sir,

183, Pitt-street, Sydney, 17 October, 1878.

As agent for F. Somers, I respectfully acknowledge your letter of the 16th instant respecting No. 30. the applications of Mr. Squires and my client, made at Penrith on the 3rd ultimo, to purchase the forfeited conditional purchase of C. A. Goodchap, I now on a distinct ground protest against Mr. Squires' application being allowed at all, viz.:—Because the Volunteer certificate he tendered with his application was not then registered as required by No. 1 Regulation under the "Volunteer Force Regulation Act of 1867," which states that the holders of such certificates "will be required to register the same in this office, and thereafter they shall be at liberty to present such certificates at any land office," &c., &c.

The certificate referred to was not so registered, and was used unregistered, contrary to and in violation of the law. My client's certificate was registered when tendered.

Under the circumstances I urge that Mr. Squires' application is void, and should at once be disallowed.

I am, &c.,

J. A. CUNNEEN.

Submitted.—W.W.S.

To go on to Mr. Oliver for inquiry, with other papers.—J.S.F.

No. 33.

J. A. Cunneen, Esq., to the Secretary for Lands.

Sir,

183, Pitt-street, Sydney, 19 October, 1878.

I this morning received a communication from Mr. C. Oliver, informing me that an inquiry into the application made by Thomas Smith, as agent for Edward Squires, of a Volunteer land order selection, made or applied for by him at Penrith, on the 3rd ultimo, will be held at Penrith on the 21st instant, at 11 o'clock, a.m.

In reply, I respectfully represent that I have already made a declaration of the facts of the case, and I have nothing to add nor retract respecting it. Neither have I been informed since I made it that it has been contradicted in any respect.

Since making it I have, on a distinct ground on behalf of my client (Mr. Somers), protested against Mr. Squires' application being allowed because the Volunteer land order tendered with his application was not registered as required by No. 1 Regulation under the "Volunteer Regulation Act, 1867," which distinctly enacts it should be registered *before tendered at any land office*.

The land order tendered by me with Mr. Somers' application was registered as required by law. Under these circumstances, I submit that unquestionably Mr. Squires' application cannot be allowed.

I have, &c.,

J. A. CUNNEEN.

No. 34.

The Inspector of Lands Offices to The Under Secretary for Lands.

Sir,

Sydney, 22 October, 1878.

I have the honor to report that, in accordance with the instruction of the Minister for Lands, dated the 14th instant, I yesterday, at Penrith, held an inquiry into the circumstances of the lodgment with the Lands Agent at Penrith of an application for a Volunteer order selection of 40 acres 2 roods, in the county of Cook, parish of Coomassie, by Mr. Thomas Smith, on behalf of Mr. E. Squires, and a subsequent tender of one by Mr. Cunneen, on behalf of Mr. F. Somers, for the same land. See minute on No. 27.

Immediately upon my commencing the inquiry, Mr. Somers lodged a protest (see letter marked A) against the application by Mr. Squires, on the ground that the certificate accompanying it had not been registered in this department before being tendered to the Land Agent, as set out in the Regulations under the "Volunteer Act of 1867." See enclosure A.

Having informed Mr. Somers that the protest would be duly laid before the Minister for Lands I proceeded to take evidence, which is enclosed. Enclosed.

It appears from Mr. Cleeve's statement that Mr. Smith was extremely anxious to lodge the application on behalf of Mr. Squires before office hours, even at 8 o'clock in the morning, at Mr. Cleeve's private residence, but was eventually made to understand that it could not be received until 10 o'clock. At that hour Mr. Cleeve accepted it subject to a conditional purchase, which embraced the land sought to be selected, having been gazetted as forfeited.

Mr. Cunneen then arrived at the office and tendered a similar application on behalf of Mr. Somers for the same land, and he was informed by the Land Agent of the prior application by Mr. Smith, and of the question as to whether the conditional purchase had been forfeited. Mr. Cleeve states that it was ten minutes past 10 o'clock when Mr. Cunneen entered the office, and that he (Mr. Cleeve) keeps the railway time. Mr. Cunneen appears to have been surprised at not reaching the office at 10 o'clock, as his time-piece

time-piece showed that to be the hour, as did another (the clock at "Beatson's Hotel") he had compared it with. As regards this point, I have no doubt that Mr. Cleeve's time was correct, and certainly the time always kept by him for official purposes. It is more than probable that Mr. Cunneen's time was incorrect; the mere comparison of his time-piece with the public-house clock being no proof that Mr. Cleeve's watch, which he regulates by the railway clock, was wrong.

However, Mr. Cunneen did not, as a matter of fact, lodge the application on behalf of Mr. Somers, or if his action amounted to a lodgment, he distinctly states that he withdrew it to await advice as to the notification of the forfeiture of the conditional purchase in question; he also says that he believed the application he desired to make, and that made by Mr. Smith, to be in suspense, pending the receipt of the information relative to the conditional purchase, yet nothing the Land Agent said led him to believe so.

Mr. Smith's application on behalf of Mr. Squires was received at 10 o'clock, and before Mr. Cunneen reached the office, subject to the proof of the forfeiture of the conditional purchase, which was given to Mr. Cleeve in the shape of the Gazette herewith marked B, at about 11 o'clock the same morning.

In the meantime Mr. Cunneen received a telegram, in cypher, apprising him of the notification of the forfeiture of the conditional purchase, and he then returned to the office to lodge the application on behalf of Mr. Somers, but found Mr. Smith there, and Mr. Cleeve, in the act of preparing a receipt for the application tendered on behalf of Mr. Squires.

It will therefore be perceived that on both occasions Mr. Smith was first, that there was no real lodgment of the application by Mr. Cunneen, and that the forfeiture of the conditional purchase before referred to having been notified the preceding day, the land was open to selection, and consequently the application tendered by Mr. Smith should have been accepted without condition, in the first instance.

There is not in my opinion the slightest doubt as to the priority of application, or on that occasion, the correctness of Mr. Cleeve's watch; and the only question now remaining to be decided is that in connection with Mr. Somers' protest as to the non-registration of Mr. Squires' certificate in this department before it was lodged with the Land Agent.

I have, &c.,

CHARLES OLIVER,
Inspector.

Minutes on No. 34.

Mr. Oliver's report is very explicit. The only point appears to be as to whether Smith's application (for Squires) is invalidated through the non-registration of the Volunteer land order certificate, in this department as required by the Regulations.—W.W.S., 24 Oct.

The evidence and Mr. Oliver's report clearly prove that Squires' application was prior to Mr. Somers' application, therefore he is on that ground entitled to the land.

As to the objection to the validity of the application on the ground that the certificate was not registered at the Lands Office, Sydney, in accordance with Regulation No. 1, and which is to the effect that "Volunteers will be required to register their certificates in this office," in my opinion the non-registration of the certificate does not *per se* invalidate the application. The registration is merely departmental routine, and does not affect the validity of the certificate if tendered with the application prior to registration.—J.S.F., 25/10/78.

Inform all parties concerned as to the decision of the Minister, and carry out all necessary action as to cancellation, &c.—W.C.E., 30/10/78.

Enclosure A to No. 34.

F. Somers, Esq., to The Inspector of Lands Offices.

Sir,

I hereby protest against the application made by Mr. Thomas Smith, as agent for Mr. E. Squires, at Penrith, on the 3rd ultimo, to select with Volunteer land order C. A. Goodchap's forfeited conditional purchase, being allowed, because the land order presented with the application was not registered at the time, as required under the law.

My protest is grounded on No. 1 Regulation, made pursuant to "Volunteer Force Regulation Act of 1867," which enacts that a Volunteer land order should be registered before any person is at liberty to present it at any land office and select land in virtue of it. It is distinctly required to be registered before its presentation for such purpose.

The land order tendered with Mr. Squire's application on the day mentioned was not so registered, and for that reason it cannot be allowed. The Volunteer land order tendered with my application was registered as required by Act.

Yours, &c.,
F. SOMERS.

[Enclosure B to No. 34.]

Gazette Notice.

Department of Lands, Conditional Sales Division, Sydney, 2 September, 1878.

FORFEITED CONDITIONAL PURCHASES.

His Excellency the Governor, with the advice of the Executive Council, directs it to be notified, that the undermentioned portion of Crown lands, conditionally purchased under the "Crown Lands Alienation Act of 1861," having, by the non-residence of the purchasers on their original selections or the conditions of which have not been fulfilled, been abandoned within the meaning of the said Act, the same are hereby declared forfeited, and such of the said lands as shall not in the meantime be conditionally purchased will be sold accordingly by auction, on a day or days to be hereafter notified.

JAMES S. FARNELL.

Reg. No.	Land Agent's No.	No. of Conditional Purchase.	Name.	Place of selection.	Date of selection.	Area.
*	*	*	*	*	*	*
78-30,456	24	76-24	Chas. A. Goodchap, transferred to Fredk. K. Somers.	Penrith.....	16 Nov., 1876	a. r. p. 40 2 0

Evidence alluded to.

John Kingdom Cleeve, jun., states that:—I am Land Agent at Penrith; I recollect distinctly the 3rd September last; Mr. Thos. Smith came to my house at about 8 o'clock in the morning of that day, and placed a paper in my hands; on examining it, I found it to be an application for a Volunteer order selection, with a certificate attached, on behalf of Edward Squires; I told him I could not accept it until office hours; a few minutes after 9 o'clock I came to the office and Mr. Smith was there; he again tendered the application, which I again refused, and showed him the Regulation which prevented its receipt until 10 o'clock; at 10 o'clock by my watch I permitted Mr. Smith, on behalf of E. Squires, to lodge the application; no other person being present at the time.

After

After reading the applications, and finding that it referred to a selection in the name of C. A. Goodchap, I told him the piece of ground was not, so far as I was then aware, open to selection, being the property of the said C. A. Goodchap. He told me that Mr. Goodchap's selection had been forfeited, and that he had it upon the best authority. I then said the forfeiture was not complete until it appeared in the Government Gazette, and that I would not get my usual Gazette until Wednesday, the following day.

Mr. Smith said he would produce me a Gazette showing the forfeiture in a short space of time, and he again repeated that he was perfectly certain of the land being declared forfeited. I then said, "I'll receive this application upon the condition that the Gazette showing the forfeiture is produced in a short time." I understood that the Gazette showing the forfeiture was coming up in the train. He agreed to the condition; of course I gave him no receipt at this time; nothing more was done in the matter there.

We, Mr. Smith and I, sitting talking together for a time, Mr. Cunneen then came in; the three of us spoke for a moment or two, and I then asked Mr. Smith to withdraw from the office, and I then noted by my watch that it was ten minutes past 10 o'clock; Mr. Cunneen then tendered an application, on behalf of Mr. Frederick Somers, for a Volunteer order selection of the same piece of ground; I told him what had passed between Mr. Smith and myself relative to having accepted from Mr. Smith an application for the same land on behalf of E. Squires, and stated that I did not see how I could receive the one he tendered.

Mr. Cunneen then stated that no land could be forfeited until the forfeiture was notified in the Gazette, and that he had a person waiting in Sydney to telegram to him when the Gazette was out—I mean issued to the public, and that he would call upon me again and make a fresh tender of the application.

While engaged in business in connection with the Small Debts Court, I noticed Mr. Smith return to the lands office, and as soon as my duties would permit me, I attended Mr. Smith in the land office.

I asked him if he could produce the Gazette showing the forfeiture, and he handed me the supplement to the Gazette of Monday, the 2nd September, 1878, showing, amongst others, in page 3,516, the forfeiture of Charles A. Goodchap's conditional purchase, transferred to Frederick K. Somers, of 40 acres 2 roods, situated in county of Cook, parish of Coomassie, in the district of Penrith. Seeing that the Gazette was dated Monday, the 2nd September, and as Squires' application was lodged at 10 o'clock on Tuesday, the 3rd September, which would be after the publication of the Gazette, I told Mr. Smith that I should confirm his application on behalf of Squires, as made at 10 o'clock; but that I could not give him a receipt just then, being busy with Court work; I would give it him later in the day, as I had merely rushed away from the Bench.

Some short time after this, upon the conclusion of the Court business, as I was preparing a receipt for Mr. Smith, Mr. Cunneen returned and said he had got a telegram to the effect that the Gazette was then out, and made a second tender of the application on behalf of Mr. Somers. Mr. Cunneen explained the telegram to me as meaning that the Gazette had been published at 11 o'clock on that day. It was not intelligible to me, as it ran thus—"my brother dead come down by first train"; that was Mr. Somers' cypher. I then showed Mr. Cunneen the Gazette handed to me by Mr. Smith, and pointed out the forfeiture of this particular piece of ground.

He looked through the Gazette for two or three minutes, and made a remark something to the effect that it was strange that a Supplementary Gazette showing the forfeiture of land should be published on the evening of the 2nd September, when the regular Gazette would appear the next day; that he had been at the Government Printing Office late the evening before, Monday, the 2nd, and that he could not find out that the information had been sent from the lands office for publication.

Mr. Cunneen then, upon my objecting (my objection only amounted to a statement that the land had been previously taken up by Mr. Smith) to take the application, withdrew it, saying he supposed it was no use putting it in now.

Mr. Cunneen then left, and I completed receipt for application made by Mr. Smith, on behalf of E. Squires.

I had previously shown Mr. Cunneen the incomplete receipt.

By Mr. Somers:—The order lodged on the 3rd September, on behalf of Mr. Squires, was not, so far as I am aware, registered in the lands office at the time of its receipt by me.

By the entry in my book I should say almost positively that it was not so registered.

By Mr. Cunneen:—I remember you having a written protest against the application on behalf of Mr. Squires, which you stated you would have lodged in the event of the forfeiture of Mr. Goodchap's conditional purchase appearing in the ordinary Gazette on Tuesday.

By Mr. Oliver:—Mr. Cunneen was not in the office until fully ten minutes after the lodgment of the application by Mr. Smith.

There is no official time in the office, and I always regulate the business of the land office by my watch. I regulate my watch by the railway time.

Mr. Cunneen objected to my time, but did not appear to attach any importance to the difference of his time and mine; his objection was more in the form of an expression of surprise at not being in the office at 10 o'clock, as he stated he left his hotel in time to reach the office by that time. There was no comparison of watches when I told Mr. Cunneen that I did not see how I could take his application after receiving that tendered by Mr. Smith; he withdrew it, stating he would tender it again at a later time in the day, when he had advice from Sydney as to the publication of the Gazette.

On the second occasion of my telling Mr. Cunneen that I had confirmed the application made on behalf of Squires, he did not insist upon my receiving the application he desired to make.

The protest referred to was to meet the case of the forfeiture being published in the Gazette proper of Tuesday, the 3rd September.

The Gazette referred to was a Gazette to be received by Mr. Smith; it is the one marked B, and was produced to me by Mr. Smith at about 11 o'clock on the morning of the 3rd September.

J. K. CLEEVE, JUN.

Taken before me, at Penrith, on the 21st October, 1878,—

CHARLES OLIVER.

Thomas Smith, of Penrith, hotelkeeper, states:—I have heard the statement made by Mr. Cleeve read, and fully concur in it, excepting that part referring to my being asked by Mr. Cleeve to withdraw from the office; it was not on the occasion of Mr. Cunneen's first coming that Mr. Cleeve asked me to withdraw; I was leaving then for the purpose of going to the train for the Gazette; by my watch it was a quarter-past 10 o'clock when Mr. Cunneen came in.

By Mr. Oliver:—I mean it was a quarter-past 10 when I left Mr. Cunneen; we had been talking in the office a few minutes; Mr. Cunneen had not previous to that tendered any application to the Land Agent; I knew the Gazette came up in the train; I don't know who brought it; I refer to the train arriving at Penrith at 10:48 o'clock a.m., on Tuesday, the 3rd September last.

THOMAS SMITH.

Taken before me, at Penrith, this 21st October, 1878,—

CHARLES OLIVER.

James Augustine Cunneen, of Sydney, Land Agent, states:—On Tuesday, the 3rd of September last, I was in Penrith for the purpose of taking up the forfeited selection of C. A. Goodchap, as agent for Mr. F. Somers; I waited until by my time and another time-piece, Mr. Beatson's, which I compared it with, it was five minutes to 10 o'clock; I then walked down to the land office, and after standing opposite the gate for a short time, and found by my time at the gate that it was within a few seconds of 10 o'clock, then went at once into the office, observed the clock was not going; I then tendered an application on behalf of Mr. Somers, accompanied by a registered Volunteer order certificate for the land before mentioned; the Land Agent, after examining the application, stated he was not officially aware that the land applied for had been forfeited, and until he received such information he did not think he was in a position to accept or complete any application for it; he asked me if I had the Gazette or had seen it; I stated I had not, but I felt certain, as far as I could form any idea, that it was forfeited by that morning's Gazette, and that I would get certain information by telegram as soon as possible, and then come again, with a view of selecting the land; after tendering my application, he informed me that Mr. Smith had also made an application; he had not given a receipt for it because he could not give him the information about the forfeiture; I then left the office, considering that my tender of application and Mr. Smith's were in suspense until it could be shown that the land was actually forfeited, and in the Gazette; after receiving a telegram from Sydney to the effect that the forfeiture

forfeiture had been gazetted, I returned at once to the office, and again tendered the application as before; Mr. Cleeve then produced to me a Gazette which he stated he had received from Mr. Smith, dated the day before (the 2nd September); upon this I made some general observations as to this Gazette coming out late on the 2nd with nothing but notice of forfeitures when the usual Gazette would have been published the next morning; and a further observation to the effect that it was remarkable that Mr. Squire's agent should receive the Gazette before either Mr. Cleeve or any other that I was aware of in Penrith; with regard to the other statements by Mr. Cleeve, I coincide with them generally; I must particularly confirm him in the statement as to showing me an incomplete receipt for the application lodged by Mr. Smith; with regard to the time, I have full confidence and believe that I made the tender for Mr. Somers of the application at 10 o'clock according to correct time; I was under that impression then, which I expressed, and I firmly believe it still.

To Mr. Cleeve:—Your time may have been as correct as mine; you told me that you had already received an application for the same land from Mr. Smith, and that you would not complete it until he, Mr. Smith, produced the Gazette; I hold they were under suspense—nothing you said led me to believe so; I withdrew my application, to wait advice as to the forfeiture of the land, fearing it was not gazetted, and knowing if that proved the case, the tender of the application would be illegal; I said I had on the first occasion of my coming to the office, a second Volunteer order to lodge, in case the first was lodged before the gazetted of the forfeiture; you did not say you would not accept my application on either of the occasions of my tendering them; I believe you have acted impartially in this matter.

J. A. CUNNEEN.

Taken by me, at Penrith, this 21st October, 1878,—

CHARLES OLIVER.

No. 35.

The Under Secretary for Lands to F. Somers, Esq.

Sir,

Department of Lands, Sydney, 30 October, 1878.

In reference to the correspondence which has taken place, and to the inquiry held by Mr. Oliver at Penrith, on the 21st instant, relative to applications tendered to the Land Agent at Penrith by Mr. Thomas Smith, as agent for Mr. Edward Squires, and by Mr. Cunneen, as agent for yourself, to select in virtue of Volunteer land orders C. A. Goodchap's forfeited conditional purchase, I am directed to inform you that the Minister for Lands has, after careful consideration, decided to uphold Mr. Squires' claim to the land, and to cancel your application.

2. Volunteer land order certificate is therefore returned herewith.

Not with papers.

I have, &c.,

W. C. EDWARDS,

(For the Under Secretary).

No. 36.

The Under Secretary for Lands to Mr. T. Smith.

Sir,

Department of Lands, Sydney, 30 October, 1878.

In reference to the correspondence which has taken place, and to the inquiry held by Mr. Oliver at Penrith, on the 21st instant, relative to applications tendered to the Land Agent at Penrith, by Mr. Cunneen, as agent for Mr. Somers, and by you, as agent for Mr. Squires, to select in virtue of Volunteer land orders C. A. Goodchap's forfeited conditional purchase, I am directed to inform you that the Minister for Lands has, after careful consideration, decided to uphold Mr. Squires' claim to the land referred to.

I have, &c.,

W. C. EDWARDS,

(For the Under Secretary).

No. 37.

The Under Secretary for Lands to The Land Agent, Penrith.

Sir,

Department of Lands, Sydney, 30 October, 1878.

In reference to the correspondence which has taken place, and to the inquiry held by Mr. Oliver at Penrith, on the 21st instant, relative to applications tendered to you by Mr. Thomas Smith, as agent for Mr. Edward Squires, and by Mr. Cunneen as agent for Mr. Somers, to select in virtue of Volunteer land order, C. A. Goodchap's forfeited conditional purchase, I am directed to inform you that the Minister for Lands has decided to uphold Mr. Squires' claim to the land.

I have, &c.,

W. C. EDWARDS,

(For the Under Secretary).

No. 38.

F. Somers, Esq., to The Secretary for Lands.

Sir,

183, Pitt-street, 1 November, 1878.

In reference to our interview of Thursday last as to the dispute between myself and Mr. Squires respecting a conditional purchase of 40 acres 2 roods, county of Cook, parish of Coomassie. I have the honor to request that as you have signified your intention of reconsidering your decision and submitting the matter for the opinion of the Honorable Attorney General, you will stay any further proceedings until that opinion has been obtained.

Case stated sent herewith.

I do myself the honor to enclose for your information a copy of the case stated by my solicitor for counsel's opinion, and upon which counsel has already advised me. The case as then stated will be of use inasmuch as it sets out succinctly the points upon which I rely.

I have, &c.,

FREDK. SOMERS.

Enclosure to No. 38.

Validity of unregistered Volunteer Land Orders.

Case for counsel's opinion.

On the 3rd September, 1878, Frederick Somers applied at the land office, Penrith, for 40 acres 2 roods of Crown land, and tendered in payment a registered Volunteer land certificate.

On

On the same day Edward Squires, at the same office, for the same land, tendered in payment therefor an unregistered Volunteer land certificate.

The 44th section of the Act 31 Victoria, No. 5, provides that certain Volunteers shall be entitled to free grants of "fifty acres of such land as may be open to conditional purchase under the 13th section of the 'Crown Lands Alienation Act of 1861,' subject to such regulations and conditions as may from time to time be approved of by the Governor, and laid before both houses of Parliament, and the certificate of the officer commanding the Volunteer Force shall be sufficient evidence that any officer," &c., has served sufficiently to entitle him to the grant.

Attached to the "Land Act of 1861" (tenth edition), and published in the Gazette of the 4th November, 1870, is the following regulation under "Volunteer Force Regulation Act of 1867."

- (1.) "Volunteers who may obtain certificates from the officer in command of the Volunteer Force, that they have served as efficient Volunteers for the period requisite to entitle them to free grants will be required to register the same in this office, and thereafter they shall be at liberty to present such certificates personally or by an agent at the land office of any district, on any other than a land-office day, accompanied by an application in the form hereto appended, provided nevertheless that certificates already issued will not require to be registered here."

Council will notice that—

1. The Volunteer land certificate is to be given by the "officer commanding the Volunteer Force" (31 Vic. No. 5, section 44), that is to say, the officer, no matter who he may be, who for the time being commands the Force. Any officer, therefore, who may be temporarily placed in command of the Volunteers (owing to ill-health, absence, or other disability of his superior officer) may grant certificates of efficiency.
2. These certificates, under the 31 Victoria, No. 5, section 44, entitle the persons to whom they are issued to free grants of land "subject to such regulations and conditions as may be made from time to time," &c.
3. Regulations made in 1870, and appended to the "Land Act of 1861," prescribe the conditions to be attached to Volunteer land certificates.

The questions upon which the opinion of counsel is desired are—

1. Is not the Regulation of 1870, as quoted above, necessary, in order to prevent the improper issue of land certificates to unentitled persons?
2. Is a Volunteer land certificate issued under the 44th section of the 31 Vic. No. 5, subject to the Regulation of 1870, available before its registration for use as entitling its holder to 50 acres of land; and can such an unregistered land certificate be received in payment for Crown lands?
3. Was Frederick Somers' tender of a registered land order in payment of 40 acres 2 roods of Crown land valid or invalid.
4. Was Edward Squires' tender of an unregistered land order in payment for the same 40 acres 2 roods valid or invalid; and would mere priority of application on his part entitle him to the land under all those circumstances?
5. What is F. Somers' position with regard to the Government under these circumstances, and what steps should he take to enforce his rights, if any?

Counsel will please advise generally on the whole case.

GEORGE MERRIMAN, Solicitor.
Pitt-street, Sydney.

No. 39.

S. C. Brown, Esq., M.P., to E. Squires, Esq.

Dear Sir,

71, Pitt-street, Sydney, 28 November, 1878.

I have perused the papers relating to your selection of C. A. Goodchap's forfeited conditional purchase left with me by T. R. Smith, Esq., M.P., and assuming that the land was open to conditional selection under the "Crown Lands Alienation Act of 1861," and that the certificate presented to the Land Agent was a valid one, under the provisions of the 44th section of the "Volunteer Act," I am of opinion that you are entitled to a free grant of the land so selected.

There can be no doubt that your agent applied to select the land before application was made by any other person, that the Volunteer certificate presented by him was accepted by the Land Agent, and forwarded by him to the proper officer of the Government, by whom it was registered and entered in the usual way, and it appears to me that the mere fact of the certificate not having been registered in the Lands Office before application to select was made, does not invalidate or make void such application, for it would be necessary to hold this in order to deprive you of the land.

It may be that the Land Agent might have refused to accept the order without its first having been registered, but having done so and having acted upon it, and the Government having adopted his acts, I think they must be held to have waived the prior registration, which they were at perfect liberty to do for the only object of the regulation requiring such registration could be to ascertain the validity of the certificate before it was presented to the Land Agent; the regulation could not affect the validity of the certificate or the rights under it, and if the certificate was in fact a valid one, and the Land Agent or the Government were satisfied thereof and chose to act on it, they were at liberty to do so, and their acceptance or acting cannot be made void. Again, at the time of the acceptance of the certificate by the Land Agent, there was no conflicting interest, the only parties interested were you as the applicant and the Government as the owners of the land—the latter were the only persons who could object to the non-registration, and as they did not so object, the application was in my opinion a valid one.

I am also inclined to think that the Government would have had no power to issue any regulation which would abridge the rights, under the Act, of the holders of certificates, and that if the fact of non-registration is held to have that effect, the regulation would be void; the holder of a certificate is by virtue of the Act entitled to the grant of land, the Government may regulate how that land is to be obtained or how the certificate is to be used, but they cannot make any regulations limiting the powers or rights under the certificate, or preventing the holder from exercising such rights.

Yours truly,
S. C. BROWN.

No. 40.

The Chief Commissioner to J. A. Cunneen, Esq.

Sir,

Department of Lands, Conditional Sales Division, Sydney, 30 Nov., 1878.

With reference to your letter of the 6th September last, applying on behalf of Mr. F. Somers for refund of deposit on the additional purchases noted in the margin, I am to inform you that as it appears from the evidence taken at the Court of Enquiry held relative to the original purchase (in virtue of which your client applied for these selections) that Mr. Somers was duly made aware at the date of purchase of the original conditional purchase from Mr. Goodchap, that the conditions as to residence thereon had not been observed, the Minister for Lands has decided that the refund of deposits applied for by you cannot be granted.

I have, &c.,
A. O. MORIARTY,
Chief Commissioner.

No. 41.

No. 19.
Penrith, C.P.'s
75-24, 78-7, 8, &
10.
F. Somers

No. 41.

Minute by the Secretary for Lands.

Volunteer Land Order Selection on Blue Mountains.

THE facts of this case are briefly as follows:—

Mr. Squires, by his agent, lodged with the Land Agent at Penrith an application and Volunteer certificate (the certificate being in the name of Squires, who had served as an efficient Volunteer), on the 3rd September, 1878. This certificate reached this office, and was registered on the 6th September; Mr. Cunneen, as agent for Mr. Somers, wrote to the department, stating that he had made an application for the same land at the same time. A memo. was made on the letter that if the facts be as stated there should be a ballot. The Land Agent was informed that a ballot would take place. Subsequently the Land Agent was requested to report on the facts of the case; he reported the fact that Squires' application was made ten minutes prior to Mr. Cunneen tendering his application. On the receipt of this report, I, by memo. of 4/10/78, decided that as Squires was prior applicant he was entitled to the land. Mr. Cunneen demurred to the Land Agent's statements, and requested an opportunity of rebutting them; he also lodged a declaration.

By my memo., 14/10/78, I directed an inquiry to be held by Mr. Oliver. The inquiry was held, and the result was that Squires was proved to have a prior claim, and that Mr. Cunneen did not lodge his application at that period, therefore there was no conflicting application as between Squires and Somers.

Mr. Cunneen, for Somers, raised a question that the certificate of Squires' was not registered at the date of application. By my memo., 25/10/78, I decided that notwithstanding the non-registration at the date of application (the fact being that the certificate was registered in this office on Thursday after) that Squires was entitled to the land. Mr. Somers, while the decision on the question was pending, lodged an application for the first time on the 15th October. Now this application has no standing, because an application cannot be made or dealt with pending a prior decision, that is to say, a waiting application cannot be entertained pending the determination of a disputed case. Had I decided against Squires, the land would after that decision have been open for purchase, and not until then.

Since my previous decisions, Mr. Somers has sent in a letter containing several points submitted by him to counsel, and Squires has also sent in a letter from his attorney in reference to the matter. I have considered these letters in connection with the facts of the case, and I am of opinion that Squires is entitled to the land, because there was not in reality any conflicting claim at the date of his application, the fact being that Somers had not lodged an application.

Then as to the non-registration of the certificate prior to application. The application was made on the 3rd September, and it was registered on the 6th September, and at that time there was no conflicting claim, consequently the matter was one between the Government and Squires as to non-registration (who in this case was the Volunteer who had acquired the certificate for efficient service), no objection was taken by the department to the non-registration of the certificate on the ground of its not being registered prior to application; on the contrary, when the application and certificate were received at the department from the Land Agent, the certificate was registered in the usual way, and as was done in not less than forty-six (46) other cases where the certificates were lodged with the application prior to registration.

Had I decided that Squires' application was not admissible on account of non-registration, that fact would not have entitled Somers to the land, because Somers had not made application for it, and as before stated, his application of the 15th October was not admissible because the case was not then decided on the point raised by him as to non-registration.

The objection to the non-registration appears to me to be of a technical character and not substantial. Therefore, taking in consideration all the facts and circumstances of the case, I think that Squires, on the grounds of equity and justice, is entitled to the land.—J.S.F., 4/12/78.

Let all necessary action be taken in accordance with Minister's decision.—P.F.R., 12/12/78. The necessary action in connection with Volunteer land order *78-273, may be taken in Charting Branch.—P.F.R., 16/12/74.

*See No. 16

No. 42.

The Under Secretary for Lands to T. Smith, Esq.

Sir,

Department of Lands, Sydney, 13 December, 1878.

In reference to the correspondence which has taken place respecting the claim of Mr. Edward Squires to C. A. Goodchap's forfeited conditional purchase, selected in virtue of a Volunteer land order, I am directed to inform you that the Minister for Lands has, after full and careful consideration of the case, decided to adhere to his decision in favour of Mr. Squires, as conveyed to you in my letter of the 30th October last.

I have, &c.,

PHILIP F. RICHARDSON,
(For Under Secretary).

See No. 36.

No. 43.

The Under Secretary for Lands to F. Somers, Esq.

Sir,

Department of Lands, Sydney, 13 December, 1878.

In reference to the correspondence which has taken place respecting the claim of Mr. Edward Squires to C. A. Goodchap's forfeited conditional purchase, selected in virtue of a Volunteer land order, I am directed to inform you that the Minister for Lands has, after full and careful consideration of the circumstances of the case, decided to adhere to his decision in favour of Mr. Squires, as conveyed to you by my letter of the 30th October last.

I have, &c.,

PHILIP F. RICHARDSON,
(For the Under Secretary).

See No. 36.

17

No. 44.

F. Somers, Esq., to The Secretary for Lands.

Sir,

183, Pitt-street, Sydney, 27 December, 1878.

I would very respectfully request that you will be kind enough to allow me to have copies of all papers connected with Mr. C. A. Goodchap's forfeited conditional purchase at Penrith, as well as the papers, documents, and correspondence, &c., connected with the Volunteer land order application of Mr. Squires (through his agent Mr. Smith) and myself for the same land.

Your earliest favour will oblige.

Yours, &c.,
F. SOMERS.*Minutes on above.*

Submitted, 28. Let me see the papers referred to.—W.W.S., 28 December. Herewith.—
P.F.R., 2/2/79. Approved on usual conditions.—JOHN R.

No. 45.

F. Somers, Esq., to The Secretary for Lands.

Sir,

183, Pitt-street, Sydney, 27 December, 1878.

I have the honor to acknowledge the receipt of your letter of the 13th instant, notifying to me that you had decided to issue a grant of the land situated at Springwood, and described as C. A. Goodchap's forfeited conditional purchase to Mr. Squires. No. 43.

As I do not recognize the right of the Minister for Lands to set aside the law and to make grants otherwise than in compliance with statutory provisions, I have determined to resist Mr. Squire's occupation of the land in question.

I have, therefore, taken possession of the said 40 acres, and have put up notices warning trespassers from going upon or interfering with the land, and I claim from the Government the issue of the grant, in pursuance of the terms of the Volunteer Act, and under the conditions prescribed in the Regulations appended to the "Land Act of 1861."

Herewith I return to you the land order which was given by me in payment for the said 40 acres 2 roods.

That land order was properly tendered to you, and has been most improperly returned, and I am advised that you, as Minister for Lands, have no right to deal with Crown lands which you have regularly alienated, or to prevent any person who has perfected his statutory title from entering into possession of, and enjoying the advantages of his property. The land in question is, as I am advised, mine under the existing law, and I am also advised that no Minister can set aside the existing law, and that any grant issued to any other person in defiance of law will be utterly void.

I have, &c.,
FREDERICK SOMERS.

Submitted in connection with the recent decision of the late Secretary for Lands.—P.F.R.,
2/1/79. The Under Secretary.

No. 46.

F. Somers, Esq., to The Secretary for Lands.

Sir,

Pitt-street, Sydney, 14 January, 1879.

I do myself the honor to remind you of my letter of the — December, 1878, in reference to the dispute now pending as to my right to a grant of 40 acres of land known as C. A. Goodchap's forfeited conditional purchase. In that letter I informed the Minister for Lands (Mr. Farnell) that, acting under legal advice, I had taken possession of the land in question, and I requested that a grant might be issued to me; I have not yet received any acknowledgment of the receipt by your department of that letter, and I have therefore the honor very respectfully to request that the matter may receive your early attention. See No. 45.

I have recently had an opportunity of perusing certain papers now in the Lands Office which have reference to the dispute between Mr. Squires and myself as to the right to possess Goodchap's forfeited conditional purchase, and among these papers there is a letter written by Mr. S. C. Brown, M.P., under date 28th November, 1878, and a memo. of the Minister for Lands dated 4th December, 1878, in reference to which I desire to make one or two observations. See No. 39.
See No. 41.

I may state that with Mr. Farnell's consent I had a case prepared for counsel's opinion, that Mr. Farnell promised that no decision would be given by him until that case had been submitted to the Attorney General, that the case never was, as appears by the papers, submitted to the Attorney General at all, and that the promise above referred to has therefore been entirely disregarded.

Mr. S. C. Brown, acting as the legal adviser of Mr. Squires, and, as he himself states, at the instance of Mr. T. R. Smith, M.P., has written to Mr. Squires the letter to which I refer. In it he sets forth his opinion that Mr. Squires is legally entitled to a grant of the land which I claim, and of which I have taken possession; and he proceeds to argue that, notwithstanding the express provisions of the law with regard to the issue and use of Volunteer land certificates, the non-registered certificate put in as payment for the land by Mr. Squires was a perfectly valid document.

Mr. Brown further treats the case as one concerning merely the Government and Mr. Squires. "There was," he says, "no conflicting interest; the only parties interested were you (Mr. Squires) as the applicant, and the Government as the owners of the land."

The late Minister for Lands (Mr. Farnell), in his memo. of the 4th December last, wholly adopts Mr. Brown's view, and follows out that gentleman's reasoning with remarkable adherence, not merely to the substantial arguments, but the actual verbiage in which they are expressed. He says that Squires' "application was made on the 3rd September, and the certificate was registered on the 6th September, and at that time there was no conflicting claim, consequently the matter was one between the Government and Squires as to the non-registration"; and he decides "that the objection to the non-registration appears to be of a technical character and not substantial, therefore, taking in consideration all the facts and circumstances of the case, Squires, on the grounds of equity and justice, is entitled to the land."

767—C

Confining

Confining for the present my attention to those portions of the letter and memo. which I have quoted, I beg most respectfully to submit that both Mr. Brown and Mr. Farnell have wholly mistaken the true features of the case. In the first place they both treat registration of a Volunteer land certificate as a matter of no importance whatever; say that the Government must be held to have waived the prior registration in Squires' case, and that the certificate having been registered three days subsequently to the applications made by Squires and by myself, there was no force in my objection. But the law is express upon the point. The certificate must by law be registered before it can be used, and the Government have no right whatever to dispense with any condition which the law imposes as a necessary safeguard against malpractices.

The regulation as to registration is clearly necessary; without it serious frauds might be perpetrated. Any person possessing himself of blank certificate forms might fill them up, sign them, and issue them; and unless they were passed through the proper routine, and were registered before being used in the purchase of land, it would be extremely difficult to distinguish the genuine instruments from the fraudulent; and it should be noted that any officer commanding the Volunteer Force, however temporarily, is entitled, under the law, to issue these certificates, so that the necessity of the regulation respecting registration must be abundantly obvious. That being the case, the Government must administer the law, and have no discretionary power of "waiving" registration of a document which cannot be a valid payment for land until after it has been registered. Both Mr. Brown and Mr. Farnell are strangely mistaken in their assertions that there were no "conflicting interests," that the matter was between Squires "the applicant and the Government as the owners of the land." In the first place the Government are not the owners of the land at all—they are simply trustees for the public, and the Legislature has taken care to define and limit their powers,—so that compliance with the conditions of purchase prescribed by the Legislature gives any selector a title not to be damaged, or impugned, or straitened by any Government. The matter was therefore one in which the general public had a strong interest "conflicting" against the applicant who attempted to make an illegal use of an invalid document, and who has induced the Government to attempt to override the plain provisions of the law.

The public is virtually interested in preventing Ministers from "waiving" in favour of any individual any conditions which are enacted for the defence of the public from spoliation and injustice.

But apart from this broad sense in which there was a "conflicting interest," there is the literal fact that my interest conflicted with that of Squires'. My application was coincident with his (a little prior as I contend) in point of time.

I put in a properly registered Volunteer land certificate; he, at the same time, or a few moments earlier or later, put in an unregistered certificate, and I raised the objection which has been discussed.

Mr. Farnell, in one part of his very singular memo., treats the case as though my claim to the land were based on an application made by me on the 15th of October, while in almost the same breath he relates that my application was reported as made on the same day as that of Squires, but ten minutes late; that I asserted that mine was the prior application, that an inquiry was held into the matter, and that the result of the inquiry was adverse to my priority.

It cannot be disputed that my application, accompanied by a valid certificate, was lodged (although refused by the Land Agent who was not aware the land had been forfeited) within a few minutes of the lodging of Squires' application and invalid certificate, and that Squires' certificate was not registered for several days afterwards. This being so, the Minister's decision, as expressed in his memo., that "Squires is entitled to the land, because there was not in reality any conflicting claim at the date of his application, the fact being that Somers had not lodged an application," is wholly baseless, as also is his subsequent assertion,—“Had I decided that Squires' application was not admissible, the fact would not have entitled Somers to the land, because Somers had not made application for it.”

According to the Minister's own memo., "Somers' application" was made only ten minutes after Squires'.

In conclusion, I have the honor to submit that a grant of the land should be issued to me as I have secured the statutory title, have taken possession of the land in dispute, and cannot (if my view of the law be correct) be legally dispossessed by either the Government or their grantee.

I have, &c.,

FREDERICK SOMERS.

Minutes on No. 46.

Submitted for the consideration of the Under Secretary for Lands.—W.C.E., 16/1/79.

The grounds of the late Minister's decision will be found in his minute of 25th October, 1878. The Minister desires this protest to be referred with the former papers (herewith) to the Crown Solicitor.—W.W.S., 22 January, 1879. Approved.—J.H., 24/1/79. Crown Solicitor, B.C., 24 January, 1879.

Received, 25 January, 1879.—J.W.

No. 47.

The Crown Solicitor to The Under Secretary for Lands.

Sir,

Crown Solicitor's Office, Sydney, 14 February, 1879.

I have the honor to return herewith the papers relating to the dispute between Messrs. Somers and Squires, and to state that I have submitted same to Mr. Attorney General, a copy of whose advising will be found on the other side.

I have, &c.,

JOHN WILLIAMS,

Crown Solicitor.

E.—

Minutes on above.

Under Secretary.—W.C.E., 15/2/79.

Let Mr. T. R. Smith, M.P., and Mr. Somers be informed that on the advice of the Attorney General the decision of my predecessor, Mr. Farnell, cannot be reversed.—J.H., 15/2/79.

Mr. Edwards.—Is a copy of the Attorney General's opinion to be sent to each.—R.H.D., 17/2/79. Yes, as usual.—W.C.E., 17/2/79.

Enclosure

Enclosed.

19

Enclosure to No. 47.

OPINION.

I see no reason for doubting the correctness of the decision of the late Minister for Lands in this case.—W.C.W., A.G., 7/2/79.

No. 48.

The Under Secretary for Lands to T. R. Smith, Esq., M.P.

Sir,

Department of Lands, Sydney, 17 February, 1879.

In reference to the correspondence which has taken place relative to the disputed claim between Mr. Somers and Mr. Squires to 40½ acres of land in the parish of Coomassie, county of Cook, being the forfeited conditional purchase of C. A. Goodchap, I am directed to inform you that on the advice of the Attorney General, the Minister for Lands is unwilling to disturb the decision of his predecessor, Mr. Farnell.

2. I am to add that transmitted herewith is a copy of Mr. Windeyer's advising in the case.

I have, &c.,

W. C. EDWARDS,

(For Under Secretary).

No. 49.

The Under Secretary for Lands to F. Somers, Esq.

Sir,

Department of Lands, Sydney, 17 February, 1879.

In reference to your letter of the 14th ultimo, and to previous correspondence relative to the disputed claim between Mr. Squires and you to 40½ acres of land, parish of Coomassie, county of Cook, being the forfeited conditional purchase of C. A. Goodchap, I am directed to inform you that on the advice of the Attorney General the Minister for Lands is unable to disturb the decision of his predecessor, Mr. Farnell. No. 48.

2. I am to add that transmitted herewith is a copy of Mr. Windeyer's advising in the case.

I have, &c.,

W. C. EDWARDS,

(For Under Secretary).

Volunteer land order certificate returned herewith.

No. 50.

F. Somers, Esq., to The Secretary for Lands.

Sir,

183, Pitt Street, Sydney, 19 February, 1879.

Referring to your letter of the 17th Febrary instant, returning the Volunteer land order handed into your department by me in payment of 40½ acres of land at Springwood (C. A. Goodchap's forfeited selection), I have the honor to inform you that I am in possession of the land in question, and shall continue to hold it. No. 49.

I therefore again return you the Volunteer land order, as I intend to insist upon my right in this matter.

I have, &c.,

FREDERICK SOMERS.

Minutes on above.

Under Secretary. I wish to see Mr. Stephen respecting this matter.—J.H., 19/2/79.

Papers in connection with this case herewith.—W.C.E., 20.

The decision arrived at under the advice of the Attorney General must of course be considered final. The Volunteer land order should be returned again to Mr. Somers with an intimation to that effect; and, if he persists in again returning it here, it will be at his own risk. As to Mr. Somers' statement that he will not give up the land, that is a matter with which the Government cannot I presume interfere. Mr. Squires must defend his own rights. To enable him to do this, the deed of grant should I think be issued without unnecessary delay.—W.W.S., 21 February, 1879.

Approved.—J.H., 21/2/79.

Inform Mr. Somers at once, and return the Volunteer land order certificate at the same time.—W.C.E., 24/2/79.

No. 51.

The Under Secretary for Lands to F. Somers, Esq.

Sir,

Department of Lands, Sydney, 26 February, 1879.

In reference to your letter of the 19th instant, relative to the (40½) forty and a half acres of land, in the parish of Coomassie, county of Cook, for which you tendered to the Land Agent at Penrith an application under Volunteer land order certificate, I am directed to inform you that under the advice of the Attorney-General (a copy of whose advising was forwarded to you, with my letter on the subject, on the 17th instant), the Secretary for Lands considers that the decision arrived at in the matter must be considered final. No. 50.

2. I am to add that should the Volunteer land order certificate in question (which is enclosed), be again returned to this department, it will be at your own risk. See No. 48.

I have, &c.,

W. C. EDWARDS,

(For Under Secretary).

No. 52.

No. 52.

F. Somers, Esq., to The Secretary for Lands.

Sir,

183, Pitt-street, Sydney, 6 March, 1879.

I have the honor to acknowledge receipt of your letter of the 26th ultimo, enclosing Volunteer land order, and stating that the decision officially given as to the legality of my purchase of Goodchap's forfeited selection could not be interfered with.

I herewith return the Volunteer land order, and am willing to accept whatever risk may be incurred by that proceeding.

I have the honor to remind you that no opinion on the point submitted by me *re* the validity of a non-registered Volunteer land order, appears as yet to have been given by the Attorney General.

I have, &c.,

FREDK. SOMERS.

Minutes on No. 52.

Urgent.—Under Secretary.—Was not an opinion given by the Attorney General that the non-registration of the transfer of a Volunteer order did not invalidate its use?—J.H., 6/3/79.

Yes—and Mr. Somers so apprised. This is the second time he has returned his Volunteer land order, as he declines to give up the land. This letter should perhaps be registered and put with the other papers.—W.W.S., 7 March.

Approved, but I think the Volunteer land order must be returned to Mr. Somers.—J.H., 7/3/79.

Return the Volunteer land order certificate.—R.H.D., *pro* W.C.E., 11/3/79.

No. 53.

The Under Secretary for Lands to F. Somers, Esq.

Sir,

Department of Lands, Sydney, 12 March, 1879.

In reference to your letter of the 6th instant, relative to the claim between yourself and Mr. Squires to C. A. Goodchap's forfeited conditional purchase, I am directed to return herewith the Volunteer land order noted in the margin which accompanied your letter above referred to.

I have, &c.,

W. C. EDWARDS,

(For the Under Secretary).

No. 54.

T. R. Smith, Esq., M.P., to The Secretary for Lands.

Dear Sir,

675, George-street, Sydney, 17 March, 1879.

Will you kindly hurry on the deed of the land selected at Springwood, known as Goodchap's selection of 40 acres 2 roods, and now taken up by Squires.

Also, deed for the 100 acres selected at Lapstone Hill, and purchased by Thomas Smith, senr. An early reply will oblige.

I may mention that these matters have been delayed for some time, and the parties concerned are anxious to have the deeds as soon as possible.

Yours, &c.,

T. R. SMITH, M.P.

Minutes on No. 54.

Under Secretary.—Urgent.—The preparation of these deeds of grant should be hurried forward, and Mr. Smith, M.P., informed.—J.H., 19/3/79.

Mr. Neate.—The Minister has in a previous paper decided that the deed is to be prepared without delay. Attend to this quickly. These papers are required back for Parliamentary return.—W.W.S., 24th March. Inform.—24/3/79. Deeds Branch, 24/3/79. The Volunteer land certificate for Mr. Squires' purchase is not enclosed.—C.N., 27/3/79. Certificate now herewith.—C.O., 27/3/79.

Deed prepared.—21/4/79.

No. 55.

The Under Secretary for Lands to T. R. Smith, Esq., M.P.

Sir,

Department of Lands, Sydney, 24 March, 1879.

In reference to your letter of the 17th instant, requesting that the deed of grant of the land noted in the margin may be hurried on, I am directed to inform you that the Minister for Lands has directed that the necessary document be prepared without delay.

2. I have to request that you will give fuller particulars respecting the 100 acres selected at Lapstone Hill by Thomas Smith, senr.

I have, &c.,

CHARLES OLIVER,

(For the Under Secretary).

No. 56.

Description of C. A. Goodchap's Forfeited-Conditional Purchase.

40 ACRES 2 roods, county of Cook, parish of Coomassie, portion 69: Commencing at a point distant 3 chains 25 links north from the north-western corner of portion 68 of 40 acres, and bounded thence on the east by a line, the western boundary of that portion and a road 1 chain wide in all, bearing south 31 chains and 50 links; on the south-west by a road 1 chain wide along the railway line, bearing north 33° 15' west 6 chains 24 links; and thence bearing north 53° west 18 chains and 75 links; on the west by a road

No. 51.

No. 52.
V.L.O., No.
78,321, herewith.

No. 54.
Goodchap's
forfeited
conditional
purchase, 40
acres 2 roods.

road 1 chain wide bearing north 15 chains; and on the north by a line bearing east 18 chains and 39 links to the point of commencement; exclusively of a road 1 chain wide passing through this land in a north-easterly direction at the north-western corner, the area of which has been deducted from the total area.

Examined.—R.M., 19/4/79.

Diagram prepared.—W.W.

No. 57.

F. Somers, Esq., to The Secretary for Lands.

Sir,

183 Pitt-street, Sydney, 7 May, 1879.

I have the honor to again most respectfully protest against the issue of deeds of grant of the following portions of land to any person or persons other than myself, viz. :—

1. 40 acres 2 roods at Springwood, being C. A. Goodchap's forfeited selection.
2. Two 50-acre portions at Woodford taken up by me, and to which Mr. W. Taylor has laid claim.

I am advised that my title to those selections is valid, notwithstanding the opinion of the Hon. Attorney General as to the power of the Government to waive the observance of the regulation which enjoins the registration of Volunteer certificates. Though a power of waiver does within certain limits exist, yet the Government has no power to waive observance of any regulation *when such waiver operates to the prejudice of a person who fulfils the law, and in favour of a person who ignores the law.* I have accurately performed the conditions necessary to entitle me to the several portions of land above-mentioned. I have complied with the regulations. The persons who claim in opposition to me have not complied with the regulation which prescribes the registration of their land orders or certificates, and the Government have no power whatever to waive a regulation which secures my title and ousts my opponents.

I have respectfully to point out that if such a doctrine were admitted and acted upon, a door would be opened for almost illimitable frauds, as every selector or occupier of Crown lands would be quite at the mercy of the Minister for Lands, who according to his caprice might "waive" any regulation in favour or against him.

I beg also to remind you once more I have taken possession of all those portions of land.

I have, &c.,

F. SOMERS.

Minute on above.

Under Secretary,—This letter should be placed with the other papers in this case.—J.H., 8/5/79.

[Plan.]

WYOMING 1910

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1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LAND SALES AT ARMIDALE, WALCHA, &c.

(RETURN SHOWING AREA, &c.)

Ordered by the Legislative Assembly to be printed, 22 May, 1879.

RETURN (*in part*) to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 3 May, 1878, That there be laid upon the Table of this House,—

“(1.) A Return of all lands conditionally purchased, purchased at auction, “after auction, by pre-emptive right, by virtue of improvements, and by “Volunteer Land Orders, at Armidale, Walcha, Glen Innes, Tenterfield, “Inverell, Warialda, and Bingera, for the ten years, from January, 1868, “to December, 1877.

“(2.) A Return of the area comprised in the land districts above “mentioned.”

(Mr. Dillon.)

RETURN showing the total area of land conditionally purchased at Armidale, Bingera, Glen Innes, Inverell, Tenterfield, Walcha, and Warialda respectively, from the 1st January, 1868, to the 31st December, 1877, inclusive.

Districts.	Area.		
	a.	r.	p.
Armidale	318,154	0	0
Bingera	10,517	0	0
Glen Innes	93,243	0	0
Inverell	191,510	3	0
Tenterfield	56,888	0	0
Walcha	16,060	0	0
Warialda	253,805	0	0

NOTE.—The districts of Bingera and Walcha were proclaimed on the 20th April, 1877.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

CONDITIONAL PURCHASES AT ARMIDALE, WALCHA, AND CERTAIN OTHER LAND OFFICES.

(LANDS SELECTED AFTER AUCTION.)

Ordered by the Legislative Assembly to be printed, 20 June, 1879.

RETURN (*in completion*) showing the total area of land selected, and number of selections made from the 1st March, 1877, to the 1st March, 1878, at each of the following Land Offices, viz.: Armidale, Walcha, Glen Innes, Inverell, Bingera, and Warialda.

[*Laid upon the Table, in satisfaction of a Question by Mr. Jacob, on behalf of Mr. Copeland, on the 19th March, 1878.*]

RETURN showing the total area of land selected, and number of selections made from the 1st March, 1877, to the 1st March, 1878, at each of the following Land Offices.

SELECTIONS AFTER AUCTION.

	Number of Selections.	Total Area.		
		a.	r.	p.
Armidale	227	20,090	0	34
Bingera	32	2,939	2	0
Glen Innes	26	2,379	0	22
Inverell	41	3,797	3	16
Walcha	82	5,262	3	8
Warialda	60	5,674	1	0
	468	40,143	3	0

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

CONDITIONAL PURCHASES.

(RETURN OF, HELD BY MEMBERS OF LEGISLATIVE ASSEMBLY.)

Ordered by the Legislative Assembly to be printed, 1 July, 1879.

RETURN of Conditional Purchases held by Members of the Assembly, 27th June, 1879.

Thomas Bawden	...	...	4 September, 1873.	107 acres.	Grafton.
Thomas Bawden and Thomas Fisher	...	...	7 August, 1874.	80 "	"
Alexander Bowman	...	...	15 January, 1874.	40 "	"
	...	...	13 August, 1874.	40 "	Patrick's Plains.
	...	...	13 "	40 "	"
	...	...	13 "	40 "	"
	...	...	13 "	40 "	"
	...	...	13 "	40 "	"
	...	...	13 "	40 "	"
	...	...	11 November, 1875.	100 "	"
	...	...	6 April, 1876.	40 "	"
	...	...	13 "	40 "	"
	...	...	20 January, 1877.	60 "	"
	...	...	17 May, 1877.	120 "	"
	...	...	14 June, 1877.	360 "	"
	...	...	7 March, 1878.	190 "	"
	...	...	1 August, 1878.	60 "	"
Henry Copeland	...	...	1 May, 1879.	640 "	Brisbane Water.
George Day and William Henry Williams	...	...	18 March, 1875.	320 "	Albury.
John Hurley (Narellan)	...	...	31 December, 1874.	80 "	Burrowa.
	...	...	14 January, 1875.	60 "	"
	...	...	14 "	60 "	"
	...	...	21 "	40 "	"
	...	...	7 "	40 "	"
	...	...	1 April, 1875.	62 "	"
	...	...	29 "	75 "	"
	...	...	16 September, 1875.	170 "	"
	...	...	16 December, 1875.	160 "	"
	...	...	23 "	160 "	"
	...	...	30 March, 1876.	139½ "	"
	...	...	13 April, 1876.	50 "	"
	...	...	8 June, 1876.	100 "	"
	...	...	10 August, 1876.	40 "	"
	...	...	18 January, 1877.	240 "	"
	...	...	30 May, 1878.	80 "	"
	...	...	2 "	90 "	"
	...	...	5 September, 1878.	40 "	"
	...	...	10 October, 1878.	40 "	"
	...	...	19 July, 1877.	80 "	Cootamundra.
A. Lynch	...	...	29 April, 1875.	40 "	Carcoar.
John Murphy	...	...	24 September, 1874.	100 "	Cooma.
	...	...	24 March, 1875.	100 "	"
	...	...	29 April, 1875.	60 "	"
Sir Henry Parkes	...	...	2 November, 1876.	400 "	Penrith.
	...	...	16 "	80 "	"
	...	...	7 March, 1878.	80 "	"
	...	...	20 June, 1878.	80 "	"
Alexander Stuart	...	...	3 October, 1876.	550 "	Campbelltown.
	...	...	14 November, 1876.	320 "	"
Edmund Webb	...	...	24 September, 1874.	40 "	Carcoar.
	...	...	4 February, 1875.	40 "	"
	...	...	13 July, 1876.	50 "	"

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

CONDITIONAL PURCHASES AT CASINO.

(JOHN DALY, JAMES GERAGHTY, AND FREDERICK WEST.)

Ordered by the Legislative Assembly to be printed, 1 July, 1879.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated the 6 November, 1878, That there be laid upon the Table of this House,—

“ Copies of all Applications, Alienations, Correspondence, Minutes of
 “ Evidence, Reports, and other Documents relative to the Conditional Pur-
 “ chases made at Casino, by John Daly, James Geraghty, and Frederick
 “ West respectively, and inquired into by Mr. Commissioner Bolding, at
 “ Lismore, on the 16th and 17th April, 1878.”

(*Mr. Bawden.*)

CONDITIONAL PURCHASES AT CASINO.

John Daly.

SCHEDULE.

NO.	PAGE.
1. Application by John Daly for conditional purchase of 50 acres of land, parish of North Lismore, County of Rous. 27 November, 1873	2
2. Richard Barling, surveyor, to Surveyor General, enclosing plan of above. 10 July, 1874	2
3. John Daly to Crown Lands Agent, Casino. 13 August, 1875	3
4. Edward Howell to Crown Lands Agent, Casino. 15 August, 1876	3
5. Declaration of Duncan Currie and John M'Kenzie as to improvements and continuous residence. 18 December, 1876	3
6. Report by Inspector of Conditional Purchases. 28 August, 1877	4
7. Notification of alienation of conditional purchase by Duncan Currie and John M'Kenzie. 26 December, 1877	4
8. Gazette Notice. 15 February, 1878	4
9. Chief Commissioner of Conditional Sales to John M'Kenzie and John Currie. 20 February, 1878	5
10. Report by Commissioner Bolding, with affidavits, with minutes thereon. 16 April, 1878	5
11. John Currie to the Minister for Lands with reference to Court of Inquiry. 6 June, 1878	7
12. Chief Commissioner of Conditional Sales to John M'Kenzie and John Currie. 23 July, 1878	7
13. Gazette Notice. 6 August, 1878	7
14. John Currie to the Minister for Lands, with enclosures. 15 August, 1878	8
15. Chief Commissioner, Conditional Sales, to Under Secretary for Finance and Trade, requesting refund of interest paid. 21 August, 1878	8
16. Chief Commissioner of Conditional Sales to J. M'Kenzie and J. Currie, advising interest repayable on application at Treasury. 21 August, 1878	8

No. 1.

Application by Mr. J. Daly for conditional purchase.

Application for the conditional purchase, without competition, of unimproved Crown land.

C.P. No. 73-12,592. Land Agent's No. 148 of 1873. Alienation Act, section 13.

Application by John Daly for the conditional purchase, without competition, of 50 acres unimproved Crown land, under section 13 of the "Lands Alienation Act of 1861."

RECEIVED by me, with a deposit of £12 10s., this 27th day of November, 1873, at 12 o'clock.

H. E. STRATFORD,

Agent for the Sale of Crown Lands at Casino.

Sir,

27 November, 1873.

I am desirous of purchasing, without competition, under the 13th section of the "Crown Lands Alienation Act of 1861," the portion of unimproved Crown land hereunder described, containing 50 acres; and I herewith tender the sum of £12 10s., being a deposit at the rate of five shillings (5s.) per acre on the area for which I apply, and on which it is my intention to reside.

I am, &c.,

PATRICK DALY,

Agent for JOHN DALY,

Lismore.

To the Agent for the Sale of Crown Lands at Casino.

Description:—

County of Rous, parish of North Lismore, 50 acres, adjoining the S.E. corner of Edward Howell's 50 acres conditional purchase.

Minutes on No. 1.

Mr. Barling.—To measure if unobjectionable.—J.J.W. (For Surveyor General), 17 Dec., /73. B.C. 5/1/74, 7 January, /74, No. 1.

No. 2.

Mr. Licensed-surveyor R. Barling to The Surveyor General.

Sir,

Casino, 10 July, 1874.

I have the honor to forward to you a plan* of three portions of land in the parish of North Lismore, county of Rous, No. 84, of 50 acres, applied for under the 13th clause of the "Crown Lands Alienation Act of 1861" by John Daly, on the 27th November, 1873. Instructions B.C. 7 Jan., /74, No. 1. Date of survey, 1st July, 1874.

John Daly was not residing at the time of survey; he has felled a little brush; value, £2.

No. 85

* Enclosed.
Appendix A

3

No. 85 of 41 acres and No. 86 of 36 acres I measured for sale at same time, to fill up the design. The bearings of these portions do not all agree, but I have shown them the best way I could, as it is almost impossible to determine on the ground the correct bearing, as it is covered with such dense brush, and there being at the same time strong local attraction, one has to depend upon the chaining, which is also very rough.

Yours, &c.,

RICH'D. BARLING.

Minutes on No. 2.

Examined and charted.—J.C.T., 15 July, 1875. Portion 84, applicant to show cause.—T.H.L., 6 Sept., /75. Mr. Trengrouse,—Portions 85 and 86 for auction.—T.H.L., 6 Sept., /75.

No. 3.

Notification of Alienation.

Notification of Alienation of Conditional Purchase under 13th section of the "Crown Lands Alienation Act of 1861," where there is no Additional Conditional Purchases made in virtue thereof.

Notification of alienation of conditional purchase by John Daly, in the district of Richmond River. I HEREBY notify to you, as the Agent for the Sale of Crown Lands for the district of Richmond River, that I have (after a residence of at least twelve months on my original purchase under 13th section) this day alienated to Edward Howell, of Lismore, the 50 acres of land (being the total area) situated in the county of Rous, parish of North Lismore, which I selected at Casino as conditional purchase, under the 13th section, on the following date, namely, 27th November, 1873.

JOHN DALY,

Lismore.

Dated at Lismore, this 13th August, 1875.

To the Agent for the Sale of Crown Lands at Casino.

I have duly registered the above notification of alienation in the records of this office,—

M. M. CAMPBELL,

Casino, 19th August, 1875.

Agent for the Sale of Crown Lands.

No. 4.

Notification of Alienation.

Notification of Alienation of conditional purchase under the "Crown Lands Alienation Act of 1861."

Notification of alienation of conditional purchase by Edward Howell, in the district of Richmond River. I HEREBY notify to you, as Agent for the sale of Crown Lands for the district of Richmond River, that I have (after a residence thereon of at least twelve months) this day alienated to Duncan Currie and John M'Kenzie, of Lismore, the 50 acres of land situated in the county of Rous, parish North Lismore, which was selected at Casino as a conditional purchase, under the 13th section of the "Crown Lands Alienation Act of 1861," on the 27th November, 1873.

Dated at Lismore 15th August, 1876.

EDWARD HOWELL,

To the Agent for the Sale of Crown Lands at Carcoar.

Lismore.

I have duly registered the above notification of alienation in the records of this office.—M. M. CAMPBELL, Agent for the Sale of Crown Lands. District Richmond River, Land Office, Casino, 27 August, 1876.

No. 5.

Declaration of Messrs. D. Currie and J. M'Kenzie.

C.P. No. 73-12,592.

Declaration of conditional purchaser under the 18th section of the "Crown Lands Alienation Act of 1861."

WE, Duncan Currie and John M'Kenzie, of Lismore, do solemnly and sincerely declare that we are the lawful owners, by conditional purchase under the 13th section of the "Crown Lands Alienation Act of 1861," of the land hereunder described, and that improvements consisting of building, falling, and clearing, and to the value of £50, have been made on such land, and we declare further, that the said land has been the *bonâ fide* residence, continuously, of John Daly, Edward Howell, and ourselves from the period of selection and first occupation to the present date (and that no alienation of the land has been made by any of the above-named holders, until after the residence thereon of such holder for a period of one whole year, each alienation having been notified to the Land Agent of the district within one month of its having been made). And we make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the ninth year of the reign of Her present Majesty, intituled "*An Act for the more effectual abolition of oaths and affirmations taken and made in various departments of the Government of New South Wales and to substitute declarations in lieu thereof and for the suppression of voluntary and extra-judicial oaths and affidavits.*"

DUNCAN CURRIE.

JOHN M'KENZIE.

Taken and declared, at Casino, this 18th day of }

December, 1876, before me,—

M. M. CAMPBELL,

Commissioner for Affidavits.

Description:—

County of Rous, parish of North Lismore, 50 acres, at North Lismore, being conditional purchase No. 148 of 1873 in the district of Richmond River, made on the 27th November, 1873.

Minutes on No. 5.

Interest £2 1s. 1d. credited at Treasury, 30 December, 1876,—V.C. Examined and found correct in form.—H.A.F., 20 February, 1877.

No. 6.

Mr. Inspector Trollope to The Chief Commissioner.

REPORT by F. Trollope, Inspector of Conditional Purchases, respecting the selection of John Daly, now Currie and M'Kenzie, made at Casino on 27th November, 1873.

Sir,

Grafton, 28 August, 1877.

I have the honor to report that I visited and inspected the above described conditional purchase on the 19th July, and that I found the selectors then resident upon their selection. The land, which consists of brush, and comprises 50 acres, is occupied and used by Currie and M'Kenzie, and the selectors had at the time of my visit made the improvements hereunder particularly described, the value of which I estimate at the sums respectively stated, viz. :—

*Hut, 12 x 10	...	...	...	...	...	...	...	£	s.	d.
About 5 acres brush fallen at £4...	...	...	...	...	...	...	...	20	0	0
								£35	0	0

* Measurement of this hut should be 9 x 15.
—F. TROLLOPE.

I had from M'Kenzie information of an old hut said to have been worth £5. I have since learnt that a portion of the timber out of which the new hut is built came from the old one.

From the appearance of the land and the circumstances stated in the following remarks, I am of opinion that the selector has been continuously resident on this section. Somebody was using the hut at the period of my visit—I believe M'Kenzie. I should say the residence conditions had been properly complied with.

There are on this selection several "drawing roads," for the purpose of taking away timber. These have been made at probable cost of £10. As these are mere tracks cut through the scrub for the purpose of taking away valuable timber, they are questionable improvements.

I have, &c.,

FRED. TROLLOPE,

Inspector of Conditional Purchases.

Minutes on above.

In what sense can such be considered improvements? (Written by Mr. Moriarty).

Residence satisfactory; but the improvements are estimated by the Inspector at £15 less than the required value. Submitted.—J.S.H., 30 October, 1877. For Commissioner.—A.O.M., 30/11/77. Included in schedule.—W.H.C. Messrs. Currie & M'Kenzie informed by circular, 20/2/78. Commissioner Bolding.—B.C., 20 February, 1878.

No. 7.

Notification of Alienation.

Notification of Alienation of Conditional Purchase under the "Crown Lands Alienation Act of 1861."

Notification of alienation of conditional purchase by Duncan Currie and John M'Kenzie, in the district of Richmond River.

WE hereby notify to you, as the Agent for the Sale of Crown Lands for the district of Richmond River, that we have this day alienated to John Currie and John M'Kenzie, of Lismore, the 50 acres of land situated in the county of Rous, parish of North Lismore, which was selected at Casino as a conditional purchase under the 13th section of the "Crown Lands Alienation Act of 1861," on the 27th November, 1873, as also the following additional purchase No. 76/166, 100 acres, made at Casino, 17th August, 1876.

DUNCAN CURRIE,
JOHN M'KENZIE,

Lismore.

Dated at Lismore this 26th December, 1877.

Witness—M. M. CAMPBELL.

To the Agent for the Sale of Crown Lands at Casino.

I have duly registered the above notification of alienation in the records of this office,—

M. M. CAMPBELL,

District of Richmond River,

Agent for the Sale of Crown Lands.

Land Office, Casino, 11th January, 1878.

No. 8.

Gazette Notice.

Department of Lands, Conditional Sales Branch, Sydney, 15 February, 1878.

It is hereby notified, for the information of all parties interested, that information having been received to the effect that the conditions as to residence or improvements have not been, or are not being, fulfilled in respect to the undermentioned conditional purchases, the claims of the holders of such purchases have been severally referred to Commissioners for inquiry pursuant to the "Lands Acts Amendment Act of 1875."

Due notice will be given by the respective Commissioners of the times and places appointed by them for holding such inquiries.

JAMES S. FARNELL.

C. S. No.	C. P. No.	Name of Selector.	Date of Selection.	Area.	District.	County.	Parish.	Address.	Commissioner to whom referred.
*	*	*	*	*	*	*	*	*	*
77-31,718	73-12,592	John M'Kenzie and Duncan Currie, originally selected by John Daly, 13th section.	27 November, 1873.	a. r. p. 50 0 0	Richmond River.	Rous	North Lismore	Lismore	Henry J. Bolding.

No. 9.

No. 9.

The Chief Commissioner to Messrs. J. M'Kenzie and J. Currie.

Gentlemen, Conditional Sales Division, Department of Lands, Sydney, 20 February, 1878.^o

I am directed to invite your attention to the notice in the Government Gazette of the 15th instant, by which you will perceive that your claim to the conditional purchase made by John Daly, at Casino, on the 27th November, 1873, has been referred by the Minister for Lands to Commissioner Bolding for inquiry, in accordance with the 25th clause of the "Lands Acts Amendment Act of 1875," and the regulations relating thereto, as to the fulfilment by you of the conditions thereof. See No. 8.

2. I am to inform you that due notice of the time and place appointed for the purpose will be given you by the Commissioner referred to.

I have, &c.,

WM. BLACKMAN.

(For the Chief Commissioner of Conditional Sales.)

No. 10.

Commissioner Bolding to The Chief Commissioner

REPORT of an inquiry held at Lismore on the 16th April, 1878, by H. J. Bolding, Commissioner for the Northern Coast Division, respecting the conditional purchase of John Daly made at Casino, on the 27th November, 1873—50 acres. Claimants—J. M'Kenzie and D. Currie, and additional selection, 21 sec., 17th August, 1876—100 acres.

Sir,

I have the honor to transmit herewith, for the consideration of the Honorable the Minister for Lands, minutes of evidence taken at an inquiry under the "Lands Acts Amendment Act of 1875," held by me in pursuance of the reference notified in the Gazette of the 15th February, 1878, in the matter of the above described conditional purchase. Enclosed. See No. 8.

The claimants having been duly served with notice of the time and place of holding the inquiry, were present thereat.

The following facts bearing on the fulfilment by the selectors of the conditions of purchase were elicited in evidence, viz.:—Inspector Trollope valued improvements on the 50 acres (13 sec.) as worth only £35, viz., hut £15, and brush fallen, £20.

Much time was occupied by the claimants disputing this valuation and estimating "drawing roads," &c., but no evidence of residence in support of their declaration of 18th December, 1876, was offered, excepting that they had themselves lived thereon, i.e., on the land, since the preceding August. Further evidence being necessary, the inquiry was adjourned. Subsequently the original selector, J. Daly, appeared, and gave evidence, showing that he lived with his mother a mile distant from the land from selection, in November, 1873, until his sale of it to Howell in August, 1875, but he went to it generally about every three months, and stayed a night only; once he stayed two nights; was usually away from it for two months at a time. See No.

I have therefore to report that I find such conditions not to have been fulfilled, and to recommend that these conditional purchases be forfeited, viz.:—50 acres, 27th November, 1873, 13 sec.; and 100 acres, 17th August, 1876, 21 sec.

I have, &c.,

H. J. BOLDING,

Commissioner.

Minutes on above.

Improvements on 13 sec., £35; on 21 sec., not ascertained. I see no reason to dissent from the conclusions arrived at by the Commissioner in this instance, or his recommendations.—W.J., A.O.M., 13/7/78. Approved.—J.S.F., 16/7/78.

Evidence referred to in M'Kenzie and Currie's C.P.

Frederick Trollope, sworn, states:—I am Inspector of Conditional Purchases; on 19th July last I inspected the selection of John Daly, of 27th November, 1873, 50 acres, county Rous, parish *South Lismore, subsequently alienated to Edward *North. Howell, and by him to John M'Kenzie and Duncan Currie; the three years for residence had expired, but the hut was occupied; it was worth £15; the other improvements were about 5 acres of brush fallen at £4 per acre, £20; and I was told there had been a hut then burnt; the total value of what I saw, excluding the hut said to be burnt, was £35; there were also several dray roads on the land cut for drawing off timber which I did not put among improvements; I saw the site of the burnt hut, and thought there had been one, but could not determine its value from appearances, but Currie stated its value to be £5, and M'Kenzie £10. Hut, £15.
Brush, £20.
Impts. £35.
And further, burned hut.

By J. M'Kenzie:—You may probably have asked me if the improvements were sufficient; we had a good deal of conversation about them; the conversation was about the roads cut through; I said if these roads were allowed as improvements they would be sufficient, but in my opinion they were not improvements; I do not remember seeing any bridge on the selection, and I have no note of any.

By Duncan Currie:—I went through the drawing roads with M'Kenzie; I reported that the drawing roads probably cost £10, but I considered them questionable improvements; I thought if this £10 were allowed, and the value of the burnt hut proved they would make the improvements worth £50; but I did not tell M'Kenzie I thought the £10 would be allowed or ought to be allowed; I consider cutting big trees and clearing them away is improvement; there had been corn on the land, and were pumpkins and other garden stuff; I left my horse and walked through the clearing; I rode my horse up to the boundary or near to the boundary of Howell's selection, and then I left it; Howell's is the adjoining selection, No. 70 of the tracing; I first inspected the land on the 19th July, and I went again the next day at the request of M'Kenzie or Currie to see the remains of the burnt hut, and these roads through which the timber had been drawn off. Drawing roads, £10. (?)

FRED. TROLLOPE.

Taken and sworn, at Lismore, this 16th }
April, 1878, before me,—

H. J. BOLDING, Commissioner.

Edward Howell and John Daly, called severally, did not answer.

For

For the Claimants.

Hut, £20.
Drawing roads.
Impts., £55.

*By M'Kenzie, Arthur William Short, sworn, states:—*I have seen the selection of John Daly, subsequently belonging to M'Kenzie and Currie; I saw the improvements on it; I think the hut worth about £20; I saw fallen scrub, between 6 or 7 acres as I estimated; I did not measure it; I consider the drawing roads improvements; they lessen the amount of scrub to be felled, and are ways of access to the house; putting the roads all together they would be clearing a considerable quantity of ground.

*By Currie:—*I consider the whole value of the improvements to be about £55; nearly half the scrub felled has been cleared off, and has been under cultivation; the hut is built of pine slabs and sawn cedar, squared posts, and sleepers; I saw the ruins of another hut, which had been consumed by fire.

*By Inspector:—*I was there this morning, and never was on the ground before to my knowledge; sawn cedar is used for bunks, and there were sawn cedar boards, but I cannot say what they were used for; the cedar was used for bunks and wall-plates and other things—I believe more than 100 feet in all; it is 18 feet by 10 feet, or near about it; I was shown the side line of Howell's land; the longest measure of the clearing is, I think, over 300 yards; the clearing is something triangular in shape, without the sharp point; the base may be about 200 yards; where cleared for cultivation and burnt off it would be worth £6 or £7 per acre, and falling scrub is worth 30s. per acre; I consider half the clearing worth £6 or £7 per acre, and the other half worth 30s. per acre; I cannot say if there is a road to the house or not; it is all grown up; when I was there this morning it was hardly light enough to measure; I had ample time to value the improvements before I left; there are a good many roads through the scrub; I should say the main road was for taking the produce to market, as the land was under cultivation; I think it enters the land from the south.

*By the Commissioner:—*What I call the main road goes on through the land; I cannot say what length, or whether it goes to the hut, or whether it crosses the section or ends in it; it goes as far as the falling; the other roads come on to the main road; John M'Kenzie told me it had been cultivated, having had pumpkins on it; I saw a hoe on the land, but I don't know how it had been cultivated; the ground was pretty clear round the hut; the fire-place was an extension of the hut; and I am certain the hut was more than 12 feet long.

ARTHUR W. SHORT.

Taken and sworn before me, at Lismore, }
this 16th April, 1878,—
H. J. BOLDING, Commissioner.

*Joseph Greenhalgh, sworn, states:—*I know the selection of John Daly, and subsequently belonging to M'Kenzie and Currie.

*By D. Currie:—*I saw a road cut up to the hut wide enough for a dray, and have had bullock teams on it myself; they went beyond the hut; a month or more before Christmas, 1876, I first saw the clearing; it was then newly felled, and I think some about the hut had been burnt off; I was there this morning, and I thought the clearing was about 6 or 7 acres; part of it had been burnt off almost clean; I cannot say what is the value of all the improvements.

*By the Commissioner:—*When I have been to the selection it has been to draw the timber from it in logs; I did so for about a fortnight.

JOSEPH GREENHALGH.

Taken and sworn before me, at Lismore, }
this 16th April, 1878,—
H. J. BOLDING, Commissioner.

*By D. Currie, Roman de B. Lopez, sworn, states:—*I consider road-cutting improvements; I consider so because after they are made, the cost of clearing the rest of the selection is considerably lessened; the removal of the heavy timber is all improvement.

*By the Commissioner:—*I consider the value of the timber taken off the land by the usual drawing roads to be less in value than the improvements actually made to the land by the roads so cleared; I would give more for the land after making the roads and removing the timber than for it in its untouched state.

R. DE B. LOPEZ.

Taken and sworn before me, at Lismore, }
this 16th April, 1878,—
H. J. BOLDING, Commissioner.

Considers the
road cleared
more valuable
than timber
taken.

Declin. for
residence and
improvements.

Knew nothing
of Dalby's
residence.

Nor of Howell's
residence.

*John M'Kenzie, sworn, states:—*I am a claimant for this selection jointly with John Currie; I see my declaration of 18th December, 1876, jointly made with Duncan Currie, then joint owner of it; it states that improvements to the value of £50 were then made on it, and that it had been the *bona fide* residence continuously of John Daly, Edward Howell, and ourselves, from the period of selection; to the best of my belief this is true; I believe the improvements were then actually worth £50; when I bought the land all I knew of John Daly's residence was, that there was no complaint against him for non-residence at the Land Office at Casino—I enquired there and was told so; by the notice of alienation by John Daly to Edward Howell, I see Daly was the owner from November, 1873, to August, 1875, when he sold it to Howell; I do not know myself whether Daly lived on the land before he sold it to Howell; Edward Howell sold the land to Currie and me in August, 1876; he told me he had lived on it, but I do not know myself that he had lived there from the time he bought it of Daly; but from the time Currie and I bought it from Howell we both lived on it—Currie continually and I occasionally, but I had a house elsewhere, a freehold, where my wife and family lived; I lived mostly on the selection, but sometimes with my family; I was more than two-thirds of the time on the selection, but on Saturday night I went to my family, and mostly returned on Monday, but on one occasion I was ill and stayed with my family for two or three weeks; I never stayed a whole week with my family, excepting on that occasion; I valued the burnt hut at £10.

JOHN M'KENZIE.

Taken and sworn, at Lismore, this }
16th April, 1878, before me,—
H. J. BOLDING, Commissioner.

[Adjourned to 17th instant.]

[Resumed, 17th April, 1878.]

*John M'Kenzie, already sworn, states:—*I gave evidence in this case, and now further state I went with Mr. Inspector Trollope when he visited the land on the second day; he then appeared satisfied with the improvements, and to the best of my belief they were then worth (£50) fifty pounds; while I had the selection, and until I made my declaration, the only work I did was on the selection; I did not work on my freehold in that time, but usually went to it on the Saturday and returned on the following Monday, and never stayed there a whole week, excepting on the occasion when I was ill, as stated yesterday; we put in some corn and potatoes and pumpkins, and had a crop; we cultivated thus three or four acres; we put in corn with a hoe, and had a little patch for vegetables dug with a spade—not a quarter of an acre.

JOHN M'KENZIE.

Taken and sworn before me, at Lismore, }
17th April, 1878,—
H. J. BOLDING, Commissioner.

John

John Daly, sworn, states:—I selected 50 acres of land, 27th November, 1873, now belonging to M'Kenzie and Currie; I had it until August, 1875, when I sold it to Edward Howell; during all that time I worked at my mother's place, about a mile from my selection, and mostly slept at her place, but I slept occasionally on my selection; I went to my selection about every three months and generally stayed there one night, but once I stayed there two nights, and then went back to my mother's and slept there; I did this all the time I held the selection; I put up a small hut on it and slept in that, and fell about 1 acre of timber; I was usually away from my selection without seeing it for two months at a time.

At his mother's mostly, but occasionally slept on selection.

Taken and sworn, at Lismore, this }
17th April, 1878, before me,— }

H. J. BOLDING, Commissioner.

JOHN DALY.

No. 11.

Mr. J. Currie to The Secretary for Lands.

Sir,

Lismore, Richmond River, 6 June, 1878.

I beg to take the liberty of bringing under your notice the following case tried at the Lands Court of Inquiry held here last month, before Mr. Commissioner Bolding, a peculiar case as far as I am individually concerned, and one which I believe is an exceptional one:—J. Daly selects in 1873; some time after transfers his conditional purchase to E. Howell, after making the usual declaration as to residence; some time after Howell transfers to D. Currie and J. M'Kenzie, making a declaration as to residence; Currie and M'Kenzie, as the time for valuation was nearly up, worked hard to have the full value of improvements on the land. On this part I will not trouble the honorable Minister, as no doubt you will have the evidence before you—enough, that Currie and M'Kenzie proved as to residence and valuation, there being only some £10 between them and the Inspector, other outside parties proving valuation in excess of Currie and M'Kenzie. The latter, at the end of the three years, made the usual affidavit at Casino, as to all conditions being fulfilled, and selected an adjoining selection. Some time after Currie wanted to leave the district, and sold his interest to me. Before I purchased I inquired of your own officer at Casino if there was any objections lodged against the selection, and was I safe in purchasing; I was told none, and such a time elapsing that if any they were sure to be lodged; on the strength of that I bought Currie's interest. The result of all this transferring from one party to the other, and finally my purchase of Currie's interest, the honorable Minister will have before him in Mr. Commissioner Bolding's report. I leave my case in the hands of the honorable Minister, feeling satisfied that in such a case he will not see the innocent suffer for the guilty.

I am, &c.,

JOHN CURRIE.

No. 12.

The Chief Commissioner to Messrs. J. M'Kenzie and J. Currie.

Gentlemen,

Department of Lands, Conditional Sales Branch, Sydney, 23 July, 1878.

With reference to my printed letter of the 20th February last, inviting your attention to the notice in the Government Gazette of 15th February last, apprising you that your claim to the conditional purchase made by John Daly on the 27th November, 1873, had been referred to Mr. Bolding, Commissioner of Conditional Purchases, for inquiry as to the alleged non-fulfilment by you of the conditions of residence and improvements, I am directed to inform you that under the Report of the Commissioner referred to, the Minister for Lands has decided that the purchase shall be brought forward for forfeiture at as early a date as practicable.

See No. 8.
See No. 9.

I have, &c.,

WM. BLACKMAN,

(For the Chief Commissioner).

No. 13.

Gazette Notice.

Department of Lands, Conditional Sales Division, Sydney, 6 August, 1878.

FORFEITED CONDITIONAL PURCHASES.

HIS Excellency the Governor, with the advice of the Executive Council, directs it to be notified that the undermentioned portion of Crown lands, conditionally purchased under the "Crown Lands Alienation Act of 1861," having by the non-residence of the purchasers on their original selections or the conditions of which have not been fulfilled, been abandoned within the meaning of the said Act, the same are hereby declared forfeited; and such of the said lands as shall not in the meantime be conditionally purchased will be sold accordingly by auction, on a day or days to be hereafter notified.

JAMES S. FARNELL.

Reg. No.	Land Agent's No.	No. of C.P.	Name.	Place of Selection.	Date of Selection.	Area.
*	*	*	*	*	*	* * *
78-19,796	75-148	73-12,592	Jno. Daly (transferred to Duncan Currie and Jno. M'Kenzie).	Casino	27 Nov., 1873 ...	a. r. p. 50 0 0

No. 14.

Mr. J. Currie to The Secretary for Lands.

Sir,

Lismore, Richmond River, 15 August, 1878.

See No. 11.

I beg to take the liberty of drawing your attention to my letter of June, 6th, 1878, still unreplied. As my case therein mentioned is an exceptional one, cannot some means be devised whereby justice may be done to those who have had no part in the transaction, except being guided in the usual business way by inquiries made at the office and the declaration made by the different parties concerned. I beg to enclose copy of letter I was guided by in making my purchase.

A reply to this will oblige.

Yours, &c.,

JOHN CURRIE.

[Enclosure to No. 14.]

Mr. M. Campbell to Mr. J. Currie.

Dear Currie,

Casino, 4 December, 1877.

In reply to your letter of the 1st instant, asking as to the way in which a selection held by two persons can be transferred, and if the selections of Currie and M'Kenzie are all right, I have to say that both holders must sign, and I send you form herewith. There is nothing recorded in the register here against Currie and M'Kenzie's selection, and as the declaration on the original was made 18th December, 1876, I think they are all right, as it is usual to notify me anything to the contrary, so that the alienee may be informed.

Yours faithfully,

M. M. CAMPBELL.

No. 15.

The Chief Commissioner to The Under Secretary for Finance and Trade.

Sir,

Department of Lands, Conditional Sales Branch, Sydney, 21 August, 1878.

50 acres selected
at Casino, on the
27th Nov., 1873,
by John Daly
(now J. M'Kenzie
and J. Currie).

The conditional purchase noted in the margin having been declared forfeited in the Government Gazette of 6th instant, I am directed to request that you will be good enough to cause to be refunded the interest money paid thereon.

I have, &c.,

WM. BLACKMAN,

(For the Commissioner).

No. 16.

The Chief Commissioner to Messrs. J. M'Kenzie and J. Currie.

Gentlemen,

Department of Lands, Conditional Sales Branch, Sydney, 21 August, 1878.

50 acres selected
at Casino, on the
27 Nov., 1873.

Your conditional purchase noted in the margin having been declared forfeited in the Government Gazette of 6th instant, I am directed to inform you that you can obtain the interest money paid thereon, upon application to the Treasury.

I have, &c.,

WM. BLACKMAN,

(For the Commissioner).

James Geraghty.

SCHEDULE.

NO.	PAGE.
1. Application by J. W. Geraghty for conditional purchase of 40 acres of land, parish of North Lismore, county of Rous. 4 July, 1872	8
2. Application by J. W. Geraghty for conditional purchase of 40 acres adjoining the above. 18 July, 1872	9
3. Richard Barling, surveyor, to Surveyor-General forwarding plan of above. 12 November, 1872	9
4. Declaration of conditional purchaser. 20 September, 1875	9
5. Application by James Geraghty for conditional purchase of 40 acres, parish of North Lismore. 28 December, 1876.	10
6. Report of Inspector of Conditional Purchases. 29 August, 1877	10
7. Report of Inspector of Conditional Purchases. 29 August, 1877	11
8. Gazette Notice. 15 February, 1878	11
9. Chief Commissioner of Conditional Sales to J. W. Geraghty. 20 February, 1878	11
10. Report of Inquiry held by Commissioner Bolding, with affidavits. 16 April, 1878	12
11. Chief Commissioner, Conditional Sales, to J. W. Geraghty. 31 October, 1878	12

No. 1.

Application by Mr. J. Geraghty for conditional purchase.

C.P. 72-3,964. Land Agent's, No. 75 of 1872.

Application by James William Geraghty for the conditional purchase, without competition, of 40 acres unimproved Crown land, under section 13 of the "Lands Alienation Act of 1861."

RECEIVED by me with a deposit of £10, this 4th July, 1872, at 2 o'clock.

H. E. STRATFORD,

Agent for the Sale of Crown Lands at Casino.

Sir,

4 July, 1872.

I am desirous of purchasing, without competition, under the 13th section of the "Crown Lands Alienation Act of 1861," the portion of unimproved Crown land hereunder described containing 40 acres; and I herewith tender the sum of £10, being a deposit at the rate of (5s.) five shillings per acre on the area for which I apply, and on which it is my intention to reside.

I have, &c.,

WILLIAM GIBBONS,

Agent for J. W. Geraghty.

To the Agent for the Sale of Crown Lands at Casino.

Description:—

Description :—

County of Rous, parish of North Lismore, 40 acres, about half way between James Geraghty's and Walter P. Geraghty's 50 acres conditional purchases.

Minutes on No. 1.

Mr. Barling,—To measure if unobjectionable.—J.S.A., B.C., 14 August, 1872.

No. 2.

Application by Mr. J. Geraghty for conditional purchase.

C.P. 72-4,322. Land Agent's No. 77 of 1872.

Application by James William Geraghty for the conditional purchase, without competition, of 40 acres unimproved Crown land, under section 21 of the "Lands Alienation Act of 1861."

RECEIVED by me, with a deposit of £10, this 18th July, 1872, at 12 o'clock.

H. E. STRATFORD,
Agent for the sale of Crown Lands at Casino.

Sir,

I am desirous of purchasing, without competition, under the 21st section of the "Crown Lands Alienation Act of 1861," the portion of unimproved Crown land hereunder described, containing 40 acres, which adjoins my conditional purchase of 40 acres made on the 4th July, 1872; and I herewith tender the sum of £10, being a deposit at the rate of five shillings (5s.) per acre on the area for which I apply.

I am, &c.,

WILLIAM GIBBONS,
Agent for JAMES WILLIAM GERAGHTY, Lismore.

18 July, 1872.

Description :—

County of Rous, parish of North Lismore, 40 acres, adjoining the north of my former conditional purchase.

Minutes on No. 2.

Mr. Barling,—If first conditional purchase, to measure if unobjectionable.—J.S.A., B.C., 15 August, 1872.

No. 3.

Mr. Licensed-surveyor R. Barling to The Surveyor General.

Sir,

Casino, 12 November, 1872.

I have the honor to forward to you a *plan of two portions of land of 40 acres each, No. 71 and 72, in the parish of North Lismore, county Rous, applied for under the 13th and 21st sections of the "Crown Lands Alienation Act of 1861" by James William Geraghty on the 4th and 18th July, 1872; instructions, 14th August and 15th August, 1872; date of survey, 2 November, 1872.

J. W. Geraghty resides. Improvements, £2.

I have, &c.,

RICHARD BARLING.

Minute on above.

Dealt with in Charting Branch.—T.H.L., 3 February, 1873.

No. 4.

Declaration of Conditional Purchaser.

[C.P. 72-3,964.]

Declaration of Conditional Purchaser under the 13th section of the "Crown Lands Alienation Act of 1861," in cases where there has been no alienation of the land.

I, JAMES GERAGHTY, of Lismore, father of James William Geraghty, a minor, do solemnly and sincerely declare, that he is the lawful owner, by conditional purchase, under the 13th section of the "Crown Lands Act of 1861," of the land hereunder described, and that improvements consisting of building, clearing, and fencing, and to the value of (£40) forty pounds, have been made on such land, and I declare further, that the said land has been his *bonâ fide* residence, continuously, from the period of selection and first occupation to the present date, and that no alienation of the land has been made by him. I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the ninth year of the reign of Her present Majesty, intituled, "*An Act for the more effectual abolition of Oaths, and affirmations taken and made in various departments of the Government of New South Wales, and to substitute declarations in lieu thereof, and for the suppression of voluntary and extra-judicial oaths and affidavits.*"

JAMES GERAGHTY.

Taken and declared at Lismore, this 20th day }
of September, 1875, before me,— }

ALFRED M. GERARD, J.P.

Description :—

County of Rous, parish of North Lismore, 40 acres at North Lismore, being conditional purchase, No. *77, of 1872, in the district of Richmond River, made on 4th July, 1872.

806—B

Certificate *79, 75.

Certificate of Land Agent.

I hereby certify that, to the best of my knowledge and belief, the above declaration is in accordance with fact.

M. M. CAMPBELL,
Land Agent for Richmond River District.

Minute on above.

Interest £1 10s. credited, 5 October, 1875. Examined and found correct in form.—H.A.F., 11 11 Nov. /76.

No. 5.

Application by Mr. J. Geraghty for conditional purchase.

[C.P. 76-266.]

*Application for conditional purchase without competition of unimproved Crown lands. No. 266 of 1876.
District of Richmond River.*

Application by James Geraghty, for the conditional purchase, without competition, of 40 acres unimproved Crown lands, under section No. 13.

RECEIVED by me, with a deposit of £10, this 28th day of December, 1876, at 10 o'clock.

M. M. CAMPBELL,
Agent for the Sale of Crown Lands at Casino.

Sir,

Casino, 28 December, 1876.

I am desirous of purchasing, without competition, under the "Crown Lands Alienation Act of 1861," the portion of unimproved Crown lands hereunder described, containing 40 acres, and I herewith tender the sum of £10, being a deposit at the rate of 5s. per acre on the area for which I apply.

I am, &c.,

To the Agent for the Sale of Crown Lands at Casino.

JAMES GERAGHTY,
Lismore.

Description:—

County of Rous, parish of North Lismore, 40 acres, measured portion No. 72.

Minutes on No. 5.

In portion herein applied for is noted as C.P. 72-4,322.—J. W. GERAGHTY.

How does said C.P. stand?—23 January, 1877. C.P. 72-4,322, lapsed on 31 October, 1876.

Inspector Trollope for report on evidence.—7 March, 1877.

No. 6.

Mr. Inspector Trollope to The Chief Commissioner.

[C.P. 76-266.]

REPORT by F. Trollope, Inspector of Conditional Purchases, respecting the selection of James Geraghty, made at Casino, on 28th December, 1876.

Sir,

Grafton, 29 August, 1877.

I have the honor to report that I visited and inspected the above described conditional purchase, on the 19th July, and that I found the selector then not resident upon his selection.

The land, which consists of brush, and comprises 40 acres, is occupied and used by—as—and the selector, who follows the avocation of timber-getter, had, at the time of my visit, made the improvements hereunder particularly described; the value of which I estimate at the sums respectively stated, viz. :—

House, 24 x 12	...	...	...	...	...	£40
Hut building	...	...	...	...	...	1
Scrub cleared about house	...	...	...	...	...	6
						£47

These improvements were erected before the 28th December, 1876.

From the appearance of the land, and the circumstance stated in the following remarks, I am of opinion that the selector has not been continuously resident upon the selection.

I entered the hut on this selection, and found it quite unoccupied; I afterwards saw James Geraghty, and he says that he does not occupy this.

There seems to be some confusion in the mind of Mr. J. Geraghty concerning this selection, portion 72 and portion 71.

They appear to have been originally taken by a son of his, J. W. Geraghty, and one of the portions properly improved (and I should say properly resided on), and the other one allowed to lapse and reselected in 1876. But James Geraghty, acting on behalf of his son, appears to have made the declaration on portion 71, on which his son did not live, and on which there are no improvements, and to have allowed 72 to lapse—on which, I dare say, his son did live, and on which there are the above stated improvements.

I believe this arises from some misconception on the part of James Geraghty, and from no desire to evade the Act.

I am, &c.,

FRED. TROLLOPE,
Inspector of Conditional Purchases.

Minutes

Minutes on No. 6.

The declaration in this case, according to Inspector's report, has, owing to a mistake of the selector, been made on the wrong C.P.,—that is, on one that had been forfeited adjoining the C.P. which he had resided on and improved. As the conditions appear to have been fulfilled on the latter, the selector, perhaps, should be requested to make another declaration applying to the right piece of land.—J.J.H., Nov. 6, /77.

Append the papers relating to the other selection.—A.O.M., 14/12/77. Send these papers also to the Commissioner, for his information, and to be dealt with in connection with those already in his hands.—A.O.M. B.C.—Commissioner Bolding.

No. 7.

Mr. Inspector Trollope to The Chief Commissioner.

[C.P. 72-3,964.]

Report by F. Trollope, Inspector of Conditional Purchases, respecting the selection of James William Geraghty, made at Casino, on 4th July, 1872.

Sir,

Grafton, 29 August, 1877.

I have the honor to report that I visited and inspected the above described conditional purchase on the 19th July, and that I found the selector then not resident upon his selection.

The land consists of brush, and comprises 40 acres, is occupied and used by —as— and the selector, who follows the avocation of—had, at the time of my visit, made the improvements hereunder particularly described; the value of which I estimate at the sums respectively stated, viz., nil.

From the appearance of the land, and the circumstances stated in the following remarks, I am of opinion that the selector has not been continuously resident upon the selection. James William Geraghty showed me this selection. He says that no kind of dwelling has ever been erected on it.

See my *report upon C.P. 76-266—I would point out that if this is the portion intended by James Geraghty to be included in his application of 28 December, 1876, he is not fulfilling the conditions of the Act with regard to residence. * See No. 6.

I have, &c.,

FRED. TROLLOPE,
Inspector of Conditional Purchases.

Minutes on above.

This is a strange case. James Geraghty, on behalf of his son, swears to continuous residence, and to making improvements of the value of £40; while James William Geraghty, the son, tells the Inspector that there has been neither, nor improvements.—(For the Commissioner) J.J.H., Nov. 16, /77.

A.O.M., 31/12/77. Included in schedule.—W.H.C., B.C., 20 Feby., /78. Commissioner Bolding.

No. 8.

Gazette Notice.

Department of Lands, Conditional Sales Branch, Sydney, 15 February, 1878.

It is hereby notified, for the information of all parties interested, that information having been received to the effect that the conditions as to residence or improvements have not been or are not being fulfilled in respect to the undermentioned conditional purchases, the claims of the holders of such purchases have been severally referred to Commissioners for inquiry pursuant to the "Lands Acts Amendment Act of 1875."

Due notice will be given by the respective Commissioners of the times and places appointed by them for holding such inquiries.

JAMES S. FARNELL.

C.S. No.	C.P. No.	Name of selector.	Date of selection.	Area.	District.	County.	Parish.	Address.	Commissioner.
*	*	*	*	a. r. p.	*	*	*	*	*
77-31,715	72-3,964	Geraghty, J. W.	4 July, 1872	40 0 0	Richmond River	Rous	North Lismore	Lismore	H. J. Bolding.
"	72-4,322	"	18 " "	40 0 0	"	"	"	"	"

No. 9.

The Chief Commissioner to Mr. J. W. Geraghty.

Sir,

Conditional Sales Division, Department of Lands, Sydney, 20 February, 1878.

I am directed to invite your attention to the notice in the Government Gazette of the 15th instant, by which you will perceive that your claim to the conditional purchase made by you at Casino on the 4th July, 1872, has been referred by the Minister for Lands to Commissioner Bolding for inquiry, in accordance with the 25th clause of the "Lands Acts Amendment Act of 1875," and the Regulations relating thereto, as to the fulfilment by you of the conditions thereof. See No. 8.

2. I am to inform you that due notice of the time and place appointed for the purpose will be given you by the Commissioner referred to.

I have, &c.,

WM. BLACKMAN,
(For the Chief Commissioner of Conditional Sales).

No. 10.

Mr. Commissioner Bolding to The Chief Commissioner.

REPORT of an Inquiry held at Lismore on the 16th April, 1878, by H. J. Bolding, Commissioner for the Northern Coast Division, respecting the conditional purchases of James William Geraghty (minor), made at Casino, on the 4th and 18th July, 1872.

Sir,

Enclosed;
See No. 8

I have the honor to transmit herewith, for the consideration of the Honorable the Minister for Lands, minutes of evidence taken at an inquiry under the "Lands Acts Amendment Act of 1875," held by me in pursuance of the reference notified in the Gazette of the 15th February, 1878, in the matter of the above-described conditional purchase.

The claimant having been duly served with notice of the time and place of holding the inquiry, he and his father were present thereat. The following facts bearing upon the fulfilment by the selector of the conditions of purchase were elicited in evidence, viz. :—

Inspector Trollope, on 19th July last, found portion No. 71 of the tracing unimproved, said to be 40 acres selected 4th July, 1872, 13th section, but there were hut and clearing on portion 72 of tracing worth £47. The father (James Geraghty) of the selector (present at the hearing) said he considered No. 72 to be the land, 13th section, for which he made declaration in 1875. James Geraghty states that he claims No. 72 portion as selected for his son James William Geraghty under 13th section, and made declaration for it, intending No. 71 to lapse.

But the difficulty is now immaterial, for the father (James Geraghty) further stated that his son lived sometimes on the land and sometimes at his (the father's) house on land adjoining, and he will not say at which he slept most; yet he usually had his meals with his father. James Geraghty also states he applied subsequently for portion No. 71 under 13th section, but has not resided on it.

I have therefore to report that I find such conditions not to have been fulfilled, and to recommend these conditional purchases be forfeited, as also the further selection made by James Geraghty under the 13th section subsequently (apparently No. 71 of the tracing), on which he admits he has not resided (see Inspector Trollope's report, *passim*).

I have, &c.,

H. J. BOLDING,
Commissioner.

Minutes on No. 10.

I see no reason to dissent from the Commissioner's recommendation.—W.J. A.O.M., 10/10/78.
Approved.—J.S.F., 11/10/78.

Evidence referred to.

In Jas. W. Geraghty, C.P.

Frederick Trollope, sworn, states :—I am Inspector of Conditional Purchases; on 19th July last, I inspected the conditional purchase of James William Geraghty, of 4th July, 1872, 40 acres, county of Rous, parish North Lismore; I found no person living there; the three years for residence had expired; I found no improvements on it, nor any signs of occupation or improvements having been on it previously; by the tracing I now see and which I went on to the ground with, I recognize the portion numbered 71 as the land referred to; I found the north-west corner marked H by the surveyor; I had some conversation with James Geraghty, the selector's father, and now present, and was told by him he considered the application under 13th section and on which the declaration was made was No. 72 as shown in the tracing; I inspected also No. 72 on the same day and found a hut and clearing on it worth £47, but no person living there; there was nothing in the hut, and no other improvements on the land excepting a shed for cooking included in the £47; I inspected No. 72 portion because I was directed to inspect a conditional purchase "No. 266, Casino," of 1876, and it proved to be the same No. 72; I did not consider the hut had been recently occupied by Jas. Geraghty.

Taken and sworn at Lismore,

this 16th April, 1878, before me } H. J. BOLDING, Commr.

FRED. TROLLOPE.

No. 71, unimproved.

No. 72. Improvements £47.

Claims No. 72 as under 13 section.

Wished the selections north and south, but they are east and west.

Has not resided on No. 71—applied for under 13th section.

Selector sometimes on his selection and sometimes at his father's. Will not say where he slept most.

James Geraghty, sworn, states :—I am father of the conditional purchaser, James William Geraghty, on whose behalf I claim the portion No. 72 on the tracing I now see, as the original selection made on the 4th July, 1872, under the 13th section; the selector is now present; I gave instructions to William Gibbons, as agent, to take up the land for my son, two selections, but the two as described in the applications signed by Gibbons, do not agree with my instructions to him; I intended the second to adjoin on the north my first one, and I intended the first to adjoin my land of 50 acres marked XVI, so that the portion marked 72 on the surveyor's tracing would correspond in part only with what I intended to take under 13th section; I wanted the land between my 50 acres and W. P. Geraghty's 50 acres to be divided into the two selections by a line east and west, the south half to be for the 13th section land and the north half to be under the 21st section, and when I made my declaration on the 20th September, 1875, under the 13th section, I believed this was for the selection on which I had put up the hut, and is shown as No. 72 on the surveyor's tracing not as intended to be applied for, and I allowed the other half to go without making declaration for it; subsequently I applied for the portion No. 71 as on the tracing for myself under the 13th section, but I have not resided thereupon; I consider the hut worth fully £47, and as such sufficient to justify my declaration for improvements on 20th September, 1875; my son went to live on the land immediately after selection, and William Gibbons lived with him—my son was then four or five years old; I was then living with my wife and family on my adjoining 50 acres, and my house is about $\frac{1}{4}$ mile from the hut on the selection; my son was never away from school; he lived on his selection sometimes and sometimes with me, but he usually got his meals at my house though sometimes with his uncle on his (my son's) own land; Gibbons, his uncle, lived on the land for two years and more after selecting, and then went to the Tweed; I will not say whether my son slept most at my house or on his land in the three years, but he had his meals mostly at my place; my son was four or five years old when the land was selected; he was ten years old last February.

Taken and sworn at Lismore,

this 16th April, 1878 } H. J. BOLDING, Commissioner.

JAMES GERAGHTY.

No. 11.

The Chief Commissioner to Mr. J. Geraghty.

Sir, Department of Lands, Conditional Sales Branch, Sydney, 31 October, 1878.

No. 9
See No. 8
See No. 1.

With reference to my printed letter of 20th February last, inviting your attention to the notice in the Government Gazette of 15th February last, apprising you that your claim to the conditional purchase made by you on the 4th July, 1872, had been referred to Mr. Bolding, Commissioner of Conditional Purchases, for inquiry as to the alleged non-fulfilment by you of the conditions of residence and improvements, I am directed to inform you that under the Report of the Commissioner referred to, the Minister for Lands has decided that the purchase shall be brought forward for forfeiture at as early a date as practicable.

I have, &c.,

W. BLACKMAN,
(For the Chief Commissioner.)

Frederick

Frederick West.

SCHEDULE.

NO.	PAGE.
1. Application by Patrick West for conditional purchase of 80 acres, parish of Bungabbee, county of Rous. 4 September, 1873.....	13
2. John Barling, surveyor, to Surveyor General, forwarding plan, with minute. 29 September, 1873	13
3. Fredk. West to Crown Lands Agent, Casino. 30 December, 1875	13
4. Declaration of conditional purchase by Thomas Armstrong, with minutes. 2 November, 1876.....	14
5. Report of Inspector of Conditional Purchases, with minutes	14
6. Gazette Notice. 15 February, 1878	14
7. Chief Commissioner of Conditional Sales to Mr. T. Armstrong. 20 February, 1878.....	15
8. Report of Inquiry by Mr. Commissioner Bolding, enclosing evidence, with minutes thereon. 16 April, 1878.....	15
9. Chief Commissioner of Conditional Sales to Mr. Commissioner Bolding. 31 July, 1878.....	16
10. Chief Commissioner of Conditional Sales to Mr. T. Armstrong. 31 July, 1878	16

No. 1.

Application by Mr. P. West for conditional purchase.

C.P. 73-9,206. Alienation Act, section 13—Land Agent's No. 104 of 1873.

Application by Frederick West for the conditional purchase, without competition, of 80 acres unimproved Crown lands, under section 13 of the "Lands Alienation Act of 1861."

RECEIVED by me, with a deposit of £20, this 4th September, 1873, at 10 o'clock.

H. E. STRATFORD,
Agent for the Sale of Crown Lands at Casino.

Sir,

4 September, 1873.

I am desirous of purchasing, without competition, under the 13th section of the "Crown Lands Alienation Act of 1861," the portion of unimproved Crown lands hereunder described, containing 80 acres; and I herewith tender the sum of £20, being a deposit at the rate of five shillings (5s.) per acre on the area for which I apply, and on which it is my intention to reside.

To the Agent for the Sale of Crown Lands at Casino.

I am, &c.,
FREDERICK WEST,
Lismore.

Description:—

County of Rous, parish of Bungabbee, 80 acres, on the left bank of Bungabbee Creek, and in the angle formed by that creek with Oakey Creek, on the upper side.

Minute on No. 1.

Mr. Barling,—To measure if unobjectionable.—W.A.T., 17 Sept., 1873. B.C., 25 Sept., /73.

No. 2.

Mr. Licensed-surveyor J. Barling to The Surveyor General.

Sir,

Casino, 29 September, 1873.

I have the honor to forward to you a *plan of 80 acres of land in the parish of Bungabbee, Enclosed. county of Rous, applied for under section 13 of the "Alienation Act of 1861," by Frederick West, on "Appendix D. 4th September, 1873.

No. of application herewith returned—73/9,206. Instructions—B.C., 25 Sept., 1873.

F. West resides on the portion; he is building a hut on the same.

I have, &c.,
JOHN BARLING.

Minute on above.

Dealt with in Charting Branch.—T.H.L., 26 May, 1874.

No. 3.

Mr. F. West to The Land Agent, Casino.

C.P. 73-9206. Alienation Act, section 13.

Notification of Alienation of Conditional Purchase under the 13th section of the "Crown Lands Alienation Act of 1861," where there is no Additional Conditional Purchase in virtue thereof.

Notification of alienation of conditional purchase by Frederick West, in the district of Richmond River. I HEREBY notify to you, as Agent for the Sale of Crown lands for the district of Richmond River, that I have (after a residence thereon of at least twelve months) this day alienated to Thomas Armstrong, of Lismore, the 80 acres of land situated in the county of Rous, parish of Bungabbee, which I selected at Casino as a conditional purchase, under the 13th section of the "Crown Lands Alienation Act of 1861," on the 4th September, 1873, having no additional conditional purchase in virtue thereof.

FREDERICK WEST,
of Gundurimba.

Dated at Casino this 30th December, 1875.
To the Agent for the Sale of Crown Lands at Casino.

I have duly registered the above notification of alienation in the records of this office,—
M. M. CAMPBELL,
Agent for the Sale of Crown Lands.
Crown Lands Sales Office,
Casino, 30 December, 1875.

No. 4.

Declaration of Conditional Purchaser.

C. P. No. 73-9,206. Alienation Act.

Declaration of Conditional Purchaser under the 18th section of the "Crown Lands Alienation Act of 1861."

I, THOMAS ARMSTRONG, of Oakey Creek, do solemnly and sincerely declare that I am the lawful owner, by conditional purchase, under the 13th section of the "Crown Lands Alienation Act of 1861," of the land hereunder described, and that improvements consisting of building, fencing, and clearing, and to the value of £80, have been made on such land; and I declare further, that the same land has been the *bona fide* residence continuously of myself and Frederick West from the period of selection and first occupation to the present date, and that no alienation of the land has been made by any of the above-named holders until after the residence thereon of such holder for a period of one whole year, each alienation having been notified to the Land Agent of the district within one month of its having been made.

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the ninth year of the reign of Her present Majesty, intituled "*An Act for the more effectual abolition of oaths and affirmations taken and made in various departments of the Government of New South Wales and to substitute declarations in lieu thereof and for the suppression of voluntary and extra-judicial oaths and affidavits.*"

THOMAS ARMSTRONG.

Taken and declared at Casino this 2nd }
day of November, 1876, before me, }

H. L. JAMES,

A Commissioner for Affidavits.

Description:—

County of Rous, parish of Bungabbee, 80 acres on left bank Bungabbee Creek, being conditional purchase No. 104 of 1873, in the district of Richmond River, made on the 4th September, 1873.

Minutes on above.

Interest, 19s. 6d., credited at Treasury.—V.C., 11 Nov., 1876. Examined and found correct in form.—J.W., 21 April, 1877.

No. 5.

Mr. Inspector Trollope to The Under Secretary for Lands.

REPORT by F. Trollope, Inspector of Conditional Purchases, respecting the selection of C. P. 73/9,206, F. West, now T. Armstrong, made at Casino on *11 September, 1873.

Sir,

I have the honor to report that I visited and inspected the above-described conditional purchase on the 9th of July, 1877, and that I found the selector then not resident upon his selection.

The land, which consists of trap rock ridge and black soil flat, and comprises 80 acres, is occupied and used by Armstrong Bros. as pasture, and the selector, who follows the avocation of grazier, had at the time of my visit made the improvements hereunder particularly described, the value of which I estimate at the sums respectively stated, viz:—

	£	s.	d.
2 huts, now moved or burnt—said by Armstrong to have been worth ...	15	0	0
14½ chains of fencing, at 5s. per rod ...	14	10	0
20 chains fencing stuff laid on ground, but not erected—say 50 acres timber cut and left upon ground, valued by Armstrong at £1 per acre, by me at 10s. ...	25	0	0
	£54	10	0

From the appearance of the land and the circumstances stated in the following remarks, I am of opinion that the selector has been continuously resident upon the selection. I can form no opinion as to how the residence here may have been carried out. The huts have either been moved or burnt, and a few charred posts are the only remnants left.

Armstrong says that he carried out his portion of the residence in a proper manner, and I have no information that he did not do so.

I may point out that the cutting down of trees, and having them lying upon the ground without gathering together the fallen timber, is a very questionable improvement to open forest country.

I have, &c.,

FRED. TROLLOPE,

Inspector of Conditional Purchases.

Minutes on above.

Area, 80. acres; improvements, £54 10s.; residence, doubtful.—J.J.H., 26 Oct., 1877. For Commissioner.—A.O.M., 8/2/78. Included in schedule.—W.H.C. Commissioner Bolding, 20 Feb., 1878.

No. 6.

Gazette Notice.

Department of Lands, Conditional Sales Branch, Sydney, 15 February, 1878.

It is hereby notified, for the information of all parties interested, that information having been received to the effect that the conditions as to residence or improvements have not been, or are not being, fulfilled in respect

respect to the undermentioned conditional purchases, the claims of the holders of such purchases have been severally referred to Commissioners for inquiry, pursuant to the "Lands Act Amendment Act 1875."

Due notice will be given by the respective Commissioners of the times and places appointed by them for holding such inquiries.

JAMES S. FARNELL.

C.S. No.	C.P. No.	Name of Selector.	Date of Selection.	Area.	District.	County.	Parish.	Address.	Commissioner.
77-30,756	73-9,206	Armstrong T., transferred from F. West.	4 Sept., 1873	a. r. p. 80 0 0	Richmond River.	Rous ...	Bungab- bee.	Lismore	H. J. Bolding

No. 7.

The Chief Commissioner to Mr. T. Armstrong.

Sir,

Conditional Sales Division, Department of Lands, Sydney, 20 February, 1878.

I am directed to invite your attention to the notice in the Government Gazette of the 15th instant, by which you will perceive that your claim to the conditional purchase made by Frederick West at Casino, on the 4th September, 1873, has been referred by the Minister for Lands to Commissioner Bolding for inquiry, in accordance with the 25th clause of the "Lands Acts Amendment Act of 1875," and the Regulations relating thereto, as to the fulfilment by you of the conditions thereof. See No. 6.

2. I am to inform you that due notice of the time and place appointed for the purpose will be given by the Commissioner referred to.

I have, &c.,

WM. BLACKMAN,

(For the Chief Commissioner of Conditional Sales.)

No. 8.

Mr. Commissioner Bolding to The Chief Commissioner.

REPORT of an inquiry held at Lismore on the 16th April, 1878, by H. J. Bolding, Commissioner for the Northern Coast Division, respecting the conditional purchase of Frederick West, made at Casino on the 4th September, 1873, alienated to Thomas Armstrong.

Sir,

I have the honor to transmit herewith, for the consideration of the Hon. the Minister Lands, minutes of evidence taken at an inquiry under the "Lands Acts Amendment Act of 1875" held by me in pursuance of the reference notified in the Gazette of the 15th February, 1878, in the matter of the above-described conditional purchase. Enclosed. See No. 6.

The claimant, having been duly served with notice of the time and place of holding the inquiry, was present thereat.

The following facts, bearing upon the fulfilment by the selector of the conditions of the purchase, were elicited in evidence, viz.:—Inspector Trollope valued improvements as worth £54 10s., besides rails, &c., for fencing worth £20 if erected.

The owner now values them as worth £101, including further improvements, £20 10s., and greater cost of falling timber, £25 (20s. instead of 10s.) F. West, the selector, states that his offer of 30s. was refused.

They may be considered sufficient for this selection of 80 acres. The selector sold this land to Thomas Armstrong, the present owner, in December, 1875, and states that it was his *bonâ fide* continuous residence until that date; but, being by trade a shipwright, and working as such at Gundurimba, 10 miles distant, he was necessarily frequently away from his selection, but usually went to it on Saturdays, and sometimes worked there on Mondays, returning subsequently to his weekly work at Gundurimba. But his wife and family lived on his township allotment there, and he lived with them while at his work as shipwright; but on three occasions they visited him on his selection, staying a few days each time; but he slept more at his selection than at Gundurimba, and had mostly a man working there and living there in his absence.

The present owner appears to have complied with the provisions of the Act, since his purchase in December, 1875; and, after making declaration in November, 1876, he selected 300 acres adjoining, on which he has subsequently lived, intending to make the whole 380 acres his permanent home.

The original selector has not very satisfactorily proved continuous residence while responsible for it, although great latitude may be conceded to a labouring man supporting his family by daily work, and as such necessarily much away from his land, unless altogether disqualified from selecting. In this instance some indulgence may, I submit, be allowed to the present owner, who appears to be an industrious deserving settler whose loss by forfeiture of these two selections would be very serious if not actually ruinous to him. I have therefore to report that I find such conditions may be taken as fulfilled, and to recommend that this conditional purchase be confirmed, thereby permitting him to retain the additional selection which has been his home since 1876.

I have, &c.,

H. J. BOLDING,

Commissioner.

Minutes on No. 8.

Although the *bonâ fide* nature of the original selectors' residence is more than doubtful, I agree with the Commissioner that as the transferee has complied with the conditions of residence and improvements, in the latter I take the mean of the estimate made by the inspector and claimant respectively; taking into consideration the length of time that has elapsed since the selection was taken up, the probable failure of the original selector should not be allowed to neutralize the subsequent compliance with the conditions by the transferee.—W.J. I concur.—A.O.M., 10/7/78.

Evidence

Evidence alluded to.
In Thos. Armstrong, C.P.

Huts, £15.

Fencing, £14 10s.
Do. 99, £20.
Clearing, 99, £25

Improvements,
£54 10s., ex-
clusive of
fencing stuff.

Frederick Trollope, sworn, states: I am Inspector of Conditional Purchases for this district; on 9th July last I inspected the conditional purchase of Frederick West, of 4th September, 1873, 80 acres, county Rous, parish Bungabee, now transferred to Thos. Armstrong; there was no person living there; the three years of residence had then expired; I found improvements on it—the remains of two huts which had been destroyed by fire—a few charred posts only were left standing; I estimated the original cost of both at £15; 14½ chains fencing, at 5s. per rod, £14 10s.; 20 chains split rail fencing stuff lying on the ground not erected, which I did not value; if erected it would be worth 5s. per rod; 50 acres of timber had been cut, which was lying on the ground, which I valued at 10s. per acre; but while the timber laid on the ground it was no real improvement; I estimated the quantity of falling by the tracing I now see, and it did not exceed 50 acres; a fire appeared to have been on the land about the ruins of the huts, and I have no other evidence of residence excepting from Thomas Armstrong himself, who said he had properly fulfilled the conditions of residence so far as he was concerned.

The total value of the improvements on the 80 acres I estimated at £54 10s., not including the 20 chains of fencing-stuff.

By Thomas Armstrong: The falling was on an apple-tree flat, but there was other timber on it, and it partly went over a ridge not all apple-tree; there was some bush scrub fallen, but I have taken that in my valuation; some of the trees on the 50 acres were left standing; I did not see any broken-up ground; you accompanied me in my inspection.

FREDK. TROLLOPE.

Taken and sworn at Lismore,
this 16th April, 1878, before me, } H. J. BOLDING, Commissioner.

Residence.

Falling, at 20s.
per acre.
Improvements,
£85 10s.
including £2 &
£3.

£7 10s., £8—
£15 10s.

Improvements,
as above—
£85 10s., £15 10s.
—£101.

Thomas Armstrong, sworn, states: I am owner of the selection (formerly Frederick West's), of whom I bought it on 30th December, 1875; he was then living on it with part of his family; I knew him all the time he had the selection.

I lived on the land from the purchase until I made my declaration in November, 1876; that West and I had been living on the land as required by law, and that the improvements were then worth £80; I valued the two huts as worth £15, 16 chains of split fencing then up, £16, 49½ acres fallen timber, at 20s., £49 10s., some clearing by the house, £2, ½ acre broken-up for garden, about 500 yards from the huts, £3, being a total of £85 10s. for the 80 acres.

By the Inspector: F. West's son was living with him, and two men also, when I bought the selection; I think some of the fencing at the creek crossing had been removed before you came; I did good part of the falling, and my brother helped me; I have fallen timber for the last thirteen years, and have had experience; sometimes one of us and sometimes both of us, off and on, were about eight or nine months at it, and I do not think 20s. per acre excessive.

By the Commissioner: Since the inspector's visit I have been improving the land; the further 30 acres have been ring-barked; I consider this worth 5s. per acre; I have also erected a yard worth about £8; I now live on adjoining land; I have not cultivated the half acre broken-up; the huts were standing at the time of the declaration; I purpose making the selection I now live on my permanent home, jointly with the 80 acres now inquired into; my further selection of 300 acres was made after the declaration for this 80 acres, of 2nd November, 1876; I have split and used for fencing some of the timber fallen on the 49½ acres, but the rest remains as fallen.

THOMAS ARMSTRONG.

Taken and sworn at Lismore,
this 16th April, 1878, before me, } H. J. BOLDING, Commissioner.

Family not on
land.

Shipwright by
trade at
Gundurimba.

Family stayed
at selection at
times.

He slept more
on the selection
than at
Gundurimba.

Offered 30s. for
falling.

Offered 30s. for
falling.

Frederick West sworn, states: I live at Gundurimba, and was the owner of 80 acres selected by me, 4th September, 1873, which I sold to Thomas Armstrong, as notice of alienation, 30th December, 1875; I went to live on the land two days after selecting, and was living there as my *bona fide* residence continuously until I sold it to Thomas Armstrong; my wife and family did not always live with me, they came to me sometimes; but they lived about 11 miles distant; they lived on my own land, which was freehold; I sometimes went to see them, and stayed with them three or four days, and then returned to my selection; I went to them once a week sometimes, but not always; I am and then was a shipwright, at Gundurimba, about 10 miles from my selection, and I went to my selection as my home usually every Saturday afternoon; when I went there on Saturday I usually stayed until Monday, and sometimes worked on the selection on the Monday, and then went to my work at Gundurimba; while I held the selection my wife and family visited me on it three times—twice they remained about four days, and once nine days; when working at Gundurimba I slept there on my freehold where my wife and family live; I think I more frequently slept on my selection than on my freehold.

My freehold is two township lots at Gundurimba, not more than 4 acres in all; I swear that I slept more nights on the selection than at Gundurimba, notwithstanding my sleeping so frequently with my family at Gundurimba; I consider I fulfilled the requirements of the Act, and that my selection was my *bona fide* residence continuously; I was mostly employing a man working and falling timber on the selection, and he lived there when I was away at my business at Gundurimba.

I offered Patrick Mace 30s. an acre to fall all the timber on the farm, and he would not do it; it was falling only, not including burning and clearing.

By Inspector: I fell some of the timber on the ridge, and made a garden, and built a house, and lived there, and prepared stuff for another house. I offered 30s. per acre for all the 80 acres of the selection.

F. WEST.

Taken and sworn at Lismore,
this 16th April, 1878, before me, } H. J. BOLDING, Commissioner.

No. 9.

The Chief Commissioner to Mr. Commissioner Bolding.

Department of Lands, Conditional Sales Branch,
Sydney, 31 July, 1878.

Sir,

Referring to your report of the inquiry held by you on the 16th April last, respecting the conditional purchase noted in the margin, I am directed to inform you that the Minister for Lands has approved of this purchase being upheld.

I have, &c.,

WM. BLACKMAN,
(For the Chief Commissioner of Conditional Sales).

No. 10.

The Chief Commissioner to Mr. T. Armstrong.

Department of Lands, Conditional Sales Division,
Sydney, 31 July, 1878.

Sir,

Referring to a report of an inquiry held at Lismore, on the 16th April last by Mr. Commissioner Bolding, on your conditional purchase noted in the margin, I am directed to inform you that under that report the Minister for Lands does not consider it necessary to interfere with your holding.

I have, &c.,

Four Plains.

A. O. MORIARTY,
Chief Commissioner.

Copy of
Tracing
Showing Portion 84 in the
Parish of N. Lismore
thus -----
County of Rous

Appendix A.

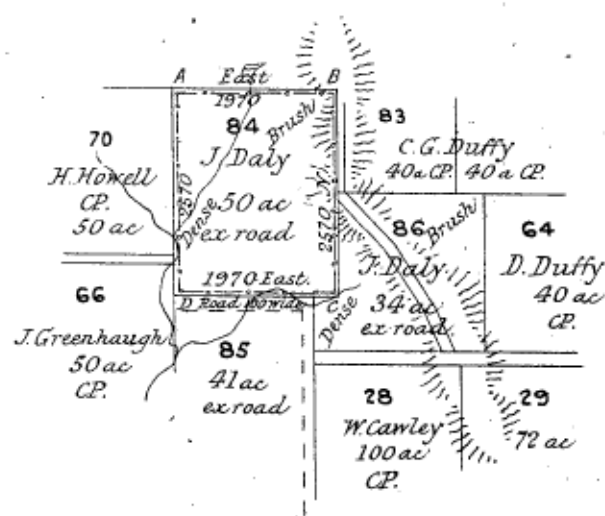
Enclosure to N^o 2.

Applied for by John Daly under the

13th Clause of the C.L.A. Act
of 1861.

C.P. N^o 73. 12592.

Scale 20 Chains to 1 inch.



Reference to Corners				
Cor	Bearing	from	Ucs.	N ^o m tree
A	N 51° E	Brush	13	70. 34
B	N 68° W	do	10	84
C	S 10° W	do	9	84. 86
D	S 61° W	do	18	85

Date of Survey 1st July 1874.

Value of Improvements £2. 0. 0.

(Signed) Richard Barling

Licensed Surveyor.

(Sig. 806)

PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.

Copy of
Tracing showing
Portion 71 in the
Parish of North Lismore Co^L of Rous.

Appendix B.

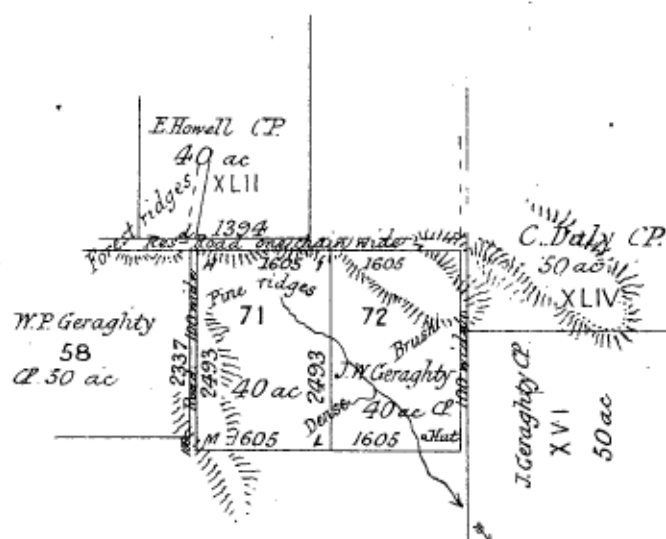
Enclosure to N^o 3.

Scale 20 Chains to 1 inch

Applied for by James William Geraghty under the
13th clause of the C.L.A. Act of 1861.

C.P. No. 72/3964.

PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.



Reference to Corners				
Corner	Bearing	From	Links	N ^o on tree
H	N 86° W	Gum	19	71
I	S 81° E	Brush	22	71. 72.
L	S 15° W	Brush	12	71. 72.
M	S 75° W	Brush	7	71.

Date of Survey 2^d Nov^r 1872.

Value of Improvements Nil

(Signed) Richard Barling

Licensed Surveyor.

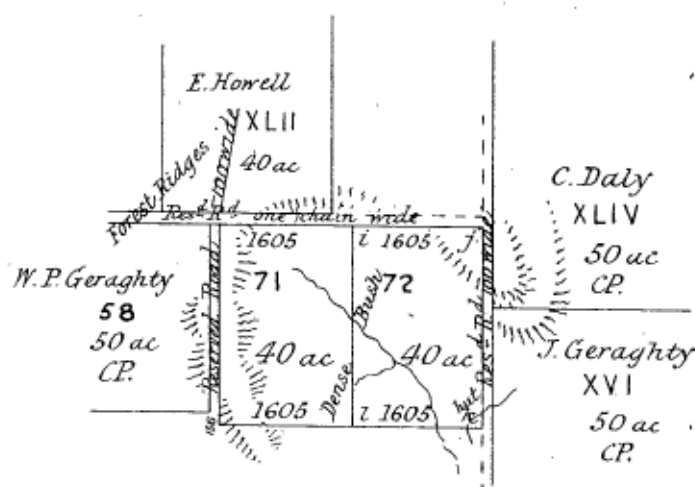
Copy of
Tracing
Showing Portion 72 in the
Parish of North Lismore
County of Rous
Scale 20 Chains to 1 inch

Appendix C.

Applied for by James Geraghty under the
13th Clause of the CLA Act of 1861.

CP. N^o 76/266.

PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.



Reference to Corners				
Cor	Bearing	From	Links	Neon tree
i	S 81° E	Brush	22	71. 72.
j	N 67° E	Brush	10	72.
k	At root of gum stump			72.
l	S 15° W	Brush	12	71. 72.

Date of Survey 2^d Nov^r 1872.

Value of Improvements £2.0.0.

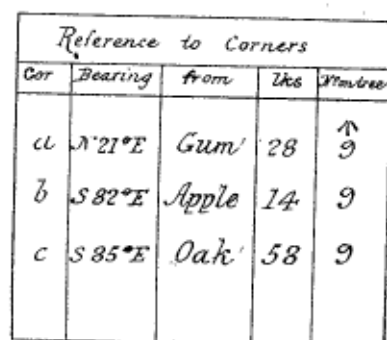
Signed Richard Barling

Licensed Surveyor

(Sig. 806)

Enclosure to N^o 2.

PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.



Licensed Surveyor.

1878.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

CROWN LANDS.

(UNDER PASTORAL LEASE AND CONDITIONAL PURCHASE—PARTICULARS RESPECTING.)

Ordered by the Legislative Assembly to be printed, 26 September, 1878.

RETURN (*in part*) to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated the 5th February, 1878, That there be laid upon the Table of this House,—

“(1.) A Return of Runs held under five years pastoral lease; the names
“of the lessees; the original and present areas of the Runs; the annual
“rental now payable per square mile; the quantity of purchased land
“attached to each Run; the areas of purchased and leasehold land
“respectively under cultivation on each Run (where obtainable).

“(2.) A Return showing the number of selections under conditional
“purchase that have been sold or transferred each year from 1862 to 1877
“inclusive; the areas of such selections; the districts in which they are
“situate; the names of the selectors; the dates of the applications to
“select; the names of the purchasers or transferees; and the date when
“each sale or transfer was made.”

(*Mr. Greenwood.*)

CROWN LANDS.

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisal.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
ALBERT DISTRICT.											
Alborough	H. B. Hughes	58,000	58,000	£ 30 0 0	£ 6 7½	40		Not ascer-	Not ascer-	7 Oct., 1874	1 Jan., 1875
Alma	"	128,000	127,960	30 0 0	0 3 0			tainable	tainable	8 Mar., 1877	1 " 1877
Alto	W. J. Reid	42,000	42,000	16 0 0	0 4 10½			"	"	2 Oct., " 1878	1 " 1878
Analarra	R. B. Smith	20,000	20,000	28 0 0	0 17 11			"	"	24 " 1876	1 " 1877
Ardennes	H. Cunningham and J. K. Smyth	75,000	75,000	30 0 0	0 5 1½			"	"	29 Sept., 1877	1 " 1878
Ardfert	M. P. Fitzgerald, R. Feehan, & A. Tobin	64,000	64,000	10 0 0	0 2 0			"	"	Not appraised	1 July, 1873
Ashton	James Tyson	36,000	36,000	15 0 0	0 5 4			"	"	6 Dec., 1877	1 Jan., 1878
Badjerigarn	Abraham Wallace	44,000	44,000	20 0 0	0 5 9½			"	"	2 Oct., 1876	1 " 1877
" North-west	W. Peterson, J. S. Peterson, F. T. Sargood, J. Blyth, and J. Sutherland.	34,000	34,000	10 0 0	0 3 9½			"	"	29 Sept., 1877	1 " 1878
Balaklava	H. B. Hughes	128,000	128,000	30 0 0	0 3 0			"	"	4 " 1876	1 " 1877
Balara	Hon. A. Hay and S. Newland	58,000	58,000	40 0 0	0 8 10			"	"	24 Oct., " 1878	1 " 1878
Bally Castle	Sir Samuel Wilson	50,000	50,000	20 0 0	0 5 1½			"	"	6 Dec., 1877	1 " 1878
Ballina	"	45,000	45,000	10 0 0	0 2 10½			"	"	Not appraised	1 July, 1873
Bampitch or Tungo South	Sir James M'Culloch and R. B. Smith.	18,000	17,960	25 0 0	0 17 9½	40		"	"	1 Jan., 1874	1 Jan., 1875
Banjah	W. J. Reid	32,000	32,000	15 0 0	0 6 0			"	"	24 Oct., 1876	1 " 1877
Bantry	James Tyson	22,000	22,000	12 0 0	0 6 11½			"	"	6 Dec., 1877	1 " 1878
Barbiston	A. D. Middleton and M. Rogers	44,000	44,000	15 0 0	0 4 4½			"	"	29 Sept., " 1878	1 " 1878
Baroorange	A. Kilpatrick	64,000	64,000	27 0 0	0 5 4½			"	"	2 Oct., " 1878	1 " 1878
" South	John Brougham	36,000	36,000	10 0 0	0 3 6½			"	"	27 Sept., " 1878	1 " 1878
Basin Bank	F. and A. Campbell	53,000	53,000	40 0 0	0 9 8			"	"	24 Oct., 1876	1 " 1877
Batthing Spring	The London Chartered Bank of Australia.	32,000	32,000	18 0 0	0 7 2½			"	"	24 " " 1878	1 " 1878
Bengoro	F. C. and K. E. Brodribb	64,000	64,000	23 0 0	0 4 7½			"	"	2 " 1877	1 " 1878
Berawinia Downs, No. 1	Robert Rand	70,000	70,000	110 0 0	1 0 1½			"	"	Not appraised	1 July, 1875
" 2	"	60,000	60,000	94 0 0	1 0 0½			"	"	"	1 " 1878
" 3	"	40,000	40,000	66 0 0	1 1 1			"	"	"	1 " 1878
" 4	"	64,000	64,000	100 0 0	1 0 0			"	"	"	1 " 1878
" 5	"	64,000	64,000	100 0 0	1 0 0			"	"	"	1 " 1878
" 6	"	52,000	52,000	82 0 0	1 0 2½			"	"	"	1 " 1878
" 7	"	64,000	64,000	100 0 0	1 0 0			"	"	"	1 " 1878
" 8	"	64,000	64,000	100 0 0	1 0 0			"	"	"	1 " 1878
" 9	Alfred Tugwell	52,000	52,000	20 0 0	0 4 11			"	"	"	1 " 1874
" 10	A. W. West	64,000	64,000	20 0 0	0 4 0			"	"	"	1 " 1878
" 11	"	64,000	64,000	20 0 0	0 4 0			"	"	"	1 " 1878
" 12	"	52,000	52,000	20 0 0	0 4 11			"	"	"	1 " 1878
" 13	C. A. Middleton	64,000	64,000	20 0 0	0 4 0			"	"	"	1 " 1878
" 14	"	64,000	64,000	20 0 0	0 4 0			"	"	"	1 " 1878
" 15	"	52,000	52,000	20 0 0	0 4 11			"	"	"	1 " 1878
Berawinia East	Hon. A. Hay and S. Newland	16,000	16,000	22 0 0	0 17 7½			"	"	3 Oct., 1873	1 Jan., " 1878
" West	"	29,000	29,000	36 0 0	0 15 10½			"	"	3 " 1878	1 " 1878
Beyond Outer Kallara	J. Blackwood and C. Ibbotson	49,200	49,200	20 0 0	0 5 2½			"	"	5 Dec., 1877	1 " 1878
" Minden	A. J. L. Learmonth	35,000	35,000	20 0 0	0 7 3½			"	"	22 Sept., 1876	1 " 1877
" Weenteriga	H. B. Hughes	45,000	45,000	10 0 0	0 2 10½			"	"	4 " 1878	1 " 1878
Bilpah East	C. M. and S. H. Officer	16,640	16,640	25 0 0	0 19 2½			"	"	20 July, 1875	1 " 1876
" West	"	17,720	17,720	25 0 0	0 18 0½			"	"	20 " 1875	1 " 1875
Biparo	"	30,000	30,000	16 0 0	0 6 9½			"	"	20 Aug., 1874	1 " 1875
Birrawarra	James Tyson	20,000	20,000	40 0 0	1 5 7½			"	"	20 July, 1875	1 " 1876
" West	"	20,000	20,000	40 0 0	1 5 7½			"	"	20 " 1875	1 " 1875
Blackwood, No. 1	F. R. Hume, junior	35,000	35,000	20 0 0	0 7 3½			"	"	Not appraised	1 Apl., 1874
" 2	"	64,000	64,000	20 0 0	0 4 0			"	"	"	1 " 1878
" 3	A. B. Morgan and R. H. Kennedy	64,000	64,000	20 0 0	0 4 0			"	"	"	1 " 1878
" 4	F. R. Hume, junior	35,000	35,000	20 0 0	0 7 3½			"	"	"	1 " 1878

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Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisal.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
ALBERT DISTRICT—continued.											
Coorallie East	Sir Francis Murphy	16,000	16,000	£ s. d.	£ s. d.						
" West	"	16,000	16,000	35 0 0	1 8 0			Not ascer-	Not ascer-	20 July, 1875	1 Jan., 1876
" Far East	"	27,000	27,000	25 0 0	1 4 0			tainable...	tainable...	20 " 1875	1 " 1875
" Far West	"	37,000	37,000	14 0 0	0 11 10½			"	"	20 Aug., 1874	1 " 1875
Coontwandy	A. D. Middleton and M. Rogers	25,000	25,000	22 0 0	0 11 3			"	"	29 Sept., 1877	1 " 1878
Corega	W. Duffield	64,000	63,960	145 0 0	1 9 4½	40		"	"	6 Oct., 1874	1 " 1875
Corriwelpie	Lloyd Jones	62,720	62,720	25 0 0	0 5 1½			"	"	7 " "	1 " 1876
Cowary	A. J. L. Learmonth	45,000	45,000	30 0 0	0 8 6½			"	"	Not appraised	1 " 1876
Culpaulin	D. Macgregor and D. M'Rae	55,000	54,800	125 0 0	1 9 2½	200		"	"	22 Sept., 1876	1 " 1877
" East	Thomas Chirnside	31,000	31,000	88 0 0	1 16 4			"	"	7 Oct., 1874	1 " 1875
Cunellie	The London Chartered Bank	64,000	64,000	30 0 0	0 6 0			"	"	7 " "	1 " 1876
Curranvale	Thomas Chirnside	20,000	20,000	60 0 0	1 18 4½			"	"	20 July, 1875	1 " 1876
Cuthowarra	D. P. Keogh and T. K. Bennett	64,000	64,000	100 0 0	1 0 0			"	"	7 Oct., 1874	1 " 1875
Dargle	Sir Samuel Wilson	32,000	32,000	21 0 0	0 8 4½			"	"	Not appraised	1 July, "
Delalah, No. 1	T. H. and A. Hill	64,000	64,000	10 0 0	0 2 0			"	"	6 Dec., 1877	1 Jan., 1878
" " 2	"	64,000	64,000	10 0 0	0 2 0			"	"	24 Oct., 1876	1 " 1877
" " 3	Lloyd Jones	48,000	48,000	10 0 0	0 2 8			"	"	24 " "	1 " 1878
Dilkoosha	T. H. and A. Hill	64,000	64,000	10 0 0	0 2 0			"	"	29 Sept., 1877	1 " 1878
" North	R. B. Smith	47,500	47,500	24 0 0	0 6 5½			"	"	24 Oct., 1876	1 " 1877
Dolara	"	31,600	31,600	30 0 0	0 12 1½			"	"	23 " "	1 " 1877
Donald's Plains, block A	Finlay, Campbell, & Co.	52,000	52,000	92 0 0	1 2 7½			"	"	23 " "	1 " 1877
" " B	"	57,000	57,000	14 0 0	0 3 1½			"	"	11 Sept., 1874	1 " 1875
" " C	"	64,000	64,000	16 0 0	0 3 2½			"	"	8 Dec., 1877	1 " 1878
" " D	"	38,400	38,400	15 0 0	0 5 0			"	"	8 " "	1 " 1878
" " E	"	64,000	64,000	20 0 0	0 4 0			"	"	8 " "	1 " 1878
" " F	"	64,000	64,000	14 0 0	0 2 9½			"	"	5 " "	1 " 1878
" " G	"	38,400	38,400	12 0 0	0 4 0			"	"	8 " "	1 " 1878
" " H	"	64,000	64,000	20 0 0	0 4 0			"	"	8 " "	1 " 1878
" " I	"	64,000	64,000	18 0 0	0 3 7½			"	"	5 " "	1 " 1878
" " J	G. & F. Suttor	64,000	64,000	18 0 0	0 3 7½			"	"	8 " "	1 " 1878
" " K	Finlay, Campbell, & Co.	64,000	64,000	20 0 0	0 4 0			"	"	8 " "	1 " 1878
" " L	"	64,000	64,000	20 0 0	0 4 0			"	"	6 " "	1 " 1878
Dungarvan	"	64,000	64,000	18 0 0	0 3 7½			"	"	8 " "	1 " 1878
Dunlop North-west, No. 1	M. P. Fitzgerald, R. Feehan, & A. Tobin	72,000	72,000	10 0 0	0 1 9½			"	"	8 " "	1 " 1878
" South-west	Sir Samuel Wilson	76,500	76,180	140 0 0	1 3 6	320 0 0		"	"	Not appraised	1 July, 1873
" " Back Run, No. 3	"	87,000	87,000	180 0 0	1 6 5½			"	"	20 July, 1875	1 Jan., 1876
Dunoon	R. M'Kenzie, Arye, & F. Martin	69,120	69,120	21 0 0	0 3 10½			"	"	20 " "	1 " 1877
East Barigo	The London Chartered Bank	41,000	41,000	73 0 0	1 2 9½			"	"	24 Oct., 1876	1 " 1877
" Cowary	T. L. & S. L. Learmonth	23,000	23,000	12 0 0	0 6 8			"	"	11 Sept., 1874	1 " 1875
" Peri	The London Chartered Bank	30,000	30,000	12 0 0	0 5 1½			"	"	24 Oct., 1876	1 " 1877
" Tanyarto	Abraham Wallace	28,800	28,800	36 0 0	0 16 0			"	"	3 Nov., 1873	1 " 1874
" Wonominta Creek, No. 1	R. H. Kennedy	24,000	24,000	10 0 0	0 5 4			"	"	20 July, 1875	1 " 1876
" " 2	"	16,000	16,000	10 0 0	0 8 0			"	"	29 Sept., 1877	1 " 1878
" " 3	"	16,000	16,000	10 0 0	0 8 0			"	"	29 " "	1 " 1878
Eckerboon	The London Chartered Bank	64,000	64,000	25 0 0	0 5 0			"	"	29 " "	1 " 1878
" East	John Brougham	48,000	48,000	15 0 0	0 4 0			"	"	7 Oct., 1874	1 " 1875
Effluence, No. 1	Brown & Smyth	22,000	22,000	27 0 0	0 15 8½			"	"	27 Sept., 1877	1 " 1878
" " 2	"	22,000	22,000	27 0 0	0 15 8½			"	"	3 Oct., 1873	1 " 1874
" " 3	The New Zealand Loan and Mercantile Agency Company.	24,000	24,000	28 0 0	0 14 11½			"	"	3 " "	1 " 1875
" " 4	"	19,200	19,160	33 0 0	1 2 0½	40 0 0		"	"	11 Sept., 1874	1 " 1875
" East	"	64,000	64,000	20 0 0	0 4 0			"	"	20 July, 1875	1 " 1876
Ell Creek, block B	J. Hart, C. H. T. Hart, & W. A. Horn	60,000	60,000	25 0 0	0 5 4			"	"	6 Dec., 1877	1 " 1878
Emerald, No. 1	F. W. Desailly	48,000	48,000	12 0 0	0 3 2½			"	"	6 Oct., 1874	1 " 1875
" " 2	"	64,000	64,000	14 0 0	0 2 9½			"	"	8 Dec., 1877	1 " 1878
" " 3	"	"	"	"	"			"	"	8 " "	1 " 1878

" " 3		64,000	64,000	14 0 0	0 2 9 $\frac{1}{2}$			8 " "	1 " "
" " 4		64,000	64,000	18 0 0	0 3 7			" " "	1 " "
Erirah Back block, No. 1	James Tyson	22,400	22,400	28 0 0	0 16 0			24 Oct., 1876	1 " 1877
" " 2		54,000	54,000	60 0 0	0 14 2 $\frac{1}{2}$			" " "	1 " "
Evelyn Creek	D. E. McBryde	13,000	13,000	10 0 0	0 9 10 $\frac{1}{2}$			28 Sept., 1877	1 " 1878
" " block A	E. C. Lockyer	50,000	50,000	20 0 0	0 5 1 $\frac{1}{2}$			" " "	1 " "
" " B	S. S. Browne	64,000	64,000	20 0 0	0 4 0			" " "	1 " "
" " C	The Australian Joint Stock Bank	56,000	56,000	10 0 0	0 2 3 $\frac{1}{2}$			Not appraised	1 July, 1873
" " D	S. S. Browne	64,000	64,000	20 0 0	0 4 0			29 Sept., 1877	1 Jan., 1878
Farmcoat	H. B. Hughes	19,000	19,000	10 0 0	0 6 8 $\frac{1}{2}$			5 " "	1 " 1877
Far West	J. Blackwood and C. Ibbotson	98,400	98,400	50 0 0	0 6 6			6 Dec., 1877	1 " 1878
Flood's Creek	A. G. Hill	32,000	32,000	14 0 0	0 5 7 $\frac{1}{2}$			2 Oct., "	1 " "
" " No. 2		64,000	64,000	26 0 0	0 5 2 $\frac{1}{2}$			2 " "	1 " "
" " 3	F. C., K. E., and K. E. Brodribb	64,000	64,000	22 0 0	0 4 4 $\frac{1}{2}$			2 " "	1 " "
" " South	W. Peterson, J. S. Peterson, F. T. Sargood, J. Blyth, and J. Sutherland	64,000	64,000	15 0 0	0 3 0			29 Sept., "	1 " "
Fort Grey, No. 1	Lloyd Jones	35,000	35,000	15 0 0	0 5 5 $\frac{1}{2}$			Not appraised	1 " 1876
" " 2		64,000	64,000	25 0 0	0 5 0			" " "	1 " "
" " 3		64,000	64,000	25 0 0	0 5 0			" " "	1 " "
" " 4		35,000	35,000	15 0 0	0 5 5 $\frac{1}{2}$			" " "	1 " "
" " 5		64,000	64,000	25 0 0	0 5 0			" " "	1 " "
" " 6		64,000	64,000	25 0 0	0 5 0			" " "	1 " "
Fort Otway	F. C. and K. E. Brodribb	38,000	38,000	18 0 0	0 6 0 $\frac{1}{2}$			27 Sept., 1877	1 " 1878
Frome's Creek, No. 1	E. S. Bonney	58,000	58,000	12 0 0	0 2 7 $\frac{1}{2}$			23 Oct., 1876	1 " 1877
" " 2		58,000	58,000	14 0 0	0 3 1			23 " "	1 " "
" " 3		58,000	58,000	19 0 0	0 4 2 $\frac{1}{2}$			23 " "	1 " "
Frome, block D	The Oriental Bank Corporation	58,000	58,000	91 0 0	1 0 1			Not appraised	1 " 1876
" " F		58,000	58,000	91 0 0	1 0 1			" " "	1 " "
Gairdner's Creek	A. Wallace	46,000	46,000	17 0 0	0 4 8 $\frac{1}{2}$			29 Sept., 1877	1 " 1878
" " block No. 1	M'Culloch, Sellar, & Co.	64,000	64,000	20 0 0	0 4 0			13 " 1876	1 " 1877
" " 2		64,000	64,000	15 0 0	0 3 0			13 " "	1 " "
Gambol	A. Middleton and M. Rogers	55,000	54,960	60 0 0	0 13 11 $\frac{1}{2}$	40 0 0		29 " 1877	1 " 1878
Germano East	E. Quin and W. J. Currie	50,000	50,000	32 0 0	0 8 2 $\frac{1}{2}$			7 Oct., 1874	1 " 1875
Gleena	Sir Francis Murphy	56,000	56,000	18 0 0	0 4 1 $\frac{1}{2}$			8 Dec., 1877	1 " 1878
Glenample	James Tyson	80,000	80,000	25 0 0	0 4 0			6 " "	1 " "
Glenelg	A. Wilson and A. C. Wilson	38,000	38,000	15 0 0	0 5 0 $\frac{1}{2}$			12 Nov., 1874	1 " 1875
Goonalgaa	Finlay, Campbell, & Co.	53,000	53,000	14 0 0	0 3 4 $\frac{1}{2}$			8 Dec., 1877	1 " 1878
Goonerry	Sir Samuel Wilson	16,000	16,000	15 0 0	0 12 0			24 Oct., 1876	1 " 1877
Grassmere	M. P. Fitzgerald, R. Fechan, and A. Tobin	42,000	42,000	10 0 0	0 3 0 $\frac{1}{2}$			Not appraised	1 July, 1873
Greenough's Hill, No. 1, block A	G. R. and H. C. Suttor	30,000	30,000	14 0 0	0 5 11 $\frac{1}{2}$			3 Nov., 1873	1 Jan., 1874
" " 1, " B		57,000	57,000	40 0 0	0 8 11 $\frac{1}{2}$			3 " "	1 " "
" " 2, " A	Finlay, Campbell, & Co.	58,000	58,000	12 0 0	0 2 7 $\frac{1}{2}$			8 Dec., 1877	1 " 1878
" " 2, " B		53,000	53,000	12 0 0	0 2 10 $\frac{1}{2}$			8 " "	1 " "
" " 2, " C		49,000	49,000	10 0 0	0 2 7 $\frac{1}{2}$			5 " "	1 " "
" " 3, " B	R. Mockridge and W. M'Lean	48,000	48,000	25 0 0	0 6 8			3 Nov., 1873	1 " 1874
" " 3, " C	Finlay, Campbell, & Co.	62,000	62,000	18 0 0	0 3 8 $\frac{1}{2}$			5 Dec., 1877	1 " 1878
" " 3, " D		63,000	63,000	20 0 0	0 4 0 $\frac{1}{2}$			5 " "	1 " "
Gueralah East	The London Chartered Bank	64,000	64,000	28 0 0	0 5 7 $\frac{1}{2}$			2 Oct., "	1 " "
" " West		44,000	44,000	14 0 0	0 4 0 $\frac{1}{2}$			2 " "	1 " "
Gum Creek	E. S. Bonney	20,000	20,000	10 0 0	0 6 4 $\frac{1}{2}$			23 " 1876	1 " 1877
Guuroogaa	R. M. Ayre and F. Martin	26,880	26,880	15 0 0	0 7 1 $\frac{1}{2}$			2 " "	1 " "
Hermitage, No. 2	Lloyd Jones	64,000	64,000	20 0 0	0 4 0			Not appraised	1 " 1875
Inkerman	J. M'Culloch and R. Sellar	128,000	128,000	30 0 0	0 3 0			13 Sept., 1876	1 " 1877
" " West		22,000	22,000	10 0 0	0 5 9 $\frac{1}{2}$			6 Oct., 1874	1 " 1875
Irrara Back Block No. 3	James Tyson	40,000	40,000	16 0 0	0 5 1 $\frac{1}{2}$			5 Dec., 1877	1 " 1878
" " 4	George Armytage	64,000	64,000	20 0 0	0 4 0			6 " "	1 " "
Jacombe	James Tyson	10,000	10,000	10 0 0	0 12 9 $\frac{1}{2}$			6 " "	1 " "
Jump Off, No. 2	J. Blackwood and C. Ibbotson	25,000	25,000	20 0 0	0 10 3			20 Aug., 1874	1 " 1875
" " 3		64,000	64,000	27 0 0	0 5 4 $\frac{1}{2}$			20 " "	1 " "
Kallara		70,000	69,320	120 0 0	1 1 11 $\frac{1}{2}$	80 0 0		24 Oct., 1876	1 " 1877
Kambula	R. R. Smith	59,000	59,000	75 0 0	0 16 3 $\frac{1}{2}$			20 May, 1875	1 " 1876
Kandie	W. Kennedy and E. Kennedy	64,000	64,000	25 0 0	0 5 0			Not appraised	1 July, 1873
" " North	Charles Smith	20,000	20,000	10 0 0	0 6 4 $\frac{1}{2}$			" " "	1 Jan., 1874
" " West	W. and E. Kennedy	18,000	18,000	15 0 0	0 10 8			6 Oct., 1874	1 " 1875

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisalment.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
ALBERT DISTRICT—continued.											
Kara	W. and E. Kennedy	50,000	50,000	£ s. d. 28 0 0	£ s. d. 0 7 2						
Kars	H. B. Hughes	78,800	78,760	25 0 0	0 4 0 $\frac{1}{2}$	40 0 0		Not ascer- tainable	Not ascer- tainable	6 Oct., 1874	1 Jan., 1875
Kayrunners	The Bank of New South Wales	70,400	70,400	30 0 0	0 5 5 $\frac{1}{2}$					8 Mar., 1877	1 " 1877
" East	H. Hamilton and T. Ray	20,000	20,000	18 0 0	0 11 6 $\frac{1}{2}$					2 Oct., 1877	1 " 1878
" North	R. Blackwood and C. Ibbotson	70,400	70,400	25 0 0	0 4 6 $\frac{1}{2}$					6 " 1874	1 " 1875
Keilor North, block C	Finlay, Campbell, & Co.	47,000	47,000	15 0 0	0 4 1					2 " 1877	1 " 1878
" " D	G. T. and F. W. Suttor	50,000	50,000	35 0 0	0 8 11 $\frac{1}{2}$					6 Dec., " "	1 " " "
Keilor South, " C		38,000	38,000	30 0 0	0 10 1 $\frac{1}{2}$					20 July, 1875	1 " 1876
" " D	Ayre and Martin	55,000	55,000	15 0 0	0 3 6					20 " "	1 " " "
Keiss	"	45,000	45,000	75 0 0	1 1 4					2 Oct., 1876	1 " 1877
Kelly Block No. 1	The Commercial Bank	17,000	17,000	27 0 0	1 0 4					10 Sept., 1874	1 " 1875
" " 2	"	16,000	16,000	25 0 0	1 0 0					20 July, 1875	1 " 1876
" " 3	"	13,000	13,000	25 0 0	1 4 7 $\frac{1}{2}$					20 " "	1 " " "
" " 4	"	16,000	15,960	35 0 0	1 8 0 $\frac{1}{2}$	40 0 0				20 " "	1 " " "
Kenmare	"	62,000	62,000	30 0 0	0 6 2 $\frac{1}{2}$					17 " "	1 " " "
Kerndombie	E. Quin and W. J. Currie	64,000	64,000	26 0 0	0 5 2 $\frac{1}{2}$					20 " 1874	1 " 1875
Kerno	"	64,000	64,000	45 0 0	0 9 0					7 Oct., " "	1 " " "
Kerribree	Late Joseph Becker	72,000	72,000	15 0 0	0 2 8					6 " "	1 " " "
Kilfera	The Commercial Bank	64,000	64,000	30 0 0	0 6 0					10 Dec., 1873	1 " 1874
Killowen	"	56,000	56,000	27 0 0	0 6 2					30 July, 1874	1 " 1875
Kihnun	R. M. Ayre and F. Martin	36,000	35,680	74 0 0	1 6 6 $\frac{1}{2}$	320 0 0				30 " "	1 " " "
Kilpara	The Trust and Agency Company	37,000	37,000	15 0 0	0 5 2 $\frac{1}{2}$					11 Sept., 1874	1 " " "
Kooltoo	W. J. Reid	65,000	65,000	26 0 0	0 5 1 $\frac{1}{2}$					29 " 1877	1 " 1878
Koorningbirry	R. H. Kennedy	58,000	58,000	12 0 0	0 2 7 $\frac{1}{2}$					24 Oct., 1876	1 " 1877
" South	Joseph Clarke	20,000	20,000	10 0 0	0 6 4 $\frac{1}{2}$					29 Sept., 1877	1 " 1878
Kootooloomendoo	J. H. M'Vean	64,000	64,000	20 0 0	0 4 0					Not appraised	1 " 1874
Korri	Lloyd Jones	62,720	62,720	24 0 0	0 4 10 $\frac{1}{2}$					28 Sept., 1877	1 " 1878
Langawirra	E. W. Donnelly	64,000	64,000	30 0 0	0 6 0					Not appraised	1 " 1876
" West	"	60,000	60,000	20 0 0	0 4 3 $\frac{1}{2}$					6 Oct., 1874	1 " 1875
Lenwin Klip	John Brougham	63,000	63,000	15 0 0	0 3 0 $\frac{1}{2}$					29 Sept., 1877	1 " 1878
" West	Lloyd Jones	16,000	16,000	10 0 0	0 8 0					27 " "	1 " " "
Lewis' Hill	J. M. Campbell and W. Day	25,000	25,000	26 0 0	0 13 3 $\frac{1}{2}$					Not appraised	1 July, 1873
Lismore	M. P. Fitzgerald, R. Feehan, and A. Tobin.	70,000	70,000	10 0 0	0 1 10					6 Oct., 1874	1 " 1875
" South	Late Joseph Becker	48,000	48,000	23 0 0	0 6 1 $\frac{1}{2}$					Not appraised	1 " 1873
Longside	Sir F. Murphy	57,000	57,000	12 0 0	0 2 8 $\frac{1}{2}$					20 July, 1875	1 " 1876
Lower Coorallie East	"	15,360	15,360	26 0 0	1 1 8					20 " "	1 " " "
" West	"	15,360	15,360	30 0 0	1 5 0					20 " "	1 " " "
Lubra	Maurice Aron	51,000	51,000	10 0 0	0 2 6					20 " "	1 " " "
Maghera	Sir Samuel Wilson	48,000	48,000	20 0 0	0 5 4					29 Sept., 1877	1 " 1878
Malakhoff	Duncan M'Gregor	115,000	115,000	35 0 0	0 3 10 $\frac{1}{2}$					6 Dec., " "	1 " " "
Mallambray	R. B. Smith	40,300	40,300	40 0 0	0 12 8 $\frac{1}{2}$					2 Oct., " "	1 " " "
Manara	Robert Moffatt	64,000	63,660	15 0 0	0 3 0 $\frac{1}{2}$	340				20 July, 1875	1 " 1876
" North	T. L. and S. L. Learmonth	23,000	23,000	10 0 0	0 5 6 $\frac{1}{2}$					30 Sept., 1876	1 " 1877
" " No. 1	"	63,000	63,000	25 0 0	0 5 1					22 " "	1 " " "
" " 2	"	18,000	18,000	10 0 0	0 7 1 $\frac{1}{2}$					22 " "	1 " " "
" " 3	"	27,000	27,000	10 0 0	0 4 9					22 " "	1 " " "
" " 4	"	64,000	64,000	25 0 0	0 5 0					22 " "	1 " " "
Manatoo East	Sir Samuel Wilson	57,000	57,000	10 0 0	0 2 3					Not appraised	1 " 1873
" West	"	32,000	32,000	10 0 0	0 4 0					" "	1 " " "
Marfield, block A	J. Ettershank, W. Eaglestone, & G. H. Mann.	70,000	70,000	22 0 0	0 4 0 $\frac{1}{2}$					8 Dec., 1877	1 " 1878
" B	"	67,000	67,000	25 0 0	0 4 9 $\frac{1}{2}$					22 July, 1874	1 " 1875
" C	"	70,000	70,000	25 0 0	0 4 6 $\frac{1}{2}$					22 " "	1 " " "
" D	"	65,000	65,000	25 0 0	0 4 3 $\frac{1}{2}$					22 " "	1 " " "

Marle	" E	A. J. L. Learmonth	67,000	67,000	25 0 0	0 4 9½				22	"	1877	1	"	1877
Mary Mary	"	R. Mockridge and W. M'Lean	33,500	33,380	80 0 0	1 10 4½	120			22 Sept., 1876	1	"	1875		
" Back Run	"	"	30,000	30,000	30 0 0	0 12 9½				20 Aug., 1874	1	"	1877		
Maropinna	"	F. C. and K. E. Brodribb	40,000	40,000	12 0 0	0 3 10				23 Oct., 1876	1	"	1878		
Menderie	"	W. J. Reid	64,000	64,000	30 0 0	0 6 0				2	"	1877	1	"	1878
Mere	"	Sir Samuel Wilson	62,000	62,000	130 0 0	1 6 10				24	"	1876	1	"	1877
Merrita	"	Late Joseph Becker	64,000	64,000	12 0 0	0 2 4½				24	"	"	1	"	"
" South	"	"	67,500	67,500	18 0 0	0 3 4½				20 Aug., 1874	1	"	1875		
" West	"	"	54,000	54,000	19 0 0	0 4 6				20 July, 1875	1	Jan., 1876			
Merry	"	G. T. and F. W. Sutter	29,000	29,000	58 0 0	1 5 7½				20	"	"	1	"	"
Meltara	"	W. J. Reid	57,600	57,600	28 0 0	0 6 2½				11 Sept., 1874	1	"	1875		
Minalay	"	R. Blackwood and C. Ibbotson	70,400	70,400	25 0 0	0 4 6½				6 Oct.,	"	"	1	"	"
Minden	"	S. T. and S. G. Staughton	40,000	40,000	30 0 0	0 9 7½				2	"	1877	1	"	1878
Moama, block M	"	F. W. Desailly	64,000	64,000	18 0 0	0 3 7½				30 Sept., 1876	1	"	1877		
" N	"	"	64,000	64,000	18 0 0	0 3 7½				8 Dec., 1877	1	"	1878		
" O	"	"	64,000	64,000	18 0 0	0 3 7½				8	"	"	1	"	"
" P	"	"	64,000	64,000	20 0 0	0 4 0				8	"	"	1	"	"
" Q	"	"	64,000	64,000	20 0 0	0 4 0				8	"	"	1	"	"
" R	"	"	64,000	64,000	20 0 0	0 4 0				8	"	"	1	"	"
" S	"	S. M. Swift, J. M'Donald, C. F. Frauenfelder, and P. Hann.	64,000	64,000	22 0 0	0 4 4½				8	"	"	1	"	"
" T	"	G. Day, K. M'Lennan, and J. Hays	64,000	64,000	22 0 0	0 4 4½				8	"	"	1	"	"
" U	"	J. Ettershank, W. Eaglestone, and G. H. Mann.	64,000	64,000	18 0 0	0 3 7½				8	"	"	1	"	"
" V	"	"	70,000	70,000	20 0 0	0 3 8				8	"	"	1	"	"
Moco Barunga West, No. 1	"	George Armytage	18,200	18,200	12 0 0	0 8 5½				24 Oct., 1876	1	"	1877		
" 2	"	"	19,500	19,500	15 0 0	0 9 10½				24	"	"	1	"	"
" 3	"	"	13,800	13,800	18 0 0	0 16 8½				24	"	"	1	"	"
" 4	"	Robert Scott	16,000	16,000	18 0 0	0 14 4½				6 Dec., 1877	1	"	1878		
" 5	"	"	17,200	17,200	20 0 0	0 14 10½				16 July, 1875	1	"	1876		
" 6	"	"	14,000	14,000	16 0 0	0 14 7½				6 Dec., 1877	1	"	1878		
Moir Plains, block A	"	Lieutenant-Colonel R. B. Gardiner, R.M.A.	80,000	80,000	30 0 0	0 4 9½				6	"	"	1	"	"
Molesworth Plains, No. 5	"	W. Lockhart Morton	40,000	40,000	10 0 0	0 3 2½				29 Sept.,	"	1	"	"	
" 6	"	"	62,000	62,000	14 0 0	0 2 10½				29	"	"	1	"	"
Monolon Peak Downs, No. 1	"	"	50,000	50,000	10 0 0	0 2 6½				29	"	"	1	"	"
" 2	"	"	74,000	74,000	15 0 0	0 2 7½				29	"	"	1	"	"
" 3	"	"	64,000	64,000	13 0 0	0 2 7½				29	"	"	1	"	"
" 4	"	"	64,000	64,000	13 0 0	0 2 7½				29	"	"	1	"	"
" 5	"	J. H. M'Vean	54,000	54,000	15 0 0	0 3 6½				29	"	"	1	"	"
" 6	"	W. L. Morton	40,000	40,000	10 0 0	0 3 2½				29	"	"	1	"	"
" 7	"	"	67,000	67,000	12 0 0	0 2 3½				29	"	"	1	"	"
" 8	"	"	67,000	67,000	12 0 0	0 2 3½				29	"	"	1	"	"
" 9	"	"	67,000	67,000	10 0 0	0 1 11				29	"	"	1	"	"
Moolert	"	The Commercial Bank	64,000	64,000	35 0 0	0 7 0				30 July, 1874	1	"	1875		
Moorabin	"	R. B. Smith	65,000	55,662	83 0 0	0 19 1	9338			11 Sept.,	"	1	"	"	
Mooree	"	Maurice Aron	54,000	54,000	10 0 0	0 2 4½				29	"	"	1	"	1878
Moorguog	"	Sir J. M'Culloch and R. B. Smith	64,000	64,000	35 0 0	0 7 0				16 July, 1875	1	"	1876		
Moorguinna	"	D. W. H. Paterson	25,000	25,000	12 0 0	0 6 1½				28 Sept., 1877	1	"	1878		
Mootwingee	"	Henry Raines	63,360	63,360	22 0 0	0 4 5½				24 Oct., 1876	1	Jan., 1877			
Mount Arrowsmith	"	W. A. Brodribb	40,000	40,000	12 0 0	0 3 10				24	"	"	1	"	"
" No. 1	"	D. W. H. Paterson, T. F. Paterson, and A. Crombie.	64,000	64,000	30 0 0	0 6 0				6	"	1874	1	"	1875
" 2	"	"	64,000	64,000	40 0 0	0 8 0				6	"	"	1	"	"
" 3	"	W. A. Brodribb	64,000	64,000	14 0 0	0 2 9½				2	"	1877	1	"	1878
" 4	"	"	48,000	48,000	18 0 0	0 4 9½				2	"	"	1	"	"
Mount Blackwood	"	D. E. M'Bryde	64,000	64,000	10 0 0	0 2 0				28 Sept.,	"	1	"	"	
" North	"	"	64,000	64,000	13 0 0	0 2 7½				2 Oct.,	"	1	"	"	
Mount Brown	"	"	20,000	20,000	10 0 0	0 6 4½				28 Sept.,	"	1	"	"	
Mount Clifton	"	The Trust and Agency Co.	56,000	56,000	20 0 0	0 4 6½				Not appraised.	1	July, 1874			
Mount Daubeny	"	John Brougham	60,000	60,000	25 0 0	0 5 4				2 Oct., 1877	1	Jan., 1878			
Mount Gipps	"	J. M'Culloch and R. Sellar	128,000	128,000	60 0 0	0 6 0				13 Sept., 1876	1	"	1877		
" South	"	"	30,000	30,000	21 0 0	0 8 11½				7 Oct., 1874	1	"	1875		

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisalment.	Date of commencement present tenure.
								Purchased.	Leasehold.		
ALBERT DISTRICT—continued.											
Mount Jack	The London Chartered Bank	64,000	64,000	£ s. d.	£ s. d.			Not ascer-	Not ascer-	24 Oct., 1876	1 Jan., 1875
" North	"	57,000	57,000	15 0 0	0 3 0			tainable...	tainable...	11 Sept., 1874	1 " "
Mount King	E. S. Bonney	58,000	58,000	10 0 0	0 2 2½			"	"	23 Oct., 1876	1 " 1877
" East	Alfred Barden	58,000	58,000	25 0 0	0 5 6½			"	"	Not appraised.	1 April, 1878
Mount Macpherson	A. Hay and S. Newland	58,000	58,000	50 0 0	0 11 0½			"	"	16 July, 1875	1 " 1876
" block A	"	62,000	62,000	24 0 0	0 4 11½			"	"	24 Oct., 1876	1 " 1877
" " J	The London Chartered Bank	60,000	60,000	20 0 0	0 4 34			"	"	24 " "	1 " "
" East	F. and A. Campbell	43,000	43,000	87 0 0	1 5 10½			"	"	24 " "	1 " "
" West, No. 1	The London Chartered Bank	50,000	50,000	17 0 0	0 4 4½			"	"	24 " "	1 " "
" " 2	"	69,000	69,000	25 0 0	0 4 7½			"	"	24 " "	1 " "
Mount Poole	D. E. M'Bryde	64,000	64,000	17 0 0	0 3 4½			"	"	2 " 1877	1 " 1878
" North-east	"	64,000	64,000	13 0 0	0 2 7½			"	"	2 " "	1 " "
" West	"	64,000	64,000	15 0 0	0 3 0			"	"	2 " "	1 Jan., "
Mount Robe	J. Hart, C. H. T. Hart, and W. A. Horn	45,000	45,000	38 0 0	0 10 9½			"	"	6 " 1874	1 " 1875
Mount Shannon	D. E. M'Bryde	50,000	50,000	10 0 0	0 2 6½			"	"	2 " 1877	1 " 1878
" No. 1	E. S. Bonney	38,000	38,000	20 0 0	0 6 8½			"	"	Not appraised.	1 April, 1874
" " 2	"	64,000	64,000	20 0 0	0 4 0			"	"	2 " "	1 " "
Mount Stuart	D. E. M'Bryde	64,000	64,000	12 0 0	0 2 4½			"	"	2 Oct., 1877	1 " 1878
" South	"	58,000	58,000	15 0 0	0 3 3½			"	"	2 " "	1 " "
Mount Wood	Lloyd Jones	64,000	64,000	20 0 0	0 4 0			"	"	Not appraised.	1 July, 1874
Mucruss	James Tyson	64,000	64,000	20 0 0	0 4 0			"	"	20 July, 1875	1 Jan., 1876
Mulca Gaari	Walter Duffield	88,000	88,000	35 0 0	0 5 1			"	"	30 Sept., 1876	1 " 1877
Mulga, No. 1	"	82,000	82,000	35 0 0	0 5 5½			"	"	7 Oct., 1874	1 " 1875
" " 2	D. W. H. Paterson	92,000	92,000	15 0 0	0 2 1			"	"	30 Sept., 1876	1 " 1877
" " 3	"	64,000	64,000	26 0 0	0 5 2½			"	"	2 Oct., 1877	1 " 1878
Mullawoolka East	C. M. and S. H. Officer	30,000	30,000	25 0 0	0 10 8			"	"	20 July, 1875	1 " 1876
" South	J. Blackwood and C. Ibbotson	56,000	56,000	10 0 0	0 2 3½			"	"	Not appraised.	1 July, 1873
" West	C. M. and S. H. Officer	40,000	40,000	25 0 0	0 8 0			"	"	20 July, 1875	1 " 1876
Multagoona	Robert Scott	18,000	18,000	14 0 0	0 9 11½			"	"	24 Oct., 1876	1 " 1877
" Back	A. and A. C. Wilson	28,000	28,000	15 0 0	0 6 10½			"	"	16 July, 1875	1 " 1876
Mulyenery	Walter Duffield	72,000	71,960	130 0 0	1 3 1½	40		"	"	7 Oct., 1874	1 " 1875
Muntawa	The London Chartered Bank	38,000	38,000	15 0 0	0 5 0½			"	"	24 " 1876	1 " 1877
Murpa	"	34,500	34,500	15 0 0	0 5 6½			"	"	11 Sept., 1874	1 " 1875
Myali	Hon. A. Hay and S. Newland	52,000	52,000	110 0 0	1 7 1			"	"	24 Oct., 1876	1 " 1877
Myali Back Run	"	38,000	38,000	35 0 0	0 11 9½			"	"	24 " "	1 " "
Myall, block No. 4	"	62,000	62,000	26 0 0	0 5 4½			"	"	24 " "	1 " "
" " 5	"	60,000	60,000	35 0 0	0 7 5½			"	"	20 July, 1875	1 " 1876
" " 6	"	32,000	32,000	15 0 0	0 6 0			"	"	11 Sept., 1874	1 " 1875
MacCulloch's Range	The London Chartered Bank	41,000	41,000	30 0 0	0 9 4½			"	"	29 " 1876	1 " 1877
" East	Thomas Chirnside	60,000	60,000	14 0 0	0 2 11½			"	"	3 Nov., 1873	1 Jan., 1874
MacFarlane's Creek, block No. 4	F. C. Ke E. and K. E. Brodribb	46,720	46,720	25 0 0	0 6 10½			"	"	2 Oct., 1877	1 " 1878
" " 5	"	56,000	56,000	18 0 0	0 4 1½			"	"	2 " "	1 " "
Nadback	The London Chartered Bank	64,000	64,000	25 0 0	0 5 0			"	"	7 Oct., 1874	1 " 1875
" West	M'Culloch & Sellar	55,000	55,000	15 0 0	0 3 6			"	"	13 Sept., 1876	1 " 1877
Naradin	"	55,000	55,000	30 0 0	0 6 11½			"	"	7 Nov., 1874	1 " 1875
" North	M'Culloch, Sellar, & Co.	14,000	13,960	10 0 0	0 9 2	40		"	"	29 Sept., 1877	1 Jan., 1878
Nardoo	Maurice Aron	33,000	33,000	10 0 0	0 3 10½			"	"	"	1 " "
Narrowa	The London Chartered Bank	41,000	41,000	27 0 0	0 8 5½			"	"	24 Oct., 1876	1 " 1877
Neila Gaari	Walter Duffield	84,000	84,000	35 0 0	0 5 4			"	"	8 Mar., 1877	1 " "
Netallie	D. M'Gregor and D. M'Rae	60,000	60,000	110 0 0	1 3 5½			"	"	7 Oct., 1874	1 " 1875
Newfoundland, No. 1	The Commercial Banking Co.	29,500	29,500	50 0 0	1 1 8½			"	"	24 " 1876	1 " 1876
" " 2	Sir Samuel Wilson	8,000	8,000	12 0 0	0 19 2½			"	"	3 " 1873	1 " 1874
No. 1,607	W. Peterson, J. Blyth, F. T. Sargood, and J. S. Peterson	62,720	62,720	25 0 0	0 5 1½			"	"	"	1 " "
No. 1,623	"	47,500	47,500	33 0 0	0 8 10½			"	"	"	1 " "

No. 1,684	Hon. R. B. Andrews and A. Bonnin...	64,000	64,000	60 0 0	0 12 0	3	1
No. 1,690	J. Hart, C. H. T. Hart, and W. A. Horn.	62,720	62,720	25 0 0	0 5 11	3	1
No. 1,767	Hon. R. B. Andrews and A. Bonnin...	32,000	32,000	13 0 0	0 5 21	3	1
No. 2,241	W. Peterson, J. Blyth, F. T. Sargood, and J. S. Peterson.	62,500	62,500	20 0 0	0 4 11	2	1877
No. 2,242	"	26,000	26,000	10 0 0	0 4 11	27 Sept.	1
No. 2,243	"	64,000	64,000	12 0 0	0 2 41	2 Oct.	1
No. 2,246	"	64,000	64,000	26 0 0	0 5 21	2	1
No. 140 of 1872	"	75,000	75,000	20 0 0	0 3 5	2	1
No. 141 of 1872	"	64,000	64,000	13 0 0	0 2 71	2	1
No. 180 of 1872	"	64,000	64,000	10 0 0	0 2 0	2	1
No. 181 of 1872	"	64,000	64,000	10 0 0	0 2 0	2	1
No. 182 of 1872	"	25,000	25,000	10 0 0	0 5 11	28 Sept.	1
No. 183 of 1872	"	64,000	64,000	10 0 0	0 2 0	27	1
No. 52 of 1873	"	60,000	60,000	15 0 0	0 3 21	2 Oct.	1
No. 53 of 1873	"	64,000	64,000	12 0 0	0 2 41	2	1
Noonthorangee	F. C. and K. E. Brodribb	64,000	64,000	25 0 0	0 5 0	2	1
" East	W. and E. Kennedy	25,000	25,000	13 0 0	0 6 71	2	1
" West	F. C. and K. E. Brodribb	51,200	51,200	12 0 0	0 3 0	2	1
North Daubeney	Joseph Clarke	64,000	64,000	20 0 0	0 4 0	24	1876
North Kootooloomondoo	J. H. M'Vean	64,000	64,000	13 0 0	0 2 71	2	1877
Nundoro	F. C., K. E., and K. E. Brodribb	38,400	38,400	15 0 0	0 5 0	27 Sept.	1
" West	"	25,000	25,000	10 0 0	0 5 11	7 July, 1875	1
Nungo	J. H. M'Vean	64,000	64,000	10 0 0	0 2 0	Not appraised	1 July, 1873
Onondoo	G. T. and F. W. Suttor	22,000	22,000	39 0 0	1 2 81	11 Sept., 1874	1
Omura, No. 1	W. L. Morton	64,000	64,000	14 0 0	0 2 91	29	1877
" 2	"	64,000	64,000	14 0 0	0 2 91	29	1
" 3	"	64,000	64,000	10 0 0	0 2 0	29	1
" 4	"	64,000	64,000	14 0 0	0 2 91	29	1
" 5	"	64,000	64,000	20 0 0	0 4 0	Not appraised	1
" 6	"	64,000	64,000	20 0 0	0 4 0	7 Oct., 1874	1 Jan., 1875
Ophara	H. B. Hughes	46,000	46,000	22 0 0	0 6 11	29 Sept., 1877	1
Osaca, No. 1	Sir Samuel Wilson	64,000	64,000	12 0 0	0 2 41	Not appraised	1 July, 1874
" 2	D. J. O'Neill	64,000	64,000	20 0 0	0 4 0	29 Sept., 1877	1 Jan., 1878
" 3	Sir Samuel Wilson	64,000	64,000	14 0 0	0 2 91	29	1
" 4	"	64,000	64,000	12 0 0	0 2 41	29	1
" 5	"	64,000	64,000	14 0 0	0 2 91	29	1
" 6	"	64,000	64,000	20 0 0	0 4 0	Not appraised	1 July, 1874
Otake	C. A. Middleton	45,000	45,000	10 0 0	0 2 101	22 Sept., 1876	1
Outer Back Brainerd	Sir Francis Murphy	61,500	61,500	30 0 0	0 6 3	5 Dec., 1877	1
" Carranyale, block B	A. J. L. Learmonth	44,000	44,000	15 0 0	0 4 41	8	1
" block C	Thos. Chirnside	44,000	44,000	15 0 0	0 4 41	29 Sept., 1876	1
" Culpaulin East	"	41,000	41,000	40 0 0	0 12 51	22	1
" Minden	"	13,000	13,000	10 0 0	0 9 101	20 Aug., 1874	1
Outer Berawinia West	Hon. A. Hay and S. Newland	70,000	70,000	15 0 0	0 2 9	30 Sept., 1876	1
Outer Bonley	Walter Duffield	100,000	100,000	32 10 0	0 4 2	30	1
Outer Brainerd	S. T. and S. G. Staughton	40,500	40,500	40 0 0	0 12 71	24 Oct.,	1
Outer Cabrilla	R. B. Smith	56,000	56,000	50 0 0	0 11 51	30 Sept.,	1
Outer Culpaulin	Walter Duffield	98,000	98,000	44 0 0	0 5 9	29	1
" East	Thomas Chirnside	20,500	20,500	25 0 0	0 15 71	29	1
Outer Carranyale	"	22,000	22,000	35 0 0	1 0 41	29	1
" Back Plains	"	44,000	44,000	55 0 0	0 16 0	24 Oct., 1876	1
Outer Dunlop, North-west, No. 1	Sir Samuel Wilson	50,900	50,900	20 0 0	0 5 01	24	1
" 3	"	13,400	13,400	10 0 0	0 9 61	24	1
" South-west	"	107,000	107,000	50 0 0	0 5 111	24	1
Outer Kallara	J. Blackwood and C. Ibbotson	49,200	49,200	30 0 0	0 7 91	5 Dec., 1877	1
Outer Kambula	R. B. Smith	28,800	28,800	50 0 0	1 2 21	24 Oct., 1876	1 Jan., 1877
Outer Kelly East	M. P. Fitzgerald, R. Feehan, and A. Tobin.	24,000	24,000	10 0 0	0 5 4	Not appraised	1 July, 1873
" West	The Commercial Bank	67,000	67,000	15 0 0	0 2 101	2 Oct., 1877	1
Outer Mere	Sir Samuel Wilson	32,000	32,000	15 0 0	0 6 0	23	1876
" No. 1	"	30,000	30,000	15 0 0	0 6 41	24	1
" 2	"	30,000	30,000	13 0 0	0 5 61	24	1

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisal.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
ALBERT DISTRICT—continued.											
Outer Mere, No. 3	Sir Samuel Wilson	59,000	59,000	£ s. d. 15 0 0	£ s. d. 0 3 3			Not ascer- tainable...	Not ascer- tainable...	24 Oct., 1876	1 July, 1877
Outer Merry	G. T. and F. W. Suttor	68,000	68,000	65 0 0	0 12 2½					24 " "	1 " "
Outer Minden	S. T. and S. G. Staughton	30,000	30,000	45 0 0	0 19 2½					30 " "	1 " "
Outer Mount M'Pherson East	F. and A. Campbell	60,000	60,000	55 0 0	0 11 8½					24 " "	1 " "
Outer Netallie	The Trust and Agency Company	96,000	96,000	25 0 0	0 3 4					2 " "	1 " "
Outer Newfoundland, No. 1	Sir Samuel Wilson	46,000	46,000	30 0 0	0 8 4½					23 " "	1 " "
" " " 2	"	51,500	51,500	20 0 0	0 4 11½					24 " "	1 " "
Outer Pamamaroo	H. B. Hughes	166,000	166,000	180 0 0	0 13 10½					4 Sept., "	1 " "
Outer Pelican Ponds East	A. Tobin, R. Feehan, and M. P. Fitzgerald.	64,000	64,000	17 0 0	0 3 4½					29 " 1877	1 " 1878
" " " West	"	64,000	64,000	13 0 0	0 2 7½					29 " "	1 " "
Outer Stony Ridge East	"	52,000	52,000	15 0 0	0 3 8½					29 " "	1 " "
" " " West	"	52,000	52,000	14 0 0	0 3 5½					29 " "	1 " "
Outer Thoulconna West	Hon. A. Hay and S. Newland	60,000	60,000	15 0 0	0 3 2½					20 Aug., 1874	1 " 1875
Outer Weinteriga	Walter Duffield	84,000	84,000	45 0 0	0 6 10½					13 Sept., 1876	1 " 1877
Outer Woytchugga East	Thomas Chirnside	50,000	50,000	55 0 0	0 14 1					29 " "	1 " "
Paddington, No. 6	Dugald Macpherson	70,000	70,000	25 0 0	0 4 6½					22 July, 1874	1 " 1875
" " 7	"	72,000	72,000	30 0 0	0 5 4					22 " "	1 " "
" " 8	"	76,000	76,000	35 0 0	0 5 10½					22 " "	1 " "
" " 9	"	90,000	90,000	40 0 0	0 5 8½					22 " "	1 " "
" " 10	"	64,000	64,000	25 0 0	0 5 0					22 " "	1 " "
" " 11	"	58,000	58,000	25 0 0	0 5 6½					22 " "	1 " "
" " 12	"	80,000	80,000	15 0 0	0 2 4½					30 May, 1876	1 " 1876
Paldrumata	W. J. Reid	35,000	35,000	14 0 0	0 5 1½					6 Oct., 1874	1 " 1875
" " North	"	62,000	62,000	24 0 0	0 4 11½					6 " "	1 " "
Pamamaroo	H. B. Hughes	50,000	50,000	120 0 0	1 10 8½					20 July, 1875	1 " 1876
Pampara	J. Clarke	64,000	64,000	23 0 0	0 4 7½					2 Oct., 1877	1 " 1878
Parasia	James Tyson	60,000	60,000	18 0 0	0 3 10					24 " 1876	1 Jan., 1877
Parkungi	R. B. Smith	89,600	89,600	90 0 0	0 12 10½					20 July, 1875	1 " 1876
Paroo Plains	The New Zealand Loan and Mercantile Agency Company.	64,000	64,000	25 0 0	0 5 0					6 Dec., 1877	1 " 1878
" " No. 2	"	40,000	40,000	10 0 0	0 3 2½					Not appraised	1 July, 1873
" " 3	Francis Murphy	55,000	55,000	13 0 0	0 3 0½					29 Sept., 1877	1 " 1878
" " 4	Sir Samuel Wilson	50,000	50,000	10 0 0	0 2 6½					29 " "	1 " "
" " 5	"	57,000	57,000	10 0 0	0 2 3					29 " "	1 " "
" " 6	"	62,000	62,000	10 0 0	0 2 0½					29 " "	1 " "
" " 7	W. Lockhart Morton	62,000	62,000	10 0 0	0 2 0½					29 " "	1 " "
" " 8	"	54,000	54,000	14 0 0	0 3 3½					29 " "	1 " "
" " 9	"	61,000	61,000	20 0 0	0 4 2½					29 " "	1 " "
" " 10	"	64,000	64,000	13 0 0	0 2 7½					29 " "	1 " "
Peery	The London Chartered Bank	64,000	64,000	98 0 0	0 19 7½					20 July, 1875	1 " 1876
Pelican Ponds, No. 1	A. Tobin, R. Feehan, and M. P. Fitzgerald.	16,000	16,000	24 0 0	0 19 2½					20 " "	1 " "
" " 2	"	15,000	15,000	22 0 0	0 18 9½					20 " "	1 " "
" " 3	"	16,000	16,000	28 0 0	1 2 4½					20 " "	1 " "
Pessima	W. L. Morton	42,000	42,000	16 0 0	0 4 10½					29 Sept., 1877	1 " 1878
Petita	W. J. Reid	30,000	30,000	14 0 0	0 5 11½					2 Oct., "	1 " "
Peveril	D. W. H. Paterson	32,000	32,000	12 0 0	0 4 9½					2 " "	1 " "
Pine Hill	Henry Raines	14,000	14,000	10 0 0	0 9 1½					Not appraised	1 April, 1874
Pinpira, A	Joseph Clarke	32,000	32,000	10 0 0	0 4 0					20 July, 1875	1 Jan., 1876
" " B	"	42,000	42,000	25 0 0	0 7 7½					20 " "	1 " "
" " C	"	64,000	64,000	20 0 0	0 4 0					20 " "	1 " "
" " D	"	64,000	64,000	20 0 0	0 4 0					20 " "	1 " "
" " E	W. A. Brodribb	64,000	64,000	10 0 0	0 2 0					24 Oct., 1876	1 " 1877
" " F	"	32,000	32,000	10 0 0	0 1 0					24 " "	1 " "

" G	"	64,000	64,000	10 0 0	0 2 0				24 "	1 "	"
" H	"	16,000	16,000	10 0 0	0 8 0				24 "	1 "	"
Porirua, E	The New Zealand Loan and Mercantile Agency Company.	64,000	64,000	25 0 0	0 5 0				Not appraised	1 "	1874
" F	"	40,000	40,000	20 0 0	0 6 4				"	1 "	"
Potacingoga	S. T. and S. G. Staughton	50,000	50,000	115 0 0	1 9 5				6 Dec., 1877	1 "	1878
Pulchra	W. J. Reid	65,500	65,500	20 0 0	0 3 11				6 Oct., 1874	1 "	1875
Purnanga	Sir James M'Culloch and R. B. Smith.	64,000	64,000	40 0 0	0 8 0				16 July, 1875	1 "	1876
Quamby	W. J. Reid	60,000	60,000	35 0 0	0 7 5				6 Oct., 1874	1 "	1875
Questa	E. S. Bonney and Sir J. M'Culloch	70,000	70,000	33 0 0	0 6 0				2 "	1 "	1878
" South	E. S. Bonney	56,000	56,000	25 0 0	0 5 8				6 "	1 "	1875
" South-west	"	54,000	54,000	20 0 0	0 4 9				6 "	1 "	"
Rankin's Hill, No. 3, block D	J. E. Kelly	64,000	64,000	10 0 0	0 2 0				3 Nov., 1873	1 "	1874
" " " E	"	64,000	64,000	10 0 0	0 2 0				3 "	1 "	"
" " " F	George Elliott	64,000	64,000	20 0 0	0 4 0				6 Dec., 1877	1 "	1878
" " " 4, " A	Finlay, Campbell, and Co.	56,000	56,000	15 0 0	0 3 5				8 "	1 "	"
" " " " B	"	64,000	64,000	18 0 0	0 3 7				8 "	1 "	"
" " " " C	"	64,000	64,000	18 0 0	0 3 7				8 "	1 "	"
" " " " D	"	64,000	64,000	18 0 0	0 3 7				8 "	1 "	"
" " " " E	"	64,000	64,000	28 0 0	0 5 7				8 "	1 "	"
" " " " F	George Elliott	64,000	64,000	20 0 0	0 4 0				6 "	1 "	"
" " " " East " A	Finlay, Campbell, and Co.	64,000	64,000	18 0 0	0 3 7				8 "	1 "	"
" " " " " B	Dugald Macpherson	64,000	64,000	22 0 0	0 4 4				8 "	1 "	"
" " " " " C	W. L. Morton	64,000	64,000	20 0 0	0 4 0				6 "	1 "	"
" " " " " D	"	64,000	64,000	20 0 0	0 4 0				6 "	1 "	"
" " " " " F	"	64,000	64,000	20 0 0	0 4 0				6 "	1 "	"
Rat-hole Creek, B	J. Hart, C. H. T. Hart, and W. A. Horn.	42,000	42,000	18 0 0	0 5 5				6 Oct., 1874	1 "	1875
Redan	George Miller	62,000	62,000	30 0 0	0 6 2				13 Sept., 1876	1 "	1877
Rocky Glen	D. F. M'Bryde	64,000	64,000	22 0 0	0 4 4				6 Oct., 1874	1 "	1875
Rosstrevor	R. B. Smith	41,600	41,600	20 0 0	0 6 1				24 "	1 "	1877
Rowena	E. W. Donnelly	50,000	50,000	15 0 0	0 3 10				29 Sept., 1877	1 "	1878
Saladin	"	63,000	63,000	17 0 0	0 3 5				29 "	1 "	"
Silestria	H. B. Hughes	84,000	84,000	27 0 0	0 4 1				8 Mar., "	1 "	1877
South Tanyarto	W. Peterson, J. Blyth, F. T. Sargood, and J. S. Peterson.	40,000	40,000	12 0 0	0 3 10				2 Oct., "	1 "	1878
Stephen's Creek	J. M'Culloch and R. Sellar	18,000	17,950	16 0 0	0 11 5	50 0 0			7 "	1 "	1875
Stony Ridge, No. 1	A. Tobin, R. Feehan, and M. P. Fitzgerald.	16,000	16,000	20 0 0	0 16 0				20 July, 1875	1 "	1876
" " " 2	"	16,000	16,000	20 0 0	0 16 0				20 "	1 "	"
" " " 3	"	13,000	13,000	20 0 0	0 19 8				20 "	1 "	"
" " " 4	"	13,000	13,000	20 0 0	0 19 8				20 "	1 "	"
Stratore, block A	Thomas Nixon	64,000	64,000	20 0 0	0 4 0				6 Oct., 1874	1 "	1875
" " " B	"	64,000	64,000	25 0 0	0 5 0				6 "	1 "	"
" " " C	"	64,000	64,000	25 0 0	0 5 0				6 "	1 "	"
Sturt	Samuel and B. Hemming	64,000	64,000	20 0 0	0 4 0				Not appraised	1 "	"
" block No. 1	E. S. Bonney	64,000	64,000	11 0 0	0 2 2				23 Oct., 1876	1 "	1877
" " " 3	Lloyd Jones	64,000	64,000	20 0 0	0 4 0				Not appraised	1 April, 1874	
" " " 5	"	64,000	64,000	20 0 0	0 4 0				"	1 "	"
" " " 6	"	64,000	64,000	20 0 0	0 4 0				"	1 "	"
" " " 7	"	64,000	64,000	20 0 0	0 4 0				"	1 "	"
Sturt's Depot Glen	D. E. M'Bryde	64,000	64,000	27 0 0	0 5 4				6 Oct., 1874	1 Jan., 1875	
" Meadows	Abraham Wallace	63,000	63,000	19 0 0	0 3 10				2 "	1 "	1877
" " North	"	36,480	36,480	10 0 0	0 3 6				20 Nov., "	1 "	"
Table-tops	Lloyd Jones	19,200	19,200	10 0 0	0 6 8				Not appraised	1 July, 1874	
Takeiwa, No. 5	"	32,000	32,000	10 0 0	0 4 0				"	1 "	1873
" " 6	The Trust and Agency Company	60,000	60,000	20 0 0	0 4 3				"	1 "	1874
Tallandra	R. B. Smith	54,000	54,000	102 0 0	1 4 2				"	1 "	1874
Talowla	Sir Samuel Wilson	65,000	65,000	30 0 0	0 5 11				11 Sept., 1874	1 Jan., 1875	
Tankarook	F. and A. Campbell	33,920	33,920	35 0 0	0 13 2	80 0 0			24 Oct., 1876	1 "	1877
Tarawonda	E. M. Bagot	57,000	57,000	18 0 0	0 4 0				11 Sept., 1874	1 "	1875
Teltawongee	F. C., K. E., and K. E. Brodribb	64,000	64,000	33 0 0	0 6 7				29 "	1 "	1878
" North	Joseph Clark	48,000	48,000	34 0 0	0 9 0				2 Oct., "	1 "	"
" North-east	F. C., K. E., and K. E. Brodribb	13,000	13,000	10 0 0	0 9 10				6 "	1 "	1875
									6 "	1 "	"

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area released, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisal.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
ALBERT DISTRICT—continued.											
				£ s. d.	£ s. d.						
Terawinda North-east No. 1	Lloyd Jones	30,000	30,000	10 0 0	0 4 3½			Not ascer-	Not ascer-	Not appraised	1 Jan., 1875
" North	The Trust and Agency Company	64,000	64,000	10 0 0	0 2 0			tainable	tainable	"	1 April, 1873
" Plains, No. 1	Lloyd Jones	64,000	64,000	20 0 0	0 4 0			"	"	"	1 July, 1874
" " 2	Oliver Whitehead	62,000	62,000	20 0 0	0 4 1½			"	"	"	1 " "
Thagoara	J. C. Foord	76,000	76,000	20 0 0	0 3 4½			"	"	"	1 " "
The Wells	George A. Elliott	30,000	30,000	10 0 0	0 4 3½			"	"	"	1 " 1873
Thoulconna East	Robert B. Smith	40,000	40,000	18 0 0	0 5 9			"	"	6 Oct., 1874	1 Jan., 1875
" West	Hon. A. Hay and S. Newland	38,000	38,000	28 0 0	0 9 5½			"	"	3 " 1873	1 " 1874
Tirlita	W. and E. Kennedy	17,000	16,820	20 0 0	0 15 2½		180	"	"	3 " "	1 " "
Tongowoko	Lloyd Jones	70,000	70,000	35 0 0	0 6 4½			"	"	6 " 1874	1 " 1875
" West	Lloyd Jones	64,000	64,000	10 0 0	0 2 0			"	"	Not appraised	1 July, 1873
Topar	The London Chartered Bank	64,000	64,000	20 0 0	0 4 0			"	"	1 Jan., 1874	1 Jan., 1874
" West	The London Chartered Bank	64,000	64,000	25 0 0	0 5 0			"	"	7 Oct., 1874	1 " 1875
Torowoto	W. J. Reid	64,000	64,000	20 0 0	0 4 0			"	"	7 " "	1 " "
" North	The Trust and Agency Company	50,000	50,000	27 0 0	0 6 11			"	"	6 " "	1 " "
" South	W. J. Reid	27,500	27,500	10 0 0	0 4 7½			"	"	Not appraised	1 July, 1873
" Swamp East, No. 1	W. J. Reid	42,000	42,000	20 0 0	0 6 1½			"	"	27 Sept., 1877	1 " 1878
" " 2	"	16,000	16,000	10 0 0	0 8 0			"	"	6 Oct., 1874	1 " 1875
Torrens Creek	C. A. Crisp and E. Lintott	16,000	16,000	10 0 0	0 8 0			"	"	6 " "	1 " "
Torrowongee	J. Hart, C. H. T. Hart, and W. A. Horn	50,000	50,000	20 0 0	0 5 1½			"	"	Not appraised	1 " 1874
	J. Hart, C. H. T. Hart, and W. A. Horn	25,000	25,000	30 0 0	0 15 4½			"	"	6 Oct., 1874	1 Jan., 1875
Tralee	J. Tyson	22,000	22,000	15 0 0	0 8 8½			"	"	6 Dec., 1877	1 " 1878
Tungo North	Sir James McCulloch and R. B. Smith	16,000	16,000	25 0 0	1 0 0			"	"	11 Sept., 1874	1 " 1875
Tyngmynia	The Commercial Bank	60,000	60,000	22 0 0	0 4 8½			"	"	8 Dec., 1877	1 " 1878
Ularara East, No. 1	Sir F. Murphy	15,000	15,000	24 0 0	1 0 5½			"	"	20 July, 1875	1 " 1876
" " 2	"	18,500	18,500	36 0 0	1 4 11			"	"	16 " "	1 " "
" " 3	"	43,000	43,000	20 0 0	0 5 11½			"	"	20 Aug., 1874	1 " 1875
" " 4	"	30,000	30,000	18 0 0	0 7 8½			"	"	20 " "	1 " "
" West, No. 1	"	17,000	17,000	30 0 0	1 2 7			"	"	20 July, 1875	1 " 1876
" " 2	"	13,500	13,500	30 0 0	1 8 5½			"	"	20 " "	1 " "
Ullollie	The London Chartered Bank	64,000	63,960	50 0 0	0 10 0	40		"	"	24 Oct., 1876	1 " 1877
Umberumberka	J. Hart, C. H. T. Hart, and W. A. Horn	28,000	28,000	44 0 0	1 0 1½			"	"	6 " 1874	1 Oct., "
" B	"	60,000	60,000	25 0 0	0 5 4			"	"	6 " "	1 Jan., 1875
Uncana	W. J. Reid	64,000	64,000	30 0 0	0 6 0			"	"	24 Oct., 1876	1 " 1877
Upper Birrawarra	James Tyson	11,000	11,000	19 0 0	1 2 1½			"	"	20 July, 1875	1 " 1876
" West	"	9,000	9,000	19 0 0	1 7 0½			"	"	20 " "	1 " "
Urisino, No. 1	Sir Samuel Wilson	64,000	64,000	10 0 0	0 2 0			"	"	29 Sept., 1877	1 " 1878
" " 2	A. W. West	64,000	64,000	20 0 0	0 4 0			"	"	Not appraised	1 July, 1874
" " 3	Sir Samuel Wilson	64,000	64,000	12 0 0	0 2 4½			"	"	29 Sept., 1877	1 Jan., 1878
" " 4	"	64,000	64,000	10 0 0	0 2 0			"	"	29 " "	1 " "
" " 5	"	64,000	64,000	12 0 0	0 2 4½			"	"	29 " "	1 " "
" " 6	C. A. Middleton	64,000	64,000	20 0 0	0 4 0			"	"	Not appraised	1 July, 1874
Victoria, block A	W. Peterson, J. Blyth, F. T. Sargood, and J. S. Peterson.	32,000	32,000	25 0 0	0 10 0			"	"	6 Oct., 1874	1 Jan., 1875
" B	"	42,000	42,000	30 0 0	0 9 1½			"	"	6 " "	1 " "
" D	"	57,000	56,960	25 0 0	0 5 7½	40		"	"	6 " "	1 " "
Waltragalda	R. B. Smith	69,000	69,000	65 0 0	0 12 0½			"	"	20 July, 1875	1 " 1876
Walker's 22 Camp	A. Hay, and S. Newland	44,000	44,000	90 0 0	1 6 2½			"	"	24 Oct., 1876	1 " 1877
" Back Run	"	38,000	38,000	35 0 0	0 11 9½			"	"	24 " "	1 " "
Walla	W. J. Reid	70,000	70,000	30 0 0	0 5 5½			"	"	6 Oct., 1874	1 " 1875
Wallandra	G. R. and H. C. Suttor	30,000	30,000	60 0 0	1 5 7½			"	"	20 Aug., "	1 " "
" Outer Run	"	30,000	30,000	30 0 0	0 12 9½			"	"	24 Oct., 1876	1 " 1877
Wanalla	A. J. L. Learmonth	32,000	32,000	15 0 0	0 6 0			"	"	3 Nov., 1875	1 " 1874

Wanga East	Sir Samuel Wilson	64,000	64,000	10 0 0	0 2 0					Not appraised	1 July, 1873
" West	Sir Francis Murphy	64,000	64,000	10 0 0	0 2 0						1 "
Wartago	F. C. and K. E. Brodribb	30,000	30,000	10 0 0	0 4 3½					27 Sept., 1877	1 " 1878
Warramutty East	C. M. and S. H. Officer	36,000	36,000	30 0 0	0 10 8					20 July, 1875	1 " 1876
" West	"	35,000	35,000	28 0 0	0 10 3					24 Oct., 1876	1 " 1877
Warroo	The Commercial Bank	36,000	36,000	15 0 0	0 5 4					6 Dec., 1877	1 " 1878
Waverley	E. W. Donnelly	40,320	40,320	15 0 0	0 4 9½					29 Sept., "	1 " "
" No. 4	A. Wallace	38,000	38,000	12 0 0	0 4 0½					29 "	1 " "
Wa Ya Boorla Plains	W. Peterson, J. Blyth, F. T. Sargood, and J. S. Peterson.	60,000	60,000	15 0 0	0 3 2½					2 Oct., "	1 " "
" South	"	64,000	64,000	18 0 0	0 3 7¼					2 "	1 " "
Weelung	G. R. and H. C. Suttor	31,000	30,980	75 0 0	1 11 1	20				20 Aug., 1874	1 " 1875
" Outer Run	"	32,000	32,000	30 0 0	0 12 0					24 Oct., 1876	1 " 1877
Weinteriga	Walter Duffield	35,000	35,000	85 0 0	1 11 1					7 " 1874	1 " 1875
Weimbutta	W. J. Reid	64,000	64,000	26 0 0	0 5 2½					2 " 1877	1 " 1878
Wentworth, No. 1	Sir Samuel Wilson	66,000	66,000	25 0 0	0 4 10½					Not appraised	1 April, 1873
" " 2	"	52,000	52,000	25 0 0	0 6 1½					"	1 " "
" " 3	"	52,000	52,000	25 0 0	0 6 1½					"	1 " "
" " 4	"	60,000	60,000	25 0 0	0 5 4					"	1 " "
" " 5	"	83,000	83,000	18 0 0	0 2 9½					24 Oct., 1876	1 Jan., 1877
" " 6	"	64,000	64,000	14 0 0	0 2 9½					24 "	1 " "
" " 7	"	64,000	64,000	14 0 0	0 2 9½					24 "	1 " "
" " 8	"	61,600	61,600	15 0 0	0 3 1½					24 "	1 " "
Werimbela	S. T. and S. G. Staughton	20,000	19,480	40 0 0	1 6 3½	520				6 " 1877	1 " 1878
Wertago	W. and E. Kennedy	43,200	43,200	10 0 0	0 2 11½					Not appraised	1 July, 1873
West Barronah, No. 1	Sir Samuel Wilson	36,000	36,000	20 0 0	0 7 1½					6 Dec., 1877	1 Jan., 1878
" " 2	"	62,800	62,800	18 0 0	0 3 8					24 Oct., 1876	1 " 1877
" " 3	"	51,000	51,000	20 0 0	0 5 0½					20 July, 1875	1 " 1876
West Paldrumata	D. W. H. and T. L. Patterson and A. Crombie.	64,000	64,000	35 0 0	0 7 0					6 Oct., 1874	1 " 1875
West Paroo, No. 1	A. W. West	54,000	54,000	20 0 0	0 4 9					Not appraised	1 July, 1874
" " 2	Lloyd Jones	62,000	62,000	10 0 0	0 2 0¾					29 Sept., 1877	1 Jan., 1878
West Parkungi	D. W. H. Patterson	37,100	37,100	15 0 0	0 5 2					2 Oct., "	1 " "
West Torowoto Swamp No. 1	W. J. Reid	16,000	16,000	10 0 0	0 8 0					6 " 1874	1 " 1875
" " 2	"	16,000	16,000	10 0 0	0 8 0					6 "	1 " "
West Warrego, No. 1	Sir Samuel Wilson	16,300	16,300	30 0 0	1 3 6½					24 " 1876	1 " 1877
" " 2	"	16,200	16,200	25 0 0	0 19 9					24 "	1 " "
" " 3	"	15,400	15,400	24 0 0	0 19 11½					24 "	1 " "
" " 4	"	16,000	16,000	21 0 0	0 16 9½					"	1 " "
" " 5	"	16,000	16,000	35 0 0	1 8 0					6 Dec., 1877	1 " 1878
" " 6	"	21,000	21,000	25 0 0	0 15 2½					2 " 1873	1 " 1874
" " 7	"	22,000	22,000	26 0 0	0 15 1½					2 "	1 " "
" " 8	A. and A. C. Wilson	24,000	24,000	28 0 0	0 14 11½					6 Oct., "	1 " "
" " 9	"	38,000	38,000	25 0 0	0 8 5					6 "	1 " "
West Wonominta Creek, No. 1	R. H. Kennedy	16,000	16,000	10 0 0	0 8 0					29 Sept., 1877	1 " 1878
" " 2	"	16,000	16,000	10 0 0	0 8 0					29 "	1 " "
Wigilla	R. Mockridge and W. McLean	63,360	63,360	35 0 0	0 7 0¾					23 Oct., 1876	1 " 1877
Willawarrawa A	J. Hart, C. H. T. Hart, and W. A. Horn	64,000	64,000	35 0 0	0 7 0					6 " 1874	1 " 1875
Windara Back	A. Wilson and A. C. Wilson	28,000	28,000	10 0 0	0 4 6½					24 " 1876	1 " 1877
" Right	G. Armytage	16,300	16,300	12 0 0	0 9 5					24 "	1 " "
Wongolarro	R. McKenzie Ayre and F. Martin	46,000	46,000	30 0 0	0 8 4½					2 "	1 " "
Wonkoo	The London Chartered Bank	29,000	29,000	24 0 0	0 10 7					11 Sept., 1874	1 " 1875
" South	"	17,000	17,000	17 0 0	0 12 9½					11 "	1 " "
Wonominta	R. H. Kennedy	58,000	58,000	23 0 0	0 5 1					2 Oct., 1877	1 " 1878
" South	"	48,000	48,000	20 0 0	0 5 4					29 Sept., "	1 " "
Woodstock	E. W. Donnelly	40,000	40,000	20 0 0	0 6 4½					Not appraised	1 April, 1874
Woombup	W. J. Reid	44,000	44,000	12 0 0	0 3 6					24 Oct., 1876	1 Jan., 1877
Woorungil Plain	D. McGregor	47,000	47,000	20 0 0	0 5 5½					13 Sept., "	1 " "
Woraro	W. and E. Kennedy	60,000	60,000	20 0 0	0 4 3½					2 Oct., 1877	1 " 1878
Woytchugga	D. W. H. Patterson	60,000	59,960	25 0 0	0 5 4	40				30 Sept., 1876	1 " 1877
" East	Thomas Chirnside	37,000	31,300	72 0 0	1 9 5½				5,700	11 " 1874	1 " 1875
Wunawunt	The Trust and Agency Company	64,000	64,000	20 0 0	0 4 0					29 " 1877	1 " 1878
Yamaraine	J. Blackwood and C. Ibbotson	46,000	46,000	10 0 0	0 2 9½					Not appraised	1 July, 1873
Yancowinna Creek North	The London Chartered Bank	70,000	70,000	45 0 0	0 8 2½					7 Oct., 1874	1 Jan., 1875

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisalment.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
ALBERT DISTRICT— <i>continued</i> .											
Yancowinna Creek South	The London Chartered Bank	58,000	58,000	£ s. d.	£ s. d.					7 Oct., 1874	1 Jan., 1875
" " East, No. 1	" "	70,000	70,000	25 0 0	0 7 8½			Not ascertainable	Not ascertainable	7 " "	1 " "
" " " 2	" "	59,000	59,000	27 0 0	0 5 10½			"	"	7 " "	1 " "
Yantara	The Trust and Agency Company	64,000	64,000	38 0 0	0 7 7½			"	"	29 Sept., 1877	1 " 1878
Yentabangie	The London Chartered Bank	12,000	12,000	10 0 0	0 10 8			"	"	11 " 1874	1 " 1875
Yerndambool	E. Quin and W. J. Currie	50,600	50,600	24 0 0	0 6 0½			"	"	24 Oct., 1876	1 " 1877
Yoongnulgra East	R. B. Smith	34,400	34,400	22 0 0	0 8 2½			"	"	3 " 1873	1 " 1874
Youngarignia	James Tyson	64,000	64,000	40 0 0	0 8 0			"	"	24 " 1876	1 " 1877
Yundaroo	Sir Samuel Wilson	16,000	16,000	20 0 0	0 16 0			"	"	20 July, 1875	1 " 1876
Yungnulgra	E. Quin and W. J. Currie	64,000	64,000	34 0 0	0 6 9½			"	"	6 Oct., 1874	1 " 1875
" Plains	R. Sellar	61,500	61,500	28 0 0	0 5 10			"	"	2 " 1877	1 " 1878
" " North	E. S. Bonney	61,500	61,500	23 0 0	0 4 9½			"	"	2 " "	1 " "
" " South	R. B. Smith	61,500	61,500	33 0 0	0 6 10½			"	"	2 " "	1 " "
Sturt, block No. 2	Lloyd Jones	64,000	64,000	10 0 0	0 2 0			"	"	24 " 1876	1 " 1877
" " 4	"	64,000	64,000	10 0 0	0 2 0			"	"	24 " "	1 " "
Willowwarrawa C	"	35,000	35,000	20 0 0	0 7 3½			"	"	Not appraised	1 April, "
Tongowoko South	"	60,000	60,000	10 0 0	0 2 1½			"	"	24 Oct., 1876	1 Jan., "
Mallambray North	R. B. Smith	35,800	35,800	40 0 0	0 14 3½			"	"	Not appraised	1 " 1876
Dunlop North-west, No. 2	Sir Samuel Wilson	8,500	8,500	20 0 0	1 10 1½			"	"	"	1 " "
Outer Dunlop North-west, No. 2	"	41,900	41,900	20 0 0	0 6 1½			"	"	"	1 " 1877
" " 4	"	42,280	42,280	10 0 0	0 3 0½			"	"	"	1 " "
Grand Totals		35,441,180	35,421,742	18,595 10 0	0 6 8½	12,838	6,600				
BLIGH DISTRICT.											
Apple Pie	The Commercial Banking Co	17,000	17,000	20 0 0	0 15 0½			"	"	13 Nov., 1875	1 Jan., 1876
Armitree	George Richardson	11,000	11,000	32 10 0	1 17 9½			"	"	27 " "	1 " "
Back Bibbejibbery	The Commercial Bank	14,500	14,500	20 0 0	0 17 7½			"	"	21 " 1876	1 " 1877
Back Breelong	M. C. Machardy	50,000	50,000	30 0 0	0 7 8			"	"	24 Jan., 1877	1 " "
Back Burway	The Commercial Banking Co	22,000	22,000	30 0 0	0 17 5½			"	"	13 Nov., 1875	1 " 1876
Back Carabear block A	Edward Flood	38,000	37,360	30 0 0	0 10 3½	640		"	"	15 Jan., 1877	1 " 1877
" " B	John M'Lean	18,000	18,000	20 0 0	0 14 2½			"	"	24 " "	1 " "
Back Creek	Mary Perry	12,000	12,000	20 0 0	1 1 4			"	"	3 Nov., 1875	1 " 1876
Back Gidgenboyne	Malcolm C. Machardy	17,000	17,000	10 0 0	0 7 6½			"	"	13 " "	1 " "
Back Kidgar	The Australian Joint Stock Bank	9,400	9,300	20 0 0	1 7 6½	100		"	"	15 Jan., 1877	1 " 1877
Back Marthaguy	Edward Flood	20,000	20,000	35 0 0	1 2 4½			"	"	17 Aug., 1872	1 " 1878
Back Mount Harris	John Thomas Egan	17,000	17,000	22 10 0	0 16 4½			"	"	4 June, 1874	1 " 1875
Back Mundooran	M. C. Machardy	17,000	17,000	10 0 0	0 7 6½			"	"	13 Nov., 1875	1 " 1876
Back Pollybrewang	W. L. Stephenson	17,700	17,540	32 10 0	1 3 8½	160		"	"	15 Jan., 1877	1 " 1877
Back Tenandra	The Australian Joint Stock Bank	16,000	16,000	20 0 0	0 16 0			"	"	2 Nov., 1874	1 " 1875
Back Warren	R. G. Higgins	23,600	23,600	35 0 0	0 18 11½			"	"	2 " 1875	1 " 1876
Balagula	Jane Fletcher	14,500	14,220	55 0 0	2 9 6	280		"	"	3 " "	1 " "
Bald Ridge	S. A. Blackman	16,000	15,180	35 0 0	1 9 6½	820		"	"	9 Dec., 1875	1 " "
Ballinore	Edward Flood	22,000	21,000	20 0 0	0 12 2½	1,000		"	"	13 Nov., "	1 " "
Bangalore	D. Cohen, L. W. Levy, G. J. Cohen and M. Cohen.	8,000	8,000	12 10 0	1 0 0			"	"	24 Jan., 1877	1 " 1877
Barbigel	James Heane	20,000	19,600	28 0 0	0 18 3½	400		"	"	29 May, 1876	1 " "
Bebrue	John and Thomas Egan	16,000	15,570	55 0 0	2 5 2½	430		"	"	3 Nov., 1875	1 " 1876
Beery	Andrew Brown	16,000	14,773	40 0 0	1 14 7½	1,227		"	"	13 " "	1 " "
Belabigil	Chas. Macphillamy	11,500	9,366	17 0 0	1 3 2½	2,134		"	"	16 " "	1 " "
Belar	M. Shannahan and P. A. Jennings	16,000	12,280	20 0 0	1 0 10	1,680	2,040	"	"	9 Dec., "	1 " "
Belgoreen	Francis Todhunter	38,400	27,452	60 0 0	1 7 11½	10,594	354	"	"	15 Jan., 1877	1 " "
Berabong	George Rouse	16,000	15,960	24 0 0	0 19 3	40		"	"	27 Nov., 1875	1 " "
Biambil	The Australian Joint Stock Bank	16,000	9,710	20 0 0	1 6 4½	2,810	3,480	"	"	10 " "	1 " "

Bickanbeenie	Charles Macphillamy	26,000	20,560	25 0 0	0 15 6 $\frac{1}{2}$	240	3,440	19	1	1875
Billero	T., W., C., J., E., R., and A. Colwell	15,000	14,760	34 0 0	1 9 5 $\frac{1}{2}$	240	2	1	1875	
Billibla	Geo. Rouse	22,600	22,540	62 0 0	1 15 2 $\frac{1}{2}$	60		2	1	1875
Bimble	The Commercial Banking Co.	16,000	16,000	50 0 0	2 0 0			29	1	1875
Binnia	D. M' Master	18,000	3,187	10 0 0	2 0 2	6,500	8,313	16 Dec.,	1	1875
Black Stump	D. M'Lean, W. and J. Baker	16,000	15,360	25 0 0	1 0 10	640		16	1	1875
Bobrah	R. Jackson	11,000	10,880	30 0 0	1 15 3 $\frac{1}{2}$	120		27 Nov.,	1	1875
Bodangery	The Bank of New South Wales	25,500	23,640	30 0 0	0 16 3	960	900	11 Oct.,	1	1875
Bogala	The Commercial Banking Co.	16,000	16,000	35 0 0	1 8 0			3 Nov.,	1	1875
Bogera		13,000	13,000	35 0 0	1 14 5 $\frac{1}{2}$			2	1874	1 1875
Bogewon	T., W., B., and P. Britten	28,500	26,260	70 0 0	1 14 10 $\frac{1}{2}$		2,240	15 Jan., 1877	1	1877
Bokemer	Samuel Elliott	13,000	13,000	37 0 0	1 16 5 $\frac{1}{2}$			25 June, 1874	1	1875
Bolaro	William Lowe	16,000	16,000	10 0 0	0 8 0			27 Nov., 1875	1	1876
Bonebone	G. Rouse	19,200	19,000	32 0 0	1 1 6 $\frac{1}{2}$	200		27	1	1875
Bongegalong	The Bank of New South Wales	17,500	17,420	50 0 0	1 16 8 $\frac{1}{2}$	80		27	1	1875
Bonona Rock	Robert Robertson	5,000	3,284	10 0 0	1 18 11 $\frac{1}{2}$	1,716		13	1	1875
Boonley	Isaac and George John Blekmore	16,000	15,160	22 0 0	0 18 6 $\frac{1}{2}$	840		13	1	1875
Booranda	Edward M'Guire and J. Cafe	16,000	15,950	40 0 0	1 12 1 $\frac{1}{2}$	50		21 Aug., 1873	1	1874
Boothaguy	George Rouse	6,000	6,000	10 0 0	1 1 4			24 Jan., 1877	1	1877
Borgara	R. G. Higgins	20,000	18,800	60 0 0	2 0 1 $\frac{1}{2}$	1,200		3 Nov., 1875	1	1876
Botheroe	Sir D. Cooper, Bart., and Thomas Buckland.	30,000	29,960	37 10 0	0 16 0 $\frac{1}{2}$	40		9 Dec.,	1	1875
Bourbah	Anne O'Donohoe	19,500	19,500	42 0 0	1 7 6 $\frac{1}{2}$			29 Nov.,	1	1875
Bourbeen	Edward Flood	19,200	18,760	30 0 0	1 0 5 $\frac{1}{2}$	440		24 Jan., 1877	1	1877
Breelong New	W. F. Buchanan	33,500	33,500	22 10 0	0 8 7 $\frac{1}{2}$			21 Aug., 1873	1	1874
Brewon	J. K. and C. B. Mackay	36,000	36,000	120 0 0	1 10 7			3 Nov., 1875	1	1876
Broken Plains	A. Brown	13,000	13,000	20 0 0	0 19 8 $\frac{1}{2}$			13	1	1875
" No. 2	The Australian Joint Stock Bank	16,500	16,500	32 0 0	1 4 10			2	1	1875
Bucker, No. 1	Henry Wadge	12,000	12,000	20 0 0	1 1 4			2	1874	1 1875
" 2	The Australian Joint Stock Bank	16,000	16,000	30 0 0	1 4 0			2	1	1875
Bucklenbaa	Blackwood and Ibbotson	16,000	16,000	63 0 0	2 12 0			27	1875	1 1876
" East		30,000	30,000	75 0 0	1 12 0			16 Aug., 1877	1	1878
Budgeong	The Australian Joint Stock Bank	20,000	17,760	53 0 0	1 18 2 $\frac{1}{2}$	2,240		27 Nov., 1875	1	1876
Buggil	William Alison	21,000	21,000	45 0 0	1 7 5 $\frac{1}{2}$			20 Dec.,	1	1875
" West	The Australian Joint Stock Bank	7,000	6,960	25 0 0	2 5 11 $\frac{1}{2}$	40		2 Nov.,	1	1875
Bulgar	William Alison	16,000	16,000	45 0 0	1 16 0			16 Aug., 1877	1	1878
Bulgeraga	A. Cruickshank	28,600	28,600	56 0 0	1 5 0 $\frac{1}{2}$			2 Nov., 1875	1	1876
Bulgogar	E. Keep, F. Day, and W. M. Ronald	19,200	19,160	35 0 0	1 3 4 $\frac{1}{2}$	40		27	1	1875
Bulodaran	Manwan Green	16,000	16,000	25 0 0	1 0 0			21	1	1875
Bullorora	W. Alison	33,000	33,000	130 0 0	2 10 5			20 Dec.,	1	1875
Bunbundaloo	C. and J. M'Phillamy	10,000	10,000	35 0 0	2 4 9 $\frac{1}{2}$			2 Nov.,	1	1875
Bundajool	Edward Flood	17,000	17,000	25 0 0	0 18 9 $\frac{1}{2}$			21 Aug., 1873	1	1874
Bundemar	W. W. Brocklehurst	18,000	15,160	55 0 0	2 6 5 $\frac{1}{2}$	880	1,960	20 Dec., 1875	1	1876
Bundigo	C. M'Phillamy	17,000	17,000	25 0 0	0 18 9 $\frac{1}{2}$			19 Nov.,	1	1875
Bundilla	Richard Nancarrow	16,000	16,000	40 0 0	1 12 0			26 Oct., 1874	1	1875
Bundobering	Edward Flood	12,800	12,800	15 0 0	0 15 0			10	1	1875
Bundy	S. D. Gordon	42,000	42,000	90 0 0	1 7 5			2 Nov., 1875	1	1876
Bundy Bundally	R. M. Richardson	16,000	16,000	30 0 0	1 4 0			20 July, 1874	1	1875
Bungebar	E. L. Moore	16,000	15,000	20 0 0	0 17 0 $\frac{1}{2}$	1,000		9 Dec., 1875	1	1876
Burran	Charles Lowe	16,000	15,960	45 0 0	1 16 1	40		20	1	1875
Burway	The Commercial Banking Co.	54,000	53,516	85 0 0	1 0 4	480		13 Nov.,	1	1875
Caigan	Andrew Brown	28,000	24,780	50 0 0	1 5 10	3,180		13	1	1875
Caleriwi	Geo. Rouse	56,000	55,340	40 0 0	0 9 3	660		24 Jan., 1877	1	1875
Carsbear	Edward Flood	24,000	22,440	46 0 0	1 6 3	1,560		3 Nov., 1875	1	1875
Carinda	Thos. and Thos. H. M'Namara	17,000	16,900	35 0 0	1 6 6	100		3	1	1875
Carlinda	Thos. Wrigley	17,000	16,750	32 10 0	1 4 10	250		27	1	1875
Carlugoingoi	Edward Macguire	13,000	12,920	24 0 0	1 3 9 $\frac{1}{2}$	80		27	1	1875
Cartvelor Cowell	G. Smith	10,000	10,000	22 0 0	1 8 1 $\frac{1}{2}$			20 Dec.,	1	1875
Carwell	H. Wadge	13,000	10,760	27 10 0	1 12 8 $\frac{1}{2}$	2,240		2 Nov., 1874	1	1875
" No. 2		15,500	15,500	27 10 0	1 2 8 $\frac{1}{2}$			2	1	1875
" 3	W. L. Stevenson	21,600	21,380	25 0 0	0 14 11 $\frac{1}{2}$	220		15 Jan., 1877	1	1877
Castlereagh	L. C. Cheetham	6,000	5,720	18 0 0	2 0 3 $\frac{1}{2}$	280		27 Nov., 1875	1	1876
Cawell	A. Brown	16,000	13,760	28 0 0	1 6 0 $\frac{1}{2}$	2,240		13	1	1875
Cobra	John Jones	16,000	8,020	20 0 0	1 11 11	1,130	6,850	13	1	1875

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisal.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
BLIGH DISTRICT—continued.											
				£ s. d.	£ s. d.						
Cobranragy	John Yeo and D. M'Vicar	12,800	12,800	10 0 0	0 10 0			Not ascer-	Not ascer-	13 Nov., 1875	1 Jan., 1876
Collanbarawang	James Richmond	63,000	39,184	65 0 0	1 1 2 ³	5,954	17,862	tainable	tainable	15 Dec., 1877	1 " " 1875
Colli	Christiana Bishop, Eliza Foley, Sarah Meers, Maria and Caroline Bishop.	10,000	9,800	30 0 0	1 19 2 ⁴	200		"	"	29 May, 1874	1 " " 1875
Colliburl	Alexander Cruickshank	12,000	11,120	20 0 0	1 3 0 ⁴	880		"	"	19 Nov., 1875	1 " " 1876
Colomy	W. L. Stevenson	14,500	14,500	27 10 0	1 4 3 ⁴			"	"	15 Jan., 1877	1 " " 1877
Combarrah	The Australian Joint Stock Bank	18,500	18,500	42 0 0	1 9 0 ⁴			"	"	27 Nov., 1875	1 " " 1876
Combogolong	Henry Bell	17,500	17,500	50 0 0	1 16 6 ³			"	"	16 Aug., 1877	1 " " 1878
Como	J. G. Gibson	8,250	8,250	22 0 0	1 14 1 ²			"	"	15 Jan., "	1 " " 1877
Coonanimon	M. Shanahan and P. A. Jennings	16,000	16,000	35 0 0	1 8 0			"	"	9 Dec., 1875	1 " " 1876
Cookerbingle	D. Watt	16,000	5,400	16 0 0	1 17 11	10,600		"	"	9 " "	1 " " 1875
Cookydown	A. Cruickshank	16,000	16,000	37 10 0	1 10 0			"	"	29 May, 1874	1 " " 1875
Coolabarabyan	J. B. Watt, W. O. Gilchrist, and J. Gilchrist	16,000	15,420	25 0 0	1 0 9	580		"	"	9 Dec., 1875	1 " " 1876
Coonamble North	E. Keep, F. Day, and W. M. Ronald.	11,500	11,500	10 0 0	0 11 1 ²			"	"	15 Jan., 1877	1 " " 1877
Coonamoona	"	50,000	49,940	80 0 0	1 0 6	60		"	"	27 Nov., 1875	1 " " 1876
" Back Run	"	17,500	17,500	22 0 0	0 16 1			"	"	15 Jan., 1877	1 " " 1877
Cooyah Warrah	William Alison	13,000	13,000	30 0 0	1 9 6 ¹			"	"	16 Aug., "	1 " " 1878
Corradgery	J. H. Stewart	16,000	16,000	41 0 0	1 12 0			"	"	29 May, 1874	1 " " 1875
Cowell Murryan	John Jones	13,600	13,600	30 0 0	1 8 2 ³			"	"	16 Aug., 1877	1 " " 1878
Cubbin	G. Rouse	16,000	15,670	32 0 0	1 6 1 ²	330		"	"	27 Nov., 1875	1 " " 1876
Cullengally	Christiana Bishop, Eliza Foley, Sarah Meers, Maria and Caroline Bishop.	17,000	17,000	40 0 0	1 10 1 ²			"	"	29 " "	1 " " 1875
Curban	E. Flood	22,000	19,240	35 0 0	1 3 3 ¹	2,440	320	"	"	21 Jan., 1877	1 " " 1877
Cuttabulah	A. Brown	33,000	32,080	26 0 0	0 10 4 ¹	920		"	"	13 Nov., 1875	1 " " 1876
Dahomey	W. Alison	16,400	16,400	30 0 0	1 3 5			"	"	16 Aug., 1877	1 " " 1878
" No. 2	"	15,600	15,600	37 10 0	1 10 9 ²			"	"	2 Nov., 1874	1 " " 1875
Deringulla	M. Shanahan and P. A. Jennings	12,000	11,650	17 0 0	0 18 8	350		"	"	9 Dec., 1875	1 " " 1876
Dewar Ridges	J. H. Stewart	20,000		15 0 0		mostly selected		"	"	13 Nov., "	1 " " 1875
Digilah	J. Patrick	16,000	15,780	27 0 0	1 1 10 ³	220		"	"	13 " "	1 " " 1874
Dilly Dilly	G. Rouse	16,000	16,000	18 0 0	0 14 4 ¹			"	"	27 " "	1 " " 1875
Drillwarner	Charles M'Phillamy	46,000	46,000	25 0 0	0 6 11 ²			"	"	27 " "	1 " " 1874
Dubbo	J. H. Stewart	30,000		10 0 0		mostly selected		"	"	13 " "	1 " " 1875
Dunny Rinine	G. Nunn	16,000	15,840	12 10 0	0 10 1 ²	160		"	"	9 Dec., "	1 " " 1875
East Breelong	The Australian Joint Stock Bank	16,000	16,000	22 10 0	0 18 0			"	"	24 Jan., 1877	1 " " 1877
Eastern Back Bogenong	Thomas Britton	8,200	8,200	25 0 0	1 19 0 ⁴			"	"	15 " "	1 " " 1875
East Kidgar	The Australian Joint Stock Bank	11,300	11,260	35 0 0	1 19 9 ²	40		"	"	15 " "	1 " " 1875
East Tyrone	W. Alison	8,500	8,500	16 0 0	1 4 1			"	"	21 Aug., 1873	1 " " 1874
Elong Elong	James Yeo	3,200	3,200	10 0 0	2 0 0			"	"	21 " "	1 " " 1875
Embie	Samuel Elliott	17,350	17,350	40 0 0	1 9 6			"	"	2 Nov., 1875	1 " " 1876
Emogandry	The Commercial Banking Co.	30,000	30,000	23 0 0	0 9 9 ²			"	"	13 " "	1 " " 1875
Eranganering (Old)	The Australian Joint Stock Bank	21,000	21,000	30 0 0	0 18 3 ²			"	"	27 " "	1 " " 1875
Eulawang	H. R. C. Bird	4,000	4,000	15 0 0	2 8 0			"	"	8 Feb., 1877	1 " " 1877
Euromedah	Ryrie and Alexander	19,200	17,800	30 0 0	1 1 7	1,400		"	"	13 Nov., 1875	1 " " 1876
Ford's Creek	The Australian Joint Stock Bank	16,000	16,000	25 0 0	1 0 0			"	"	29 Oct., 1877	1 " " 1878
Four-mile Creek	H. Crossing	10,000	10,000	10 0 0	0 12 9 ²			"	"	13 Nov., 1875	1 " " 1876
Galaragambone	G. Tailby, junr.	20,000	19,840	45 0 0	1 9 0 ³	160		"	"	29 " "	1 " " 1875
Ganber Ganber East	G. Rouse	15,000	14,070	10 0 0	0 9 1	850	80	"	"	27 " "	1 " " 1875
" West	Walter Miller	15,000	15,000	10 0 0	0 8 6 ³			"	"	27 " "	1 " " 1875
Gandymungydell	The Commercial Banking Co.	20,000	20,000	42 0 0	1 6 10 ⁴			"	"	29 " "	1 " " 1875
Gerawa	M. Shanahan and P. A. Jennings	12,000	11,800	15 0 0	0 16 3 ⁴	200		"	"	14 Oct., 1877	1 " " 1878
Gerilambone	G. E. Traquair, W. T., and R. Bromfield, and Isabella G. Richmond.	17,500	17,500	35 0 0	1 5 7 ²			"	"	8 Feb., "	1 " " 1877
Gerwa	The Australian Joint Stock Bank	12,500	12,500	24 0 0	1 4 6 ³			"	"	2 Nov., 1874	1 " " 1875
Geurie	The New Zealand Loan and Mercantile Agency Company (Limited.)	26,000	20,320	45 0 0	1 8 4 ⁴	4,200	1,480	"	"	13 " "	1 " " 1875

Gidgenbilla East	W. Alison	25,000	25,000	85	0	0	2	3	6½	.....	.....	20 Dec., 1875	1	..	1878
Gidgenbayne	The Bank of New South Wales	13,000	13,000	20	0	0	0	12	0	.....	.....	16 Aug., 1877	1	..	1878
Gillawamah	The Commercial Banking Company	23,000	22,850	75	0	0	2	2	0	150	.....	13 Nov., 1875	1	..	1876
Gillendoon	George Rouse	18,500	18,440	50	0	0	1	14	8½	60	.....	2	..	1878	
Gillinghall	C. B. Lowe	13,500	.....	10	0	0	.....	.....	.....	nearly all alienated.	.....	29 Oct., 1877	1	..	1878
Goan Creek	The Commercial Banking Company	20,000	20,000	16	0	0	0	12	9½	.....	.....	21 Dec., 1875	1	..	1876
Gotta Rock	R. Robertson	8,000	3,175	10	0	0	2	0	3½	4,825	.....	13 Nov.,	1	..	1876
Gralgumbone	R. Ridge	21,000	20,360	75	0	0	2	7	1½	640	.....	21	..	1876	
Grandool	J. K. Mackay and C. B. Mackay	8,600	8,600	25	0	0	1	17	2½	.....	.....	3	..	1876	
Greenbar Creek	The Australian Joint Stock Bank	24,000	23,680	32	0	0	0	17	3½	320	.....	16 Dec.,	1	..	1876
Guabothoo	J. M. M'Quade	13,750	13,750	30	0	0	1	7	11	.....	.....	3 Nov.,	1	..	1877
" No. 2	G. E. Traquair, W. T., and R. Bromfield, and Isabella G. Richmond.	13,200	13,200	25	0	0	1	4	2½	.....	.....	8 Feb., 1877	1	..	1877
Guaraway	A. Cruickshank	16,500	16,500	78	0	0	3	0	6	.....	.....	2 Nov., 1875	1	..	1876
Gundyule Cowell	E. Flood, junr.	12,000	12,000	12	10	0	0	13	4	.....	.....	24 Jan., 1877	1	..	1877
Gungalma	William Alison	20,000	20,000	56	0	0	1	15	10	.....	.....	3 Nov., 1875	1	..	1876
" North	"	17,000	17,000	62	0	0	2	6	8	.....	.....	3	..	1875	
" East	W. Richards, junr.	14,200	14,200	42	0	0	1	17	10½	.....	.....	25 June, 1874	1	..	1875
" West	James Rawsthorne	16,000	16,000	52	0	0	2	1	7	.....	.....	25	..	1877	
Gunnibong	John Jones	16,000	16,000	30	0	0	1	4	0	.....	.....	15 Jan., 1877	1	..	1877
Guniyillah	W. Colwell	5,000	4,960	12	10	0	1	12	3	40	.....	15	..	1877	
Hoblingrah	J., W., and P. Richardson	35,000	34,800	27	0	0	0	9	11½	200	.....	16 Nov., 1875	1	..	1876
Honesuckle	D. M'Master	14,000	2,139	10	0	0	2	19	10	5,500	6,361	15 Dec.,	1	..	1876
Illumurgalia East	Alex. Ferguson	19,000	18,900	45	0	0	1	10	5½	100	.....	27 Nov.,	1	..	1876
" West	Jane Harvey	16,000	15,960	45	0	0	1	16	1	40	.....	27	..	1876	
Inglea	J. Richmond	20,200	13,377	25	0	0	1	3	11	1,230	5,593	15 Dec., 1877	1	..	1877
Kialgara	The Australian Joint Stock Bank	30,000	30,000	40	0	0	0	17	0½	.....	.....	15 Jan.,	1	..	1877
Koonambel	W. F. Buchanan	21,000	18,970	45	0	0	1	10	4½	2,030	.....	27 Nov., 1875	1	..	1876
Lagoons Talbragar	D. Watt	12,000	10,960	15	0	0	0	17	6	1,040	.....	9 Dec.,	1	..	1876
Large Oak Creek	D. M'Rae	38,400	36,800	40	0	0	0	13	11	1,600	.....	16	..	1876	
Lower Ningear	P. H. Osborne	18,400	18,400	45	0	0	1	11	3½	.....	.....	15 Jan., 1877	1	..	1877
Magometon	W. F. Buchanan	33,500	33,500	50	0	0	0	19	1½	.....	.....	27 Nov., 1875	1	..	1876
Manidoran	Thos. Diggs and J. A. Cameron	20,000	19,800	14	0	0	0	9	0½	200	.....	9 Dec.,	1	..	1876
Marthagi Creek	The Commercial Banking Company	16,000	16,000	40	0	0	1	12	0	.....	.....	3 Nov.,	1	..	1876
Marthaguy (or Woran Waterhole)	J. Jones and E. Byrnes	15,000	15,000	30	0	0	1	5	7½	.....	.....	2	..	1876	
" South	Edward Flood	16,000	16,000	32	0	0	1	5	7½	.....	.....	24 June, 1874	1	..	1875
" North	"	10,000	6,540	25	0	0	2	8	11½	3,460	.....	24 Jan., 1877	1	..	1877
Marten's Green	W. Cameron	19,000	19,000	18	0	0	0	12	1½	.....	.....	16 Nov., 1875	1	..	1876
Meagula	Samuel Sowden	2,000	1,850	10	0	0	3	9	2½	150	.....	9 Dec.,	1	..	1876
Medaway	R. J. Jeffray	16,000	14,810	24	0	0	2	4	6½	1,190	.....	16 Nov.,	1	..	1876
Merebone	Mary Perry	16,000	15,640	64	0	0	2	12	4½	360	.....	3	..	1876	
Merigal	J. Jones	16,000	14,359	50	0	0	2	4	6½	1,641	.....	9 Dec.,	1	..	1876
" Back Run	"	16,000	16,000	40	0	0	1	12	0	.....	.....	16 Aug., 1877	1	..	1878
Meriossay	W. Alison	15,100	15,100	30	0	0	1	5	5½	.....	.....	16	..	1876	
Merrimba	L. A. Chambers, E. B. Splatt, and E. W. Severne.	10,400	10,400	45	0	0	2	15	4½	.....	.....	2 Nov., 1875	1	..	1876
Merry	L. A. Chambers, E. B. Splatt, and E. W. Severne.	9,700	9,700	25	0	0	1	12	11½	.....	.....	2	..	1874	
Merry Merry Creek	The Australian Joint Stock Bank	17,000	17,000	42	0	0	1	11	7½	.....	.....	24 June,	1	..	1875
Merygal Marthaguy	J. H. Stewart	9,600	9,600	25	0	0	1	13	4	.....	.....	29 Oct., 1877	1	..	1878
Miangallia	R. Robertson	32,000	29,800	35	0	0	0	14	4½	2,200	.....	13 Nov., 1875	1	..	1876
Mickeygunnagal	F. Conder	16,000	16,000	27	10	0	1	2	0	.....	.....	10 Dec.,	1	..	1876
Milpulling	The Bank of New South Wales	16,000	16,000	15	0	0	12	0	0	.....	.....	27 Nov.,	1	..	1876
Mobala	L. A. Chambers, E. B. Splatt, and E. W. Severne.	17,000	17,000	54	0	0	2	0	8	.....	.....	2	..	1874	
" No. 2	E. A. Chambers, E. B. Splatt, and E. W. Severne.	10,000	10,000	25	0	0	1	12	0	.....	.....	2	..	1874	
Mobara	M. Shanahan and P. A. Jennings	20,000	18,320	25	0	0	0	17	5½	1,680	.....	9 Dec., 1875	1	..	1876
Mogemul	J. Lynch	13,000	13,000	20	0	0	0	19	8½	.....	.....	3 Nov., 1873	1	..	1874
Mogie Melon	A. Brown	16,000	16,000	42	0	0	1	13	7½	.....	.....	13	..	1875	
Molle	The Bank of New South Wales	16,000	16,000	63	0	0	2	10	4½	.....	.....	5	..	1875	
"	J. M. M'Quade	15,450	15,450	40	0	0	1	13	1½	.....	.....	21 Aug., 1873	1	..	1874
Moylan Munning	G. Rouse	16,000	16,000	15	0	0	0	12	0	.....	.....	4 June, 1874	1	..	1875
Moolambong	W. F. Buchanan	32,500	32,380	45	0	0	0	17	9½	120	.....	27 Nov., 1875	1	..	1876

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile, now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisalment.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
BLIGH DISTRICT—continued.											
Moorambilla	W. F. Buchanan	25,000	23,400	£ s. d.	£ s. d.						
Moolangar	C. B. Lowe	19,000	19,000	40 0 0	1 1 10½	1,600		Not ascertainable	Not ascertainable	27 Nov., 1875	1 Jan., 1876
Moonal	C. M'Phillamy	42,000	41,500	35 0 0	1 3 7					20 Dec., "	1 " "
Moorabie	H. Moses	28,000	28,000	20 0 0	0 6 2	500				19 Nov., "	1 " "
Mowabla	D. Watt	16,000	15,800	110 0 0	2 10 3½					3 " "	1 " "
Mowlma	Julius Hellman	36,700	36,380	25 0 0	1 0 3	200				9 Dec., "	1 " "
Mullingundry	The Commercial Banking Company	16,000	15,960	108 0 0	1 18 0	320				3 Nov., "	1 " "
Mumbadah	Sir D. Cooper, Bart., and Thos. Buckland.	16,000	15,920	47 0 0	1 17 8½	40				13 " "	1 " "
				22 0 0	0 17 8½	80				9 Dec., "	1 " "
Mumberbone	The Australian Joint Stock Bank	7,500	7,460								
Mundar	A. Ferguson	16,000	15,950	36 0 0	3 1 9½	40				3 Nov., "	1 " "
Mungabumbone	The Australian Joint Stock Bank	7,500	7,500	25 0 0	1 0 0½	50				14 Oct., 1874	1 " 1875
Mungranby	E. Flood	16,000	15,540	25 0 0	2 2 8					24 Jan., 1877	1 " 1877
Murrumbidgee	M. C. Machardy	23,000	23,000	24 0 0	0 19 9½	460				24 " "	1 " "
Murrumbidgee	The Commercial Banking Company	23,000	21,960	15 0 0	0 8 4					13 Nov., 1875	1 " 1876
Nandi	Wm. Field	9,600	1,200	28 0 0	0 16 3½	1,040				21 Dec., "	1 " "
Naran	D. M'Vicar	16,000	15,380	10 0 0	5 6 8	8,200	200			16 " "	1 " "
Narrabone	G. Flood	15,700	15,700	25 0 0	1 0 9½	620				13 Nov., "	1 " "
Narranan	G. Rouse	16,000	13,500	22 0 0	0 17 11½					10 Oct., 1874	1 " 1875
Narraway	The Bank of New South Wales	25,000	25,000	27 10 0	1 6 0½	2,500				27 Nov., 1875	1 " 1876
" North	The Commercial Banking Company	18,500	18,500	42 0 0	1 1 6					3 " "	1 " "
Narrubah	Geo. Smith	16,000	16,000	35 0 0	1 4 2½					3 " "	1 " "
Nauran and Umangla	G. Rouse	21,500	21,440	22 0 0	0 17 7½					20 Dec., "	1 " "
Neebel	J. M'Master	22,000	22,000	55 0 0	1 12 10	60				2 Nov., "	1 " "
Nerrybone	The Australian Joint Stock Bank	14,000	13,925	14 0 0	0 8 1½					29 Oct., 1877	1 " 1878
Neugal	Henry Bell	30,000	30,000	50 0 0	2 5 11½	75				3 Nov., 1875	1 " 1876
New Armitree	Jane Harvey	16,000	16,000	130 0 0	2 15 5½					3 " "	1 " "
New Balladaran	Manwan Green	20,000	20,000	42 10 0	1 14 0					27 Oct., 1873	1 " 1874
New Beerbong	G. Rouse	16,000	16,000	15 0 0	0 9 7½					21 Dec., 1875	1 " 1876
New Bellemore	E. Flood, junr.	64,000	64,000	25 0 0	1 0 0					21 Aug., 1873	1 " 1874
New Bongegalong	The Bank of New South Wales	14,000	14,000	20 0 0	0 4 0					10 Oct., 1874	1 " 1875
New Bundilla	H. R. C. Bird	16,000	16,000	25 0 0	1 2 10½					10 " "	1 " "
New Collembarawang	J. Richmond	14,700	14,700	30 0 0	1 4 0					29 " "	1 " "
" No. 2	"	14,700	14,700	33 10 0	1 9 2					3 Nov., 1874	1 " 1875
" No. 3	"	13,000	13,000	20 0 0	0 17 5					29 " "	1 " "
New Collyburrell	"	15,000	15,000	15 0 0	0 14 9½					29 " "	1 " "
" No. 2	"	19,000	19,000	32 10 0	1 7 8½					3 " "	1 " "
New Englegh	"	8,500	8,500	30 0 0	1 0 2½					29 " "	1 " "
" No. 2	"	9,000	9,000	17 0 0	1 5 7½					29 " "	1 " "
New Eringaring	The Australian Joint Stock Bank	5,550	5,550	17 0 0	1 8 5½					3 " "	1 " "
New Geary	M. C. Machardy	40,000	40,000	20 0 0	1 14 7					15 Jan., 1877	1 " 1877
New Gergambone	Mary Marshall	17,000	17,000	15 0 0	0 12 9½					21 Aug., 1873	1 " 1874
New Gradgery	George Wood	10,400	10,400	40 0 0	0 12 9½					24 Jan., 1877	1 " 1877
New Kirban	P. J. Whiteman	10,000	10,000	37 0 0	1 7 10½					27 Nov., 1875	1 " 1876
New Myregall	R. Robertson	14,500	14,500	20 0 0	1 4 7½					3 " "	1 " "
New Onebobby	H. R. C. Bird	9,600	9,600	26 0 0	1 13 3½					21 Aug., 1873	1 " 1874
New Lacklelong	E. Flood	17,000	17,000	25 0 0	1 2 0½					13 Nov., 1875	1 " 1876
New Tenandra	James Richmond	9,100	9,100	25 0 0	1 13 4					29 " "	1 " "
" No. 2	"	7,250	7,250	30 0 0	1 2 7					21 Aug., 1873	1 " 1874
" No. 3	J. Richmond	16,000	16,000	33 0 0	2 6 5					3 Nov., 1874	1 " 1875
" No. 4	"	16,000	16,000	10 0 0	0 17 7½					29 " "	1 " "
New Tourable	W. Alison	12,000	12,000	25 0 0	1 0 0					29 " "	1 " "
New Wallenanine	E. M'Guire	16,000	16,000	12 0 0	0 9 6½					20 Dec., "	1 " "
Nimbis	P. H. Osborne	15,200	15,200	20 0 0	0 16 0					15 Jan., 1877	1 " 1877
Ningear	E. Flood	32,600	32,600	45 0 0	1 17 10½					15 " "	1 " "
				80 0 0	1 11 5					3 Nov., 1875	1 " 1876

Ningee	P. H. Osborne	17,900	17,900	42 0 0	1 10 0 $\frac{1}{2}$					3	"	1	"	1877
Ninia	J. G. Gibson	21,200	21,200	30 0 0	0 18 1 $\frac{1}{2}$					15 Jan., 1877	"	1	"	1877
Nirangarie	D. Watt	16,000	13,557	25 0 0	1 3 7 $\frac{1}{2}$	2,443				9 Nov., 1875	"	1	"	1876
Noonbah	L. A. Chambers, E. B. Splatt, and E. W. Severne	19,600	19,600	50 0 0	1 12 7 $\frac{1}{2}$					3	"	1	"	"
North Moonul	Eliza Dulhunty	16,000	16,000	20 0 0	0 16 0					24 Jan., 1877	"	1	"	1877
North Tucklan	John Patrick	16,000	14,960	15 0 0	0 12 10	1,040				24	"	1	"	"
Oaky Creek	J. M. Alison	38,000	6,360	10 0 0	1 0 1 $\frac{1}{2}$	15,000	16,640			16 Dec., 1875	"	1	"	1876
Old Biamble	The Bank of New South Wales	13,000	9,680	12 10 0	0 16 6 $\frac{1}{2}$	980	2,340			10	"	1	"	"
Old Harbour	J. S. Smith	17,500	17,500	28 0 0	1 0 5 $\frac{1}{2}$					Not appraised	"	1	"	1874
Opposite Coonamble	The Australian Joint Stock Bank	24,300	22,830	40 0 0	1 2 5	1,470				27 Nov., 1875	"	1	"	1876
Orandelbenia	G. Rouse	16,000	15,800	30 0 0	1 4 3 $\frac{1}{2}$	200				27	"	1	"	"
Outer Back Kidgar	The Australian Joint Stock Bank	8,400	8,296	20 0 0	1 10 10 $\frac{1}{2}$	104				15 Jan., 1877	"	1	"	1877
Parmidman	W. N., S. J., and M. T. Kennedy	16,000	16,000	30 0 0	1 4 0					9 Dec., 1875	"	1	"	1876
Pekobutta	R. Robertson	7,000	4,282	10 0 0	1 9 10 $\frac{1}{2}$	2,718				13 Nov.,	"	1	"	"
Peter Duffity	The Commercial Bank	16,300	16,300	72 0 0	2 16 6 $\frac{1}{2}$					3	"	1	"	"
Pibbon	G. Rouse	16,000	16,000	18 0 0	0 14 4 $\frac{1}{2}$					27	"	1	"	"
Pier Pier	Grant Morris	15,000	15,000	35 0 0	1 9 10 $\frac{1}{2}$					3	"	1	"	"
" East	W. Alison	14,000	14,000	40 0 0	1 16 6 $\frac{1}{2}$					2	"	1	"	"
Pine Scrub	The Australian Joint Stock Bank	19,000	19,000	28 0 0	0 18 10 $\frac{1}{2}$					2	"	1	"	"
Pollybrewang	W. L. Stevenson	12,500	12,500	40 0 0	2 0 11 $\frac{1}{2}$					3	"	1	"	"
Pretty Plains North	The Bank of New South Wales	7,200	7,200	17 10 0	1 11 1 $\frac{1}{2}$					5 Oct., 1874	"	1	"	1875
" South	R. Ridge	7,200	7,200	17 10 0	1 11 1 $\frac{1}{2}$					5	"	1	"	"
Pullingarwarina	The Bank of New South Wales	16,000	16,000	70 0 0	2 16 0					3 Nov., 1875	"	1	"	1876
Quambone	J. M. M'Quade	16,000	16,000	35 0 0	1 8 0					10 Oct., 1874	"	1	"	1875
Quandong	A. Brown	42,000	41,900	20 0 0	0 6 1 $\frac{1}{2}$	100				13 Nov., 1875	"	1	"	"
Queensborough Flats	D. M'Lean, W. and J. Barker	16,000	16,000	30 0 0	1 4 0					21 Aug., 1873	"	1	"	1874
Quilbone	M., P., and B. Veech	12,000	12,000	30 0 0	1 12 0					2 Nov., 1875	"	1	"	1876
" Upper	"	4,800	4,800	12 0 0	1 12 0					2	"	1	"	"
Quonmoona	The Australian Joint Stock Bank	16,000	15,720	40 0 0	1 12 6 $\frac{1}{2}$	280				27	"	1	"	"
Rocky Station	M. C. Machardy	10,000		12 0 0		mostly selected				13	"	1	"	"
Round Hills	G. Rouse	16,000	16,000	20 0 0	0 16 0					27	"	1	"	"
Sandy Creek	C. B. Lowe	22,400	19,400	20 0 0	0 13 2 $\frac{1}{2}$	3,000				20 Dec.,	"	1	"	"
South Bullodoran	James Wood	18,000	18,000	30 0 0	1 1 4					8 Feb., 1877	"	1	"	1877
Spicer's Creek	R. and E. S. Rouse	32,000	32,000	35 0 0	0 14 0					20 Dec., 1875	"	1	"	1876
"	E. Flood	16,000	15,000	20 0 0	0 17 0 $\frac{1}{2}$	1,000				13 Nov.,	"	1	"	"
Spring Creek	C. B. Lowe	16,000	15,840	35 0 0	1 8 3 $\frac{1}{2}$	160				2 June, 1874	"	1	"	1875
Tacklebang	E. Flood	16,000	15,960	27 10 0	1 2 0 $\frac{1}{2}$	40				15 Jan., 1877	"	1	"	1877
Tahrone	W. Alison	11,000	11,000	45 0 0	2 12 4 $\frac{1}{2}$					20 Dec., 1875	"	1	"	1876
Tamerybundy	The Commercial Banking Company	19,500	19,500	40 0 0	1 6 3					29 Nov.,	"	1	"	"
Tannabar	R. Rouse and J. Knight	16,000	16,000	30 0 0	1 4 0					10 Oct., 1874	"	1	"	1875
Tarawindar	The Bank of New South Wales	20,000	9,670	27 10 0	1 16 4 $\frac{1}{2}$	3,310	7,020			9 Dec., 1875	"	1	"	1876
Tenandra	J. Richmond	27,000	17,115	20 0 0	0 14 11 $\frac{1}{2}$	9,885				15	"	1	"	"
"	W. N., S. J., and M. T. Kennedy	20,000	20,000	40 0 0	1 5 7 $\frac{1}{2}$					9	"	1	"	"
Terembone North	G. W. Allen	15,000	15,000	30 0 0	1 5 7 $\frac{1}{2}$					15 Jan., 1877	"	1	"	1877
" South	"	16,000	16,000	25 0 0	1 0 0					15	"	1	"	"
" No. 1	"	15,000	15,000	12 10 0	0 10 8					28 Oct., 1873	"	1	"	1874
" No. 2	"	16,000	16,000	12 10 0	0 10 0					28	"	1	"	"
Terraconangadgerie	Hannah T. Rouse and R. Rouse	16,000	16,000	25 0 0	1 0 0					20 Nov., 1875	"	1	"	1876
Terramungamine	C. M'Phillamy	15,000	13,100	28 0 0	1 7 4 $\frac{1}{2}$	1,900				16	"	1	"	"
The Beabone Waterhole	E. Flood	16,000	16,000	25 0 0	1 0 0					15 Jan., 1877	"	1	"	1877
The Boebong Swamp	J. Jones	16,500	16,500	30 0 0	1 3 3 $\frac{1}{2}$					15	"	1	"	"
The Box-tree Hole	"	13,500	13,500	25 0 0	1 3 8 $\frac{1}{2}$					15	"	1	"	"
The Fancy Ground	D. Watt and D. M'Master	64,000	64,000	30 0 0	0 6 0					21 Aug., 1873	"	1	"	1874
Tonderburn	A. Brown	16,000	15,600	35 0 0	1 8 8 $\frac{1}{2}$	400				13 Nov., 1875	"	1	"	1876
Toolaman Flats	"	12,800	12,800	12 10 0	0 12 6					12	"	1	"	"
Tooloon	Australian Joint Stock Bank	41,600	41,600	60 0 0	0 18 5 $\frac{1}{2}$					29	"	1	"	"
Tooraweanah	A. Brown	16,000	15,900	32 0 0	1 5 9 $\frac{1}{2}$	100				12	"	1	"	"
Tougambah	Mary Perry	31,000	31,000	90 0 0	1 17 2					2	"	1	"	"
Tourable	W. Alison	22,000	22,000	47 0 0	1 7 4 $\frac{1}{2}$					20 Dec.,	"	1	"	"
Tucklan Creek	James Atkinson	16,000	15,900	25 0 0	1 0 1 $\frac{1}{2}$	100				20 July, 1874	"	1	"	1875
Tugland	E. Maguire	19,200	19,200	12 0 0	0 8 0					16 Aug., 1877	"	1	"	1878
Tunder	A. Tobin	16,600	16,600	45 0 0	1 14 8 $\frac{1}{2}$					16	"	1	"	"
Turawandie	A. J. Burcher	12,000	6,550	15 0 0	1 9 3 $\frac{1}{2}$	2,210	3,240			9 Dec., 1875	"	1	"	1876

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisalment.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
BLIGH DISTRICT—continued.											
				£ s. d.	£ s. d.						
Turidgereee	Blackwood and Ibbotson	30,720	30,720	80 0 0	1 13 4			Not ascer-	Not ascer-	27 Nov., 1875	1 Jan., 1876
Turidgerie South		20,000	20,000	55 0 0	1 15 2½			tainable...	tainable...	16 Aug., 1877	1 " 1878
Turigaa Swamp	G. E. Traquair, W. T. and R. Bromfield, and Isabella Georgiana Richmond.	22,000	22,000	30 0 0	0 17 5½			"	"	1 Feb., "	1 " 1877
Ulamabrie	M. Shanahan and P. A. Jennings	24,000	13,221	25 0 0	1 4 2½	8,883	1,896	"	"	9 Dec., 1875	1 " 1876
Ulindar Creek	J. M'Master	17,500	10,765	15 0 0	0 17 1	2,735	4,000	"	"	31 May, 1877	1 " "
Ulomogo	Blackwood and Ibbotson	16,000	16,000	90 0 0	3 12 0			"	"	27 Nov., 1875	1 " "
Ungleonal	Hannah T. Rouse and R. Rouse	16,000	16,000	35 0 0	1 8 0			"	"	20 Dec., "	1 " "
Upper Boomly	W. Miller and W. Bloomfield	16,000	15,800	37 0 0	1 9 11½	200		"	"	13 Nov., "	1 " "
Upper Bourbah	W. M. Connell	17,000	17,000	20 0 0	0 15 0½			"	"	27 " "	1 " "
Upper Buggabudda	W. W. Brocklehurst	18,000	18,000	25 0 0	0 17 9½			"	"	29 Oct., 1877	1 " 1878
Upper Bundigo	The Commercial Banking Company	30,000	30,000	20 0 0	0 8 6½			"	"	24 Jan., "	1 " 1877
Upper Junction	M., P., and B. Veech	20,000	20,000	50 0 0	1 12 0			"	"	2 Nov., 1875	1 " 1876
Upper Meriossey	W. Alison	11,200	11,200	45 0 0	2 11 5½			"	"	3 " "	1 " "
Upper Merry Merry	W. M. Connell	19,000	19,000	25 0 0	0 16 10			"	"	27 " "	1 " "
Upper Neinby	The Australian Joint Stock Bank	16,000	15,960	27 0 0	1 1 7½	40		"	"	4 June, 1874	1 " 1875
Upper Ningear	The Commercial Banking Company	14,000	14,000	26 0 0	1 3 9½			"	"	16 Aug., 1877	1 " 1878
Upper Pretty Plains	R. Ridge	12,200	12,200	20 0 0	1 0 11½			"	"	21 Nov., 1876	1 " 1877
Urabrille	M. Shanahan and P. A. Jennings	16,000	10,166	17 0 0	1 1 4½	4,900	934	"	"	9 Dec., 1875	1 " 1876
Urawilkey	D. M'Rae	32,000	31,440	30 0 0	0 12 2½	560		"	"	15 Jan., 1877	1 " 1877
" West	"	17,350	17,310	30 0 0	1 2 2½	40		"	"	15 " "	1 " "
Urobulla	H. R. C. Bird	32,000	31,760	95 0 0	1 18 3½	240		"	"	29 Nov., 1875	1 " 1876
Urombong	G. Rouse	12,800	12,700	12 0 0	0 12 10½	100		"	"	27 " "	1 " "
Walla Walla	The Commercial Banking Company	16,000	16,000	10 0 0	0 8 0			"	"	13 " "	1 " "
Wallambrawang	G. Rouse	16,000	15,840	30 0 0	1 4 3	160		"	"	27 " "	1 " "
Wallangolong	"	16,000	15,920	32 0 0	1 5 8½	80		"	"	27 " "	1 " "
Wallenani	E. M'Guire	16,000	16,000	12 10 0	0 10 0			"	"	15 Jan., 1877	1 " 1877
Wamerawa	C. and J. M'Phillamy	12,000	12,000	35 0 0	1 17 4			"	"	2 Nov., 1875	1 " 1876
Wanbandry	H. R. C. Bird	35,500	35,500	120 0 0	2 3 3½			"	"	29 " "	1 " "
Warrana	W. F. Buchanan	45,000	45,000	75 0 0	1 1 4			"	"	27 " "	1 " "
Warran Creek, No. 1	R. G. Higgins	18,000	18,000	30 0 0	1 1 4			"	"	3 " "	1 " "
" " 2	"	11,000	11,000	22 0 0	1 5 7½			"	"	2 " "	1 " "
Warran Downs	"	30,200	30,200	45 0 0	0 19 0½			"	"	24 Jan., 1877	1 " 1877
Warree	J. Patrick	16,000	14,600	38 0 0	1 13 3½	1,400		"	"	27 Nov., 1875	1 " 1876
Weelah	G. Wood and Jane Wild	21,600	21,600	85 0 0	2 10 4½			"	"	3 " "	1 " "
Weetalaba	J. M'Master	23,000	9,457	12 10 0	0 16 11	2,777-2,766	8,000	"	"	31 May, 1877	1 " 1874
Wee Taliba	E. Keep, F. Day, and W. M. Ronald	22,000	21,940	45 0 0	1 6 3	60		"	"	27 Nov., 1875	1 " 1876
Wemobah	H. R. C. Bird	16,500	16,500	32 10 0	1 5 2½			"	"	29 May, 1874	1 " 1875
Werribidda	R. G. Higgins	13,850	13,850	40 0 0	1 16 11½			"	"	21 Aug., 1873	1 " 1874
Werigi	Ryrie and Alexander	21,000	19,550	25 0 0	0 16 4½	1,450		"	"	13 Nov., 1875	1 " 1876
Werrigal	C. and J. M'Phillamy	15,000	15,000	46 0 0	1 19 3			"	"	2 " "	1 " "
West Breelong	The Bank of New South Wales	16,000	15,560	20 0 0	0 16 5½	440		"	"	29 May, 1876	1 " "
Western Back Bogenong	Thomas Britton	9,600	9,600	25 0 0	1 13 4			"	"	15 Jan., 1877	1 " 1877
West Kidgar	The Australian Joint Stock Bank	11,700	11,700	35 0 0	1 18 3½			"	"	15 " "	1 " "
Willaaga	Julius Hellman	17,000	17,000	55 0 0	2 1 5			"	"	3 Nov., 1875	1 " 1876
Willan Corah	The Bank of New South Wales	16,000	16,000	75 0 0	3 0 0			"	"	3 " "	1 " "
Willera	John Flynn	13,300	13,300	46 0 0	2 4 3½			"	"	3 " "	1 " "
Willewa	"	12,500	12,500	45 0 0	2 6 1			"	"	3 " "	1 " "
Wingenbar	Martha Caton	16,000	16,000	30 0 0	1 4 0			"	"	10 Oct., 1874	1 " 1875
Wingilong	A. Ferguson	16,000	16,000	16 0 0	0 12 9½			"	"	27 Nov., 1875	1 " 1876
Wolla Wolla	J. Leslie	16,000	16,000	50 0 0	2 0 0			"	"	27 " "	1 " "
Woolooloolonly	Catherine M. Falconer	16,000	16,000	27 0 0	1 1 7½			"	"	16 " "	1 " "
Woombobby	H. R. C. Bird	29,000	29,000	100 0 0	2 4 1½			"	"	29 " "	1 " "
Wooroboomi	M. C. Machardy	15,000	14,920	27 10 0	1 3 7	80		"	"	13 " "	1 " "
Wullamgambone	J. G. Gibson	17,500	17,500	75 0 0	2 14 10½			"	"	3 " "	1 " "

[illegible]

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisal.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
CLARENCE DISTRICT—continued.											
Kyogle	A. M'Kellar	54,000	27,816	£ s. d.	£ s. d.						
Lanark Lodge	The Australian Joint Stock Bank	15,000	7,257	15 0 0	0 9 8	7,494	18,690	Not ascer-	Not ascer-	16 May, 1877	1 Jan., 1878
Langwell	H. Barnes and T. H. Smith	14,080	14,080	22 0 0	1 6 5½	1,343	6,400	tainable	tainable	2 "	" "
Levenstrath	George Norrie	20,480	14,504	11 0 0	0 9 8½	5,976		"	"	26 Sept., 1873	1 " 1874
Lismore	M. C. Machardy	48,000	9,826	15 0 0	0 19 6½	33,614	4,560	"	"	3 May, 1877	1 " 1878
Little River	J. K. Howe	15,360	14,660	15 0 0	0 13 1½	300	400	"	"	4 June, "	1 " "
Little Nymboida	Peter Shea	4,480	4,355	12 0 0	1 15 3½	125		"	"	2 May, "	1 " "
Logan	The Commercial Banking Company	6,380	5,781	13 0 0	1 8 9½	599		"	"	9 Aug., 1876	1 " 1877
Marydale	The Australian Joint Stock Bank	16,000	16,000	15 0 0	0 12 0			"	"	16 May, 1877	1 " 1878
Maryland	M. H. Marsh	76,800	55,587	100 0 0	1 2 8	1,625	19,588	"	"	10 Aug., 1876	1 " 1877
Maryville	The Australian Joint Stock Bank	17,060	16,200	30 0 0	1 3 8½	860		"	"	20 Sept., 1875	1 " 1876
Matildadale	G. W. Neale	12,800	12,800	12 0 0	0 12 0			"	"	3 May, 1877	1 " 1878
Millera	Alexander Stewart	35,200	34,872	70 0 0	1 5 8½	328		"	"	19 June, 1875	1 " 1876
Mongogory	W. and F. Fanning	48,400	46,548	80 0 0	1 1 11½	572	1,280	"	"	1 Aug., 1876	1 " 1877
Newbold Grange	C. J. Walker	52,480	49,520	85 0 0	1 1 11½	2,000	960	"	"	16 May, 1877	1 " 1878
Newfoundland	A. A. Devlin	16,000	16,000	10 0 0	0 8 0			"	"	1 Sept., 1876	1 " 1877
Newton Boyd	The Bank of New South Wales	38,400	31,947	50 0 0	1 0 0½	2,133	4,320	"	"	Not appraised	1 " 1875
Nimben	Edward Flood	20,480	20,480	30 0 0	0 18 9			"	"	17 Dec., 1875	1 " 1876
Nymboida	Stephen Buchan	40,000	35,717	25 0 0	0 8 11½	3,445	838	"	"	16 May, 1877	1 " 1878
Ogilvie's Cattle Station	W. and E. D. S. Ogilvie	10,240	10,140	17 10 0	1 2 1	100		"	"	2 "	1 " "
Quiarigo	William Small	19,200	18,900	28 0 0	0 18 11½	300		"	"	9 Aug., 1876	1 " 1877
Ramornie	C. G. Tindal	56,000	36,576	70 0 0	1 4 6	5,465	13,959	"	"	3 May, 1877	1 " 1878
Rivertree East	John Farley	28,800	28,800	20 0 0	0 8 10½			"	"	2 "	1 " "
" West	A. K. Cullen	28,800	17,280	40 0 0	1 9 7½		11,520	"	"	27 Aug., 1873	1 " 1874
Rocky River	The City Bank	24,320	24,320	55 0 0	1 8 10½			"	"	4 Sept., "	1 " "
Roseberry	G. R. Griffiths and W. & F. Fanning	21,760	21,438	60 0 0	1 15 10	322		"	"	1 " 1876	1 " 1877
Runnymede	Emily Atkinson	35,640	3,962	10 0 0	1 12 3½	17,961	13,717	"	"	29 July, 1875	1 " 1876
Sandilands	M. C. Machardy	42,240	39,040	80 0 0	1 6 2½	3,200		"	"	16 May, 1877	1 " 1878
Sherwood	J. Sinclair M'Dougall	30,000	30,000	28 0 0	0 11 11½			"	"	9 July, 1875	1 " 1876
Slieve-na-mon	W. Small	9,600	9,600	11 0 0	0 14 8			"	"	2 May, 1877	1 " 1878
Somervale	The Australian Joint Stock Bank	5,700	5,700	12 0 0	1 6 11½			"	"	4 Sept., 1873	1 " 1874
Southgate	John Zuile	15,360	6,898	18 0 0	1 13 4½	7,982	480	"	"	15 " 1874	1 " 1875
St. Cloud's	The Commercial Banking Company	25,600	25,560	30 0 0	0 15 0½	40		"	"	9 Aug., 1876	1 " 1877
Stratheden	H. Barnes and T. H. Smith	32,000	11,182	11 0 0	0 12 7	6,218	14,600	"	"	22 Sept., 1873	1 " 1874
Tabulam East	Marianna Chauvel	38,400	17,708	17 0 0	0 12 3½	5,934	14,758	"	"	9 July, 1875	1 " 1876
" West	"	42,240	37,185	32 0 0	0 11 0½	5,055		"	"	27 Feb., 1877	1 " 1874
Talounbi	G. W. Neale	18,000	14,545	16 0 0	0 14 1	3,455		"	"	29 July, 1875	1 " 1876
Tempe	H. Barnes and T. H. Smith	16,000	10,141	15 0 0	0 18 11½	1,979	3,880	"	"	2 May, 1877	1 " 1878
Taloom	The Bank of New South Wales	40,000	36,300	92 10 0	1 12 7½	3,700		"	"	2 "	1 " "
Traveller's Rest	The Commercial Banking Company	16,000	15,660	20 0 0	0 16 4½	340		"	"	9 July, 1875	1 " 1876
Tunstall	Edward Flood	19,200	5,086	10 0 0	1 5 2	11,794	2,320	"	"	16 May, 1877	1 " 1878
Tyalgrun	S. W. Gray and J. Bray	40,000	40,000	10 0 0	0 3 2½			"	"	16 "	1 " "
Tyringham	J. Perrot	19,200	18,479	30 0 0	1 0 9½	81	640	"	"	Not appraised	1 " 1874
Undercliff	A. K. Cullen	27,680	26,860	56 0 0	1 6 8½	820		"	"	22 July, 1875	1 " 1876
Virginia	Emily Atkinson	16,000	1,600	10 0 0	4 0 0	14,400		"	"	1 Aug., 1876	1 " 1877
Weelgoolga	Thomas Small	25,000	25,000	40 0 0	1 0 5½			"	"	16 May, 1877	1 " 1878
Wiangaree	W. C. Bundock	35,840	20,828	75 0 0	2 6 1½	5,532	9,480	"	"	Not appraised	1 " 1875
" West	"	9,600	9,600	45 0 0	3 0 0			"	"	16 May, 1877	1 " 1878
Wintervale	John Hann	19,200	19,200	25 0 0	0 16 8			"	"	9 July, 1875	1 " 1876
Woodenbong	The Bank of New South Wales	30,000	28,900	100 0 0	2 4 3½	1,100		"	"	12 Aug., 1876	1 " 1877
Woorooloolgan	G. R. Griffiths and W. & F. Fanning	64,000	38,045	100 0 0	1 13 7½	11,518	14,437	"	"	9 July, 1875	1 " 1876
Wyndah	"	64,000	53,150	96 0 0	1 3 1½	6,420	4,430	"	"	16 May, 1877	1 " 1878
York	"	64,000	39,506	32 10 0	0 10 6½	17,017	7,477	"	"	16 "	1 " "
Yulgilbar East	E. D. S. Ogilvie	96,000	75,173	100 0 0	0 17 0½	5,600	15,227	"	"	16 "	1 " "
								"	"	26 Sept., 1873	1 " 1874

New Koorelah	The Mercantile Bank	40,960	40,960	90 0 0	1 8 1½	3,000	3,000	28 Aug., 1876	1 "	1876
	Total	3,225,120	2,585,381	3,984 0 0	0 19 8½	300,492	339,247	9 July, "	1 "	"
DARLING DISTRICT.										
Albermarle	J. J. Phelps	16,000	15,680	38 0 0	1 11 0½	320		7 Oct., 1874	1 Jan., 1875	
Amoskeag	Henry Ricketson	64,000	64,000	20 0 0	0 4 0			Not appraised	1 July, 1873	
Ana Branch	John Crozier	30,000	29,640	90 0 0	1 18 1	360		27 Sept., 1873	1 Jan., 1874	
" East	D. and D. H. Cudmore	60,000	60,000	100 0 0	1 1 4			24 " "	1 " "	
Arael	John Whyte	30,000	30,000	15 0 0	0 6 4½			1 Dec., 1875	1 " "	1876
Arlington Plains, block A	Richard Blackwood	20,000	20,000	16 0 0	0 10 3			Not appraised	1 " "	1874
" " B	J. Blackwood and C. Ibbotson	16,000	16,000	10 0 0	0 8 0			7 Aug., 1877	1 " "	1878
" " C	J. J. Phelps	31,000	31,000	15 0 0	0 6 2½			7 " "	1 " "	"
" " D		15,000	15,000	10 0 0	0 8 6½			7 " "	1 " "	"
Arumpo	The Australian Mortgage Land and Finance Company (Limited.)	64,000	64,000	50 0 0	0 10 0			17 July, 1874	1 " "	1875
Astotat	W. L. and R. T. Reid	48,000	48,000	20 0 0	0 5 4			10 Oct., 1877	1 " "	1878
Back Boomiaricool	W. Taylor	68,800	68,800	50 0 0	0 9 3½			25 " "	1 " "	1876
Back Bullampong, block A	J. J. Phelps	64,000	64,000	15 0 0	0 3 0			11 Nov., "	1 " "	"
" " B		72,000	72,000	15 0 0	0 2 8			11 " "	1 " "	"
" Prunella, block A	W. L. and R. T. Reid	50,000	50,000	10 0 0	0 2 6½			18 Oct., 1873	1 " "	1874
" " B		60,000	60,000	20 0 0	0 4 3½			12 " "	1 " "	1878
" Taliyawalka	T. L., S. L., and A. J. L. Learmonth	23,600	23,600	15 0 0	0 8 1½			2 " "	1 " "	1877
" of Turlee	Sir J. G. Francis	25,600	25,600	50 0 0	1 5 0			14 Aug., 1874	1 " "	1875
Baluring	P. H. Gill	60,000	58,560	100 0 0	1 1 10½	1,440		11 Nov., 1875	1 " "	1876
Barara	J. Barrett	30,000	30,000	45 0 0	0 19 2½			5 Sept., 1874	1 " "	1875
Barrawanna	W. McLean	45,000	45,000	60 0 0	0 17 0½			27 " "	1 " "	1874
Benelkay	Peter Tyson	64,000	64,000	80 0 0	0 16 0			5 " "	1 " "	1875
Bengallow	John Whyte	38,000	37,960	120 0 0	2 0 5½	40		1 Nov., 1875	1 " "	1876
Beyond Outer Tapio	The Australian Mortgage Land and Finance Company (Limited.)	34,000	34,000	10 0 0	0 3 9½			16 July, 1874	1 " "	1875
Bidura	W. Webster	76,800	76,700	80 0 0	0 13 4½	100		20 Oct., 1875	1 " "	1876
" West	The London Chartered Bank	61,000	61,000	20 0 0	0 4 2½			28 Sept., 1877	1 " "	1878
Bintullia	J. Dunn	83,000	83,000	195 0 0	1 10 0½			1 Dec., 1875	1 " "	1876
Birrie	The Australian Mortgage Land and Finance Company (Limited.)	33,000	33,000	20 0 0	0 7 9			2 Aug., 1876	1 " "	1877
Blenalben, No. 3	J. J. Phelps	27,000	27,000	10 0 0	0 4 9			18 Sept., "	1 " "	"
" " 4		58,000	58,000	30 0 0	0 6 7½			18 " "	1 " "	"
" " 5		32,000	32,000	50 0 0	1 0 0			7 Aug., 1877	1 " "	1878
" " 6		32,000	32,000	40 0 0	0 16 0			7 " "	1 " "	"
" " 7		30,000	30,000	35 0 0	0 14 11½			14 Nov., 1873	1 " "	1874
" " 8		29,000	29,000	25 0 0	0 11 0½			14 " "	1 " "	"
" " 9	W. L. and R. T. Reid	42,000	42,000	20 0 0	0 6 1½			4 Sept., 1876	1 " "	1877
" " 10	J. J. Phelps	61,000	61,000	35 0 0	0 7 4½				1 " "	1874
" " 11		62,000	62,000	35 0 0	0 7 2½				1 " "	"
" " 13	T. L., S. L., and A. J. L. Learmonth	15,000	15,000	20 0 0	0 17 0½			7 Aug., 1877	1 " "	1878
Blenheim	J. J. Phelps	17,000	16,360	50 0 0	1 19 1½	40	600	7 Oct., 1874	1 " "	1875
" Back Plains		73,500	73,500	70 0 0	0 12 2½			18 Sept., 1876	1 " "	1877
Boliva	W. L. and R. T. Reid	63,000	63,000	20 0 0	0 4 0½			22 Nov., 1877	1 " "	1878
Bomarhiong	Peter Tyson	64,000	64,000	75 0 0	0 15 0			5 Sept., 1874	1 " "	1875
Boolonkeena	J. Crozier	28,000	28,000	22 10 0	0 10 3½			27 " "	1 " "	1874
Boomiaricool	William Taylor	35,000	35,000	80 0 0	1 9 3			15 Aug., 1874	1 " "	1875
Boundary	J. H. Robertson	24,000	20,037	25 0 0	0 15 11½	123	3,840	23 " "	1 " "	1874
Bruce's Plains, No. 1	J. J. Phelps	25,000	25,000	40 0 0	1 0 5½			Sept., 1876	1 " "	1877
" " 2	W. L. and R. T. Reid	32,000	32,000	50 0 0	1 0 0			12 Oct., 1877	1 " "	1878
" " 3		63,000	63,000	70 0 0	0 14 2½			12 " "	1 " "	"
Buckalow	C. Ryan	50,000	50,000	15 0 0	0 3 10			Not appraised	1 " "	1874
" No. 2		64,000	64,000	20 0 0	0 4 0			" "	1 " "	"
" " 3		64,000	64,000	20 0 0	0 4 0			" "	1 " "	"
" " 4		64,000	64,000	20 0 0	0 4 0			" "	1 " "	"
" " 5		72,000	72,000	20 0 0	0 3 6½			" "	1 " "	"
" " 9		64,000	64,000	20 0 0	0 4 0			" "	1 " "	"

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisalment.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
DARLING DISTRICT—continued.											
Bulabula.....	The Australian Mortgage Land and Finance Company, (Limited).	24,000	24,000	£ 15 0 0	£ s. d. 0 8 0			Not ascer- tainable.	Not ascer- tainable.	2 Aug., 1876	1 Jan., 1877
Bundawingee.....	John Crozier	42,000	42,000	120 0 0	1 16 6 $\frac{3}{4}$			"	"	27 Sept., 1873	1 " 1874
Bungalong.....	W. M'Lean	22,000	22,000	10 0 0	0 5 9 $\frac{1}{2}$			"	"	4 Sept., 1876	1 " 1877
Buragy.....	The Australian Mortgage Land and Finance Company, (Limited).	64,000	64,000	70 0 0	0 14 0			"	"	17 July, 1874	1 " 1875
Burta.....	W. A., F. C., and K. E. Brodribb	56,000	56,000	25 0 0	0 5 8 $\frac{1}{2}$			"	"	Not appraised	1 April, 1873
Burtundy North.....	The Australian Mortgage Land and Finance Company, (Limited).	18,000	17,960	40 0 0	1 8 6	40		"	"	30 Nov., 1875	1 Jan., 1876
" South.....	"	20,000	19,320	40 0 0	1 6 6	680		"	"	30 " "	1 " "
Cambellia.....	John Dunne	48,000	48,000	25 0 0	0 6 8			"	"	9 Oct., 1874	1 " 1875
Camelot.....	J. Barritt	61,440	61,440	20 0 0	0 4 2			"	"	7 Aug., 1877	1 " 1878
Candaba.....	J. Dunne	32,000	32,000	30 0 0	0 12 0			"	"	25 Sept., 1873	1 " 1874
Candilla.....	H. B. Hughes	42,000	42,000	80 0 0	1 4 4 $\frac{1}{2}$			"	"	10 Oct., 1874	1 " 1875
Caringy.....	The Trust & Agency Company (Limited)	64,000	64,000	30 0 0	0 6 0			"	"	15 " "	1 " "
Chnowa.....	George Fairbairn	64,000	63,800	75 0 0	0 15 0 $\frac{1}{2}$	200		"	"	5 Sept., "	1 " "
Clare A.....	W. Campbell	64,000	64,000	70 0 0	0 14 0			"	"	5 " "	1 " "
" B.....	"	64,000	63,960	60 0 0	0 12 0	40		"	"	5 " "	1 " "
" C.....	"	64,000	64,000	60 0 0	0 12 0			"	"	5 " "	1 " "
Cooncoomberra.....	J. Tyson	44,800	44,800	60 0 0	0 17 1 $\frac{3}{4}$			"	"	20 Oct., 1875	1 " 1876
Coonalhugga.....	J. Dunne	38,000	38,000	70 0 0	1 3 7			"	"	9 " 1874	1 " 1875
Coonong.....	C. Barritt and C. H. Wreford	15,000	15,000	15 0 0	0 12 9 $\frac{1}{2}$			"	"	Not appraised	1 Oct., 1873
Coultra.....	W. A., F. C., and K. E., Brodribb	48,000	48,000	25 0 0	0 6 8			"	"	1 April, "	1 April, "
Culpaterong.....	G. Fairbairn	64,000	64,000	75 0 0	0 15 0			"	"	5 Sept., 1874	1 " 1875
Cutpy.....	Mrs. J. Macdonald, E. M. Bagot, & W. H. Charnock	51,000	51,000	15 0 0	0 3 9 $\frac{1}{2}$			"	"	15 July, "	1 " "
Darling Block D.....	C. Ibbotson and R. Blackwood	33,200	33,200	45 0 0	0 17 4 $\frac{1}{2}$			"	"	10 Oct., "	1 " "
Darnick.....	W. Tayler	64,000	64,000	20 0 0	0 4 0			"	"	13 Sept., 1876	1 " 1877
Dolmoreve.....	G. Fairbairn	64,000	64,000	75 0 0	0 15 0			"	"	5 " 1874	1 " 1875
East Albermarle, block C.....	J. J. Phelps	64,000	64,000	50 0 0	0 10 0			"	"	18 " 1876	1 " 1877
" D.....	W. L. and R. T. Reid	32,000	32,000	40 0 0	0 16 0			"	"	12 Oct., 1877	1 " 1878
East Barara.....	J. Barritt	64,000	64,000	30 0 0	0 6 0			"	"	13 Sept., 1876	1 " 1877
" Divide.....	"	59,000	59,000	20 0 0	0 4 4			"	"	7 Aug., 1877	1 " 1878
" Cambillia.....	J. Dunne	16,000	16,000	15 0 0	0 12 0			"	"	Not appraised	1 " 1873
" Illawla.....	D. and D. H. Cudmore	53,000	53,000	25 0 0	0 6 0 $\frac{1}{2}$			"	"	23 Sept., 1873	1 Jan., 1874
" Milang.....	William M'Lean	61,440	61,440	50 0 0	0 10 5			"	"	16 July, 1874	1 " 1875
" Paringi.....	Margery and R. Macfarlane	62,000	62,000	20 0 0	0 4 1 $\frac{1}{2}$			"	"	Not appraised	1 July, 1874
" Rufus.....	Duncan Macpherson	31,000	31,000	100 0 0	2 1 3 $\frac{1}{2}$			"	"	24 Sept., 1873	1 Jan., "
" Tarcoola.....	W. Tayler and J. Bertram	56,760	56,760	15 0 0	0 3 4 $\frac{1}{2}$			"	"	7 Aug., 1877	1 " 1878
" block A.....	"	61,000	61,000	25 0 0	0 5 3			"	"	5 Sept., 1874	1 " 1875
" Wamba.....	W. L. and R. T. Reid	63,000	63,000	40 0 0	0 8 4 $\frac{1}{2}$			"	"	9 Oct., "	1 " "
Eastern Tarcoola.....	J. L. Phelps	30,000	30,000	10 0 0	0 4 3 $\frac{1}{4}$			"	"	5 Sept., "	1 " "
Eiddon.....	W. Tayler	64,000	64,000	20 0 0	0 4 0			"	"	13 " 1876	1 " 1877
Enid.....	J. Barritt	61,440	61,440	96 0 0	1 0 0			"	"	Not appraised.	1 " 1874
Enmore.....	J. Dunne	46,000	46,000	15 0 0	0 4 2			"	"	30 Nov., 1875	1 July, 1875
Eurilla.....	J. Crozier	80,640	80,640	110 0 0	0 17 5 $\frac{1}{2}$			"	"	1 Dec., "	1 Jan., 1876
Gal Gal Range.....	J. H. Paterson	144,000	144,000	100 0 0	0 8 10 $\frac{1}{2}$			"	"	5 Sept., 1874	1 " 1875
Gall Gall.....	T. C. Brooke, J. Service, & J. Ormond	29,000	29,000	35 0 0	0 15 5 $\frac{1}{2}$			"	"	16 July, "	1 " "
" A.....	T. C. Brooke	50,000	50,000	10 0 0	0 2 6 $\frac{1}{2}$			"	"	28 Sept., 1877	1 " 1878
" B.....	"	63,000	63,000	20 0 0	0 4 0 $\frac{1}{2}$			"	"	28 " "	1 " "
" C.....	"	62,000	62,000	20 0 0	0 4 1 $\frac{1}{2}$			"	"	16 July, 1874	1 " 1875
" D.....	"	62,000	62,000	20 0 0	0 4 1 $\frac{1}{2}$			"	"	28 Sept., 1877	1 " 1878
Garnpung.....	W. Tayler and J. Bertram	86,000	86,000	75 0 0	0 11 2			"	"	5 " 1874	1 " 1875
Galgalan.....	J. H. Paterson	65,000	65,000	60 0 0	0 11 9 $\frac{1}{4}$			"	"	5 " "	1 " "
Grand Junction or Neilpo.....	D. and D. H. Cudmore	30,000	28,757	120 0 0	2 13 5	1,243		"	"	24 " 1873	1 " 1874
Gulthul.....	J. Whyte	51,360	51,360	35 0 0	0 8 8 $\frac{1}{2}$			"	"	21 Oct., 1876	1 " 1877

Gunpanoola	W. L. and R. T. Reid	32,000	32,000	10 0 0	0 4 0					4 Sept., 1877	1	"	1878
" East	J. Barritt	60,000	60,000	30 0 0	0 6 4 $\frac{1}{2}$					7 Aug., 1877	1	"	1875
Gunpongulla	W. L. and R. T. Reid	32,000	31,840	55 0 0	1 2 1 $\frac{1}{2}$	160				9 Oct., 1874	1	"	1875
Henley	T. L., S. L., and A. J. L. Learmonth	28,000	28,000	93 0 0	2 2 6 $\frac{1}{2}$					7 "	1	"	"
Huco	W. L. and R. T. Reid	63,000	63,000	70 0 0	0 14 2 $\frac{1}{2}$					9 "	1	"	"
Illawla	D. and D. H. Cudmore	25,500	25,500	30 0 0	0 15 0 $\frac{1}{2}$					8 Dec., 1875	1	"	1876
Illengerry	Jessie Macdonald, E. M. Bagot, and W. H. Charnock.	47,000	46,920	100 0 0	1 7 3 $\frac{1}{2}$	80				25 Sept., 1873	1	"	1874
Inner or West Terryawyna	A. J. L. Learmonth	42,200	42,200	35 0 0	0 10 7 $\frac{1}{2}$					2 Oct., 1876	1	"	1877
Juanbung	J. Tyson	28,440	20,760	40 0 0	1 4 8	1,920	5,760			20 "	1	"	1876
" Back Run		252,160	252,000	440 0 0	1 2 4 $\frac{1}{2}$	160				20 "	1	"	"
Kasserbill	W. Tayler	38,400	38,400	15 0 0	0 5 0					13 Sept., 1876	1	"	1877
Kilon	J. Pile	38,000	38,000	90 0 0	1 10 3 $\frac{1}{2}$					16 July, 1874	1	"	1875
Kilfera, block A	W. Tayler	64,000	64,000	60 0 0	0 12 0					7 Aug., 1877	1	"	1878
" B		64,000	64,000	20 0 0	0 4 0					7 "	1	"	"
" C	The Trust and Agency Company	64,000	64,000	25 0 0	0 5 0					7 "	1	"	"
" D	J. Macdonald and J. Matheson	64,000	64,000	65 0 0	0 13 0					7 "	1	"	"
" E	W. Tayler	64,000	63,360	65 0 0	0 13 1 $\frac{1}{2}$	640				7 "	1	"	"
" F	J. Macdonald and J. Matheson	64,000	64,000	30 0 0	0 6 0					7 "	1	"	"
" G	W. Tayler	64,000	64,000	30 0 0	0 6 0					7 "	1	"	"
" H	J. Macdonald and J. Matheson	64,000	64,000	10 0 0	0 2 0					7 "	1	"	"
" I		64,000	64,000	10 0 0	0 2 0					7 "	1	"	"
" J		64,000	64,000	15 0 0	0 3 0					7 "	1	"	"
" K		64,000	63,960	25 0 0	0 5 0	40				7 "	1	"	"
" L		64,000	64,000	15 0 0	0 3 0					7 "	1	"	"
" M		64,000	64,000	15 0 0	0 3 0					7 "	1	"	"
" N		64,000	64,000	55 0 0	0 11 0					7 "	1	"	"
" O		63,000	60,440	15 0 0	0 3 2		2,560			7 "	1	"	"
" P		64,000	64,000	15 0 0	0 3 0					7 "	1	"	"
" Q		64,000	63,680	50 0 0	0 10 0 $\frac{1}{2}$	320				7 "	1	"	"
Kitcho	Peter Tyson	64,000	64,000	75 0 0	0 15 0					5 Sept., 1874	1	"	1875
Kudgee	James Pile	64,000	64,000	20 0 0	0 4 0					4 "	1	"	1877
Kungaie	Sir J. G. Francis	24,000	18,560	35 0 0	1 4 1 $\frac{1}{2}$	960	4,480			5 Oct., 1875	1	"	1876
" Plains		26,000	26,000	20 0 0	0 9 10 $\frac{1}{2}$					25 "	1	"	"
" West		38,000	38,000	20 0 0	0 6 8 $\frac{1}{2}$					25 "	1	"	"
Letheroe	J. L. Phelps	22,500	22,500	20 0 0	0 11 4 $\frac{1}{2}$					11 Nov., 1877	1	"	1878
Linbee	J. Barritt	32,000	32,000	20 0 0	0 8 0					7 Aug., 1877	1	"	1874
Loocalle	Sir J. G. Francis	36,000	36,000	25 0 0	0 8 10 $\frac{3}{4}$					18 Oct., 1873	1	"	1875
Lower Lette	The Trust and Agency Company	58,500	58,500	25 0 0	0 5 5 $\frac{1}{2}$					15 Aug., 1874	1	"	1874
Lower Pernolingay	D. and D. H. Cudmore	59,500	59,500	25 0 0	0 5 4 $\frac{1}{2}$					23 Sept., 1873	1	"	1877
Lower Talyawalka	J. J. Phelps	69,000	69,000	35 0 0	0 6 6					18 "	1	"	1874
Magenta	R. and A. Landale	60,000	60,000	32 0 0	0 6 10					14 Nov., 1873	1	"	1875
Makingah or Yenda	W. L. and R. T. Reid	32,000	31,880	60 0 0	1 4 1	120				9 Oct., 1874	1	"	1874
Malara	J. T. and R. Gibson	50,000	50,000	115 0 0	1 9 5 $\frac{1}{2}$					24 Sept., 1873	1	"	1876
Mallee Cliffs	P. Macfarlane and K. M'Donald	32,000	31,360	70 0 0	1 8 6 $\frac{1}{2}$	640				1 Dec., 1875	1	"	1875
" East	R. Macfarlane	23,000	23,000	20 0 0	0 11 1 $\frac{1}{2}$					15 July, 1874	1	"	1873
Mandy	W. L. and R. Reid	32,000	32,000	15 0 0	0 6 0					Not appraised.	1	"	1873
Manee	F. T. James and W. Brookes	64,000	64,000	15 0 0	0 3 0					16 July, 1874	1	"	1875
Manie Lower	Sir J. G. Francis	22,000	21,280	50 0 0	1 10 1	720				25 Oct., 1875	1	"	1876
" Upper		26,000	25,360	60 0 0	1 10 3 $\frac{1}{2}$	640				25 "	1	"	"
Marma	W. Taylor	25,000	25,000	15 0 0	0 7 8 $\frac{1}{2}$					18 "	1	"	1874
Matalong	J. Whyte	43,000	43,000	15 0 0	0 4 5 $\frac{1}{2}$					18 "	1	"	1875
Meilman	The Trust and Agency Company	40,000	39,680	100 0 0	1 12 3	320				25 "	1	"	1876
Mendook	J. Whyte	46,000	46,000	10 0 0	0 2 9 $\frac{1}{2}$					1 Nov., 1873	1	"	1874
Meroo Run	W. M'Lean	51,200	51,200	40 0 0	0 10 0					16 July, 1874	1	"	1875
Merowa	Sir J. G. Francis	74,000	74,000	50 0 0	0 8 7 $\frac{1}{2}$					14 Aug., 1874	1	"	"
Midgehope	J. Barritt	64,000	64,000	20 0 0	0 4 0					7 "	1	"	1878
Milang West	W. M'Lean	64,000	64,000	30 0 0	0 6 0					16 July, 1874	1	"	1875
Miparo of Manfred East	W. Taylor	70,000	70,000	50 0 0	0 9 1 $\frac{1}{2}$					7 Aug., 1877	1	"	1878
" West		70,000	70,000	30 0 0	0 5 5 $\frac{1}{2}$					7 "	1	"	"
Minindel	H. B. Hughes	32,000	20,000	20 0 0	0 12 9 $\frac{1}{2}$		12,000			10 Oct., 1874	1	"	1875
Mitta	J. Dunne	51,000	51,000	30 0 0	0 7 6 $\frac{1}{2}$					25 Sept., 1873	1	"	1874
Moorpa	J. Crozier	29,500	29,500	40 0 0	0 17 4 $\frac{1}{2}$					2 Aug., 1876	1	"	1877
Moorna		69,000	52,640	120 0 0	1 9 2 $\frac{1}{2}$	320	7,040			27 Sept., 1873	1	"	1874

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisalment.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
DARLING DISTRICT—continued.											
Mount Dispersion North-east	J. Whyte	73,000	73,000	£ s. d.	£ s. d.						
Mourte	W. L. and R. T. Reid	32,000	32,000	45 0 0	0 7 10½			Not ascer-	Not ascer-	21 Oct., 1876	1 Jan., 1877
Mullojiana	W. M'Lean	26,000	26,000	10 0 0	0 4 0			tainable...	tainable...	4 Sept.	1 "
Mulurula	The Trust and Agency Company	85,000	85,000	60 0 0	1 9 6½					27 " 1873	1 " 1874
Mundonah	J. Whyte	62,720	62,720	35 0 0	0 5 3½					14 " 1874	1 " 1875
Mundybah	H. B. Hughes	30,000	30,000	15 0 0	0 3 0½					21 Oct., 1876	1 " 1877
Mythe	J. Barritt	48,000	48,000	20 0 0	0 8 6½					27 Sept., 1873	1 " 1874
Nadback West	W. M'Lean	42,000	42,000	50 0 0	0 13 4					5 " 1874	1 " 1875
Nalaira	H. B. Hughes	37,000	36,960	25 0 0	0 7 7½					16 July, "	1 " "
Nara	"	27,000	27,000	70 0 0	1 4 3	40				10 Oct., "	1 " "
North Ana Branch	J. Crozier, sen.	38,000	38,000	30 0 0	0 14 2½					10 " "	1 " "
North Clare, A.	W. Campbell	64,000	64,000	60 0 0	1 0 2½					2 Aug., 1876	1 " 1877
" B.	"	64,000	64,000	120 0 0	1 4 0					5 Sept., 1874	1 " 1875
" Cowl	J. Whyte	38,000	38,000	80 0 0	0 16 0					5 " "	1 " "
" Gultul	"	62,720	62,720	10 0 0	0 3 4½					12 Oct., 1877	1 " 1878
" Ita	J. Dunne	35,000	35,000	20 0 0	0 4 1					21 " 1876	1 " 1877
" Mundonah	W. Taylor	62,720	62,720	10 0 0	0 3 8					4 Sept., "	1 " "
" Mythes, block A	J. Barritt	61,440	61,440	20 0 0	0 4 1					13 " "	1 " "
" " B	"	58,000	58,000	10 0 0	0 2 1					7 Aug., 1877	1 " 1878
" " C	"	68,000	68,000	25 0 0	0 2 2½					7 " "	1 " "
" Panhan	J. J. Phelps	68,000	68,000	15 0 0	0 4 8½					Not appraised	1 July, 1873
" Paringi	T. C. Brooke, J. Service, & J. Ormond	63,000	63,000	15 0 0	0 2 10					11 Nov., 1875	1 Jan., 1876
" Sahara	J. Tyson	64,000	64,000	15 0 0	0 3 0½					1 Dec., "	1 " "
" Turlee	J. H. Paterson	64,000	64,000	80 0 0	0 16 0					10 Oct., 1874	1 " 1875
" " block A	"	53,760	53,760	80 0 0	0 19 0½					14 Nov., 1873	1 " 1874
" Willilbah	R. and A. Landale	61,440	61,440	70 0 0	0 14 7					14 " "	1 " "
Nowung	W. Taylor	53,000	53,000	28 0 0	0 6 9½					14 " "	1 " "
Oberwells	W. H. Graves	17,000	17,000	25 0 0	0 18 10					15 Aug., 1874	1 " 1875
Outer Albermarle	W. Taylor	28,000	28,000	15 0 0	0 6 10½					Not appraised	1 July, 1873
" Back Bullanmong	J. J. Phelps	23,000	23,000	20 0 0	0 11 1½					18 Sept., 1876	1 Jan., 1877
" " Mythe's, block B	The Australian Mortgage Land and Finance Company.	45,000	45,000	20 0 0	0 5 8½					1 Dec., 1875	1 " 1876
" " Tarcoolo, " A	Joseph Barritt	35,000	35,000	10 0 0	0 3 8					7 Aug., 1877	1 " 1878
" " " B	J. J. Phelps	57,600	57,600	35 0 0	0 7 9½					5 Sept., 1874	1 " 1875
" " " C	"	66,000	66,000	40 0 0	0 7 9					5 " "	1 " "
" Cuthro	J. Whyte	43,000	43,000	68 0 0	1 0 3					Not appraised	1 July, 1874
" Eurilla	T. C. Brooke	64,000	64,000	50 0 0	0 10 0					28 Sept., 1877	1 Jan., 1878
" Gunpanoola	J. Pile	63,000	63,000	50 0 0	0 10 2					27 " 1873	1 " 1874
" Henley	The Hon. J. Crozier	60,000	60,000	50 0 0	0 10 8					18 Oct., "	1 " "
" Manie Lower	J. Barritt	45,000	45,000	25 0 0	0 7 1½					Not appraised	1 April, 1873
" Mythe	T. L., S. L., A. J. L. Learmonth	30,000	30,000	30 0 0	0 12 9½					2 Oct., 1876	1 Jan., 1877
" Nalaira	E. Cohen and J. F. Maguire	10,000	10,000	10 0 0	0 12 9½					13 Sept., "	1 " "
" Paringi	J. Barritt	25,000	25,000	15 0 0	0 7 8½					5 " 1874	1 " 1875
" " Gaari	H. B. Hughes	95,000	95,000	100 0 0	0 13 5½					4 " 1876	1 " 1877
" " West	P. Macfarlane	72,000	72,000	25 0 0	0 4 5½					15 July, 1874	1 " 1875
" Tapeo	J. Dunne	48,000	48,000	35 0 0	0 9 4					25 Sept., 1873	1 " 1874
" Tiltao	"	48,000	48,000	30 0 0	0 8 0					25 " "	1 " "
" Wallara	T. C. Brooke	51,000	51,000	10 0 0	0 2 6					14 June, 1876	1 " 1877
" Wamba	"	51,000	51,000	20 0 0	0 5 0½					14 " "	1 " "
" Waneba	J. Pile	63,000	63,000	50 0 0	0 10 2					27 Sept., 1876	1 " 1874
" Wendi West	W. L. and R. T. Reid	30,000	29,760	25 0 0	0 19 9	240				1 Dec., 1875	1 " 1876
" Willotia	J. Dunne	42,000	42,000	40 0 0	0 12 2½					25 Sept., 1873	1 " 1874
" Yaltolka	"	64,000	64,000	15 0 0	0 3 0					12 Oct., 1877	1 " 1878
Paika	J. Pile	74,000	74,000	80 0 0	0 13 10					1 Dec., 1875	1 " 1876
	"	95,500	95,500	100 0 0	0 13 4½					1 " "	1 " "
	W. Webster	27,520	24,150	50 0 0	1 6 6	370	3,000			20 Oct., 1875	1 " "

Palinoa	D. and D. H. Cudmore	17,500	17,500	40 0 0	1 9 3				15 July, 1874	1	1875
Panban	J. J. Phelps	61,440	61,440	40 0 0	0 8 4				5 Sept., "	1	"
Paringi	P. Macfarlane	34,000	34,000	15 0 0	0 5 7 $\frac{1}{2}$				21 Oct., 1876	1	1877
Paringi Gaari	H. B. Hughes	64,000	64,000	40 0 0	0 8 0				4 Sept., "	1	"
Parra	J. Macdonald, E. M. Bagot, and W. H. Charnock	41,000	40,760	120 0 0	1 17 8 $\frac{1}{2}$	240			25 " 1873	1	1874
Pelwalka	Duncan Macpherson	39,000	39,000	100 0 0	1 12 9 $\frac{1}{2}$				24 " "	1	"
Pernolingay	D. and D. H. Cudmore	40,960	40,960	65 0 0	1 0 3 $\frac{1}{2}$				2 Aug., 1876	1	1877
Plentiful Plains	Joseph Barritt	60,000	60,000	45 0 0	0 9 7 $\frac{1}{2}$				22 Nov., 1875	1	1876
Police	M. Loeman and J. Macintosh	29,400	29,360	100 0 0	2 3 7 $\frac{1}{2}$	40			25 Sept., 1873	1	1874
Pooncaree	J. L. Phelps	23,000	22,040	50 0 0	1 9 0 $\frac{1}{2}$	320	640		11 Nov., 1875	1	1876
" Back Plains		23,000	23,000	30 0 0	0 16 8 $\frac{1}{2}$				5 Sept., 1874	1	1875
Poplita	F. J. James and W. Brookes	52,000	52,000	100 0 0	1 4 7 $\frac{1}{2}$				16 July, "	1	"
Porcupine	W. L. and R. T. Reid	63,000	63,000	20 0 0	0 4 0 $\frac{1}{2}$				9 Oct., "	1	"
Preulla		30,000	29,920	60 0 0	1 5 8	80			9 " "	1	"
Putta	W. A., F. C., and K. E. Brodribb	63,000	63,000	25 0 0	0 5 1				Not appraised.	1	April, 1873
Quamby	J. T. and R. Gibson	22,000	22,000	10 0 0	0 5 9 $\frac{1}{2}$				7 Aug., 1877	1	Jan., 1878
Rainding	P. H. Gill	16,000	16,000	15 0 0	0 12 0				17 July, 1874	1	1875
Rantygga	J. Dunne	53,000	53,000	25 0 0	0 6 0 $\frac{1}{2}$				9 Oct., "	1	"
Sahara	James Tyson	64,000	64,000	90 0 0	0 18 0				10 " "	1	"
" No. 2		52,480	52,480	65 0 0	0 15 10 $\frac{1}{2}$				10 " "	1	"
Salt Lake	J. Macdonald, E. M. Bagot, and W. H. Charnock	52,500	52,500	20 0 0	0 4 10 $\frac{1}{2}$				2 Aug., 1876	1	1877
Scotia, No. 1	The Australian Mortgage Land and Finance Company (Limited).	62,000	62,000	20 0 0	0 4 1 $\frac{1}{2}$				22 Nov., 1875	1	1876
" " 2	" "	68,000	68,000	20 0 0	0 3 9 $\frac{1}{2}$				22 " "	1	"
" " 3	" "	71,000	71,000	15 0 0	0 2 8 $\frac{1}{2}$				1 Dec., "	1	"
" " 4	" "	84,000	84,000	15 0 0	0 2 3 $\frac{1}{2}$				1 " "	1	"
Scrub	D. Macpherson	57,600	57,600	30 0 0	0 6 8				15 July, 1874	1	1875
Scrub Run, block No. 2	"	39,000	39,000	30 0 0	0 9 10 $\frac{1}{2}$				15 " "	1	"
" " " 3	"	66,500	66,500	30 0 0	0 5 9 $\frac{1}{2}$				15 " "	1	"
" " " 4	"	88,700	88,700	65 0 0	0 9 4 $\frac{1}{2}$				15 " "	1	"
" " " 5	"	103,000	103,000	50 0 0	0 6 2 $\frac{1}{2}$				15 " "	1	"
" " " 6	"	103,000	103,000	80 0 0	0 9 11 $\frac{1}{2}$				15 " "	1	"
" " " 8	"	85,800	85,800	25 0 0	0 3 8 $\frac{1}{2}$				15 " "	1	"
" " " 9	"	91,500	91,500	25 0 0	0 3 6				15 " "	1	1875
" " " 10	"	64,000	64,000	25 0 0	0 5 0				15 " "	1	"
Solferino	R. and A. Landale	53,000	53,000	20 0 0	0 4 10				5 Sept., "	1	"
South Bolivia	W. L. and R. T. Reid	48,000	48,000	20 0 0	0 5 4				12 Oct., 1877	1	1878
South Gall Gall	T. C. Brooke	57,000	57,000	10 0 0	0 2 3				7 Aug., "	1	"
" block A		55,000	55,000	10 0 0	0 2 4				7 " "	1	"
South Ita	James Pile	64,000	64,000	10 0 0	0 2 0				4 Sept., 1876	1	1877
South Porcupine	Joseph Barritt	54,000	54,000	85 0 0	1 0 1 $\frac{1}{2}$				Not appraised	1	1874
South Talyawalka	J. J. Phelps	70,000	70,000	45 0 0	0 8 2 $\frac{1}{2}$				5 Sept., 1874	1	1875
South Terryaweyna	A. J. L. Learmonth	16,000	16,000	10 0 0	0 8 0				2 Oct., 1876	1	1877
South Tulrigo	J. Macdonald, E. M. Bagot, and W. H. Charnock	18,000	18,000	15 0 0	0 10 8				25 Sept., 1873	1	1874
South Wambah	W. L. and R. T. Reid	16,000	16,000	25 0 0	1 0 0				1 Dec., 1875	1	1876
Southern Outer Taltolka	J. McIntosh and M. Loeman	32,000	32,000	50 0 0	1 0 0				27 Sept., 1873	1	1874
Sturt's Billabong	D. H. Cudmore	35,000	34,980	75 0 0	1 7 6 $\frac{1}{2}$	20			27 " "	1	"
Talyawalka	T. L., S. L., and A. J. L. Learmonth	66,000	66,000	60 0 0	0 11 7 $\frac{1}{2}$				2 Oct., 1876	1	1877
Tankie	The Commercial Bank	51,200	51,200	15 0 0	0 3 9				7 Aug., 1877	1	1878
Tapio	T. C. Brooke	38,000	37,480	75 0 0	1 5 7 $\frac{1}{2}$	520			30 Nov., 1875	1	1876
" West	D. and D. H. Cudmore	45,000	44,792	120 0 0	1 14 3 $\frac{1}{2}$	208			24 Sept., 1873	1	1874
Tara	D. Macpherson	51,200	51,200	130 0 0	1 12 6 $\frac{1}{2}$				24 " "	1	"
Tarangara	J. McDonald, E. M. Bagot, and W. H. Charnock	54,000	53,960	100 0 0	1 3 8 $\frac{1}{2}$	40			25 " "	1	"
Tarcoola	J. L. Phelps	36,000	35,320	60 0 0	1 1 9	680			11 Nov., 1875	1	1876
Terryaweyna	A. J. L. Learmonth	64,000	64,000	100 0 0	1 0 0				2 Oct., 1876	1	1877
Til Til	George Fairbairn	64,000	64,000	50 0 0	0 10 0				5 Sept., 1874	1	1875
Tiltao	T. C. Brooke	38,500	35,630	110 0 0	1 19 6 $\frac{1}{2}$	950	1,920		1 Dec., 1875	1	1876
Titululta	D. and D. H. Cudmore	35,840	35,840	70 0 0	1 5 0				23 Sept., 1873	1	1874
Tooran	J. Crozier	22,700	22,700	35 0 0	0 19 8 $\frac{1}{2}$				2 Aug., 1876	1	1877
Toorincaca	W. L. and R. T. Reid	63,000	63,000	30 0 0	0 6 1 $\frac{1}{2}$				9 Oct., 1874	1	1875

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisalment.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
DARLING DISTRICT—continued.											
				£ s. d.	£ s. d.						
Toorong (late Tyson's)	James Tyson	35,200	35,200	55 0 0	1 0 0			Not ascer-	Not ascer-	20 Oct., 1875	1 Jan., 1876
Toylambool	W. Webster	61,440	61,340	85 0 0	0 17 8½	100		tainable	tainable	5 Sept., 1874	1 " 1875
Tulrigo	J. M'Donald, E. M. Bagot, and W. H. Charnock.	65,000	65,000	25 0 0	0 4 11			"	"	15 July, "	1 " "
Turlee	E. Cohen and J. F. Maguire	25,600	25,600	65 0 0	1 12 6			"	"	25 Oct., 1875	1 " 1876
Tyndiah	W. L. and R. T. Reid	32,000	32,000	20 0 0	0 8 0			"	"	4 Sept. 1876	1 " 1877
Undeethee	"	32,000	32,000	30 0 0	0 12 0			"	"	4 " "	1 " "
Upper Lette	A. M'Cullum and W. and H. Walker.	61,500	61,500	100 0 0	1 0 9½			"	"	15 Aug., 1874	1 " 1875
Urutah North	James Pile	28,000	28,000	45 0 0	1 0 6½			"	"	10 Oct., "	1 " "
" North-west	W. M'Lean, sen.	42,000	42,000	40 0 0	0 12 2½			"	"	27 Sept., 1873	1 " 1874
" South	"	41,000	41,000	80 0 0	1 4 11½			"	"	16 July, 1874	1 " 1875
" West	"	38,000	38,000	100 0 0	1 13 8½			"	"	16 " "	1 " "
Wallar	D. and D. H. Cudmore	32,000	32,000	55 0 0	1 2 0			"	"	2 Aug., 1876	1 " 1877
Waltragile	John Crozier, sen.	32,500	32,500	25 0 0	0 9 10½			"	"	1 Dec., 1875	1 " 1876
Wambah	W. L. and R. T. Reid.	16,000	15,780	15 0 0	0 12 2	220		"	"	9 Oct., 1874	1 " 1875
Wamberra	T. C. Brooke	51,000	50,820	10 0 0	0 2 6½	180		"	"	9 " 1877	1 " 1878
Waneba	John Dunne	64,000	64,000	50 0 0	0 10 0			"	"	25 Sept., 1873	1 " 1874
Wanga	W. A., F. C., and K. E. Brodribb	61,000	61,000	25 0 0	0 5 3			"	"	Not appraised	1 Apl., 1873
Wannawanna	Duncan Macpherson	41,600	41,560	70 0 0	1 1 6½	40		"	"	24 Sept., 1873	1 Jan., 1874
Wendi	John Dunne	32,000	32,000	20 0 0	0 8 0			"	"	25 " "	1 " "
" West	"	64,000	64,000	25 0 0	0 5 0			"	"	12 Oct., 1877	1 " 1878
Westbrook	D. Macpherson	47,000	47,000	100 0 0	1 7 2½			"	"	15 July, 1874	1 " 1875
West Cowl	R. Macfarlane	58,000	58,000	10 0 0	2 2 2½			"	"	12 Oct., 1877	1 " 1878
West Dhoon	John Dunne	63,600	63,600	25 0 0	0 5 0½			"	"	9 " 1874	1 " 1875
West Mallara	J. T. and R. Gibson	39,000	39,000	10 0 0	0 3 3½			"	"	23 Sept., 1873	1 " 1874
West Mitta	John Dunne	45,000	45,000	30 0 0	0 8 6½			"	"	25 " "	1 " "
West Panban, block A	Joseph Barritt	61,440	61,440	10 0 0	0 2 1			"	"	7 Aug., 1877	1 " 1878
" B	"	61,440	61,440	10 0 0	0 2 1			"	"	7 " "	1 " "
West Paringi, block A	T. C. Brooke	43,000	43,000	10 0 0	0 2 11½			"	"	5 Nov., 1875	1 " 1876
West Popiga	F. T. James and W. Brookes	64,000	64,000	15 0 0	0 3 0			"	"	16 July, 1874	1 " 1875
West Rufus	Duncan Macpherson	32,000	32,000	75 0 0	1 10 0			"	"	24 Sept., 1873	1 " 1874
West Yarballa	F. T. James and W. Brookes	66,000	66,000	15 0 0	0 2 11			"	"	16 July, 1874	1 " 1875
Whitminbah	J. Macdonald and J. Matheson	64,000	64,000	70 0 0	0 14 0			"	"	7 Aug., 1877	1 " 1878
Willilbah	W. Webster	76,800	76,640	60 0 0	0 10 0½	160		"	"	5 Sept., 1874	1 " 1875
Willotia	James Pile	42,000	41,680	80 0 0	1 4 6½	320		"	"	10 Oct., "	1 " "
Winda	F. T. James and W. Brookes	54,000	54,000	45 0 0	0 10 8			"	"	27 Sept., 1873	1 " 1874
Winnebaga	Henry Ricketson	64,000	64,000	12 10 0	0 2 6			"	"	Not appraised	1 July, 1873
Woolpagerie	R. and A. Landale	92,000	92,000	40 0 0	0 5 6½			"	"	10 Oct., 1874	1 Jan., 1875
" South	"	64,000	64,000	50 0 0	0 10 0			"	"	5 Sept., "	1 " "
Yaltolka	James Pile	70,000	69,360	130 0 0	1 4 0	640		"	"	10 Oct., "	1 " "
Yantaralla	D. Macpherson	51,200	51,200	40 0 0	0 10 0			"	"	24 Sept., 1873	1 " 1874
Yarlalla	F. T. James and W. Brookes	20,000	20,000	50 0 0	1 12 0			"	"	16 July, 1874	1 " 1875
Yarrowal	W. Webster	64,000	56,940	80 0 0	0 17 11½	1,940	5,120	"	"	20 Oct., 1875	1 " 1876
" Back Run	"	112,640	112,640	100 0 0	0 11 4½			"	"	20 " "	1 " "
Yartla	W. M'Lean	42,000	42,000	80 0 0	1 4 4½			"	"	10 " 1874	1 " 1875
Yelkeer	G. Fairbairn	64,000	64,000	75 0 0	0 15 0			"	"	5 Sept., "	1 " "
Yhoul	"	64,000	64,000	50 0 0	0 10 0			"	"	5 " "	1 " "
Laurie Park	The Australian Mortgage Land and Finance Company (Limited).	31,000	31,000	10 0 0	0 4 1½			"	"	28 " 1877	1 " 1878
Rainding North	John Whyte	16,000	16,000	15 0 0	0 12 0			"	"	Not appraised	1 " 1875
Grand Totals		16,731,480	16,665,506	14,536 0 0	0 11 2	19,014	46,960				

GWYDIR DISTRICT.

Argowan Plains	J. and T. Cooper	51,200	37,043	15 0 0	0 5 24	3,835	10,322	"	"	26 Oct., 1875	1 "	1876
Black Gil Gil	C. and J. Young	5,000	5,000	10 0 0	1 5 74	"	"	"	"	2 Aug., 1877	1 "	1878
Bangheet	The Australian Joint Stock Bank	50,000	43,476	50 0 0	0 14 84	6,344	180	"	"	27 Oct., 1875	1 "	1876
Beebo	William Lalor	46,080	46,080	35 0 0	0 9 84	"	"	"	"	24 Nov., "	1 "	"
Bengalla	"	8,800	8,800	12 0 0	1 7 54	"	"	"	"	29 "	1 "	"
Bengaria	Montefiore, Graham, & Co.	16,000	2,276	10 0 0	2 16 24	4,204	9,520	"	"	27 Oct., "	1 "	"
Big Leather	A. Town, Mary Town, J. Onus, and A. Benson	48,000	48,000	112 0 0	1 9 104	"	"	"	"	1 Dec., "	1 "	"
" West	J. Town	29,850	29,700	30 0 0	0 12 114	150	"	"	"	2 Aug., 1877	1 "	1878
Big River Station	Charles Bull	50,000	44,000	60 0 0	0 17 54	580	5,420	"	"	2 Nov., 1875	1 "	1876
Bingera	A. M'Intosh	38,080	29,520	35 0 0	0 15 2	3,400	5,160	"	"	2 "	1 "	"
Bingerang	J. W. Jackson and A. Harris	18,200	18,200	71 0 0	2 9 114	"	"	"	"	1 Dec., "	1 "	"
Binnig	Daniel Eaton	33,000	24,520	69 0 0	1 1 74	3,680	4,800	"	"	2 Nov., "	1 "	"
Biroo	William Pearce	15,380	15,380	36 0 0	1 9 114	"	"	"	"	18 Oct., 1876	1 "	1877
Blue Nobby	William J. Russell and J. R. Black	35,000	23,229	120 0 0	3 6 14	1,753	10,018	"	"	26 "	1 "	1876
Booloroo	R. N., E. W., and T. King	61,000	46,370	72 0 0	0 19 104	13,670	960	"	"	26 "	1 "	"
Boonal	S. B. Dight	50,000	42,280	99 0 0	1 9 114	4,520	3,200	"	"	26 "	1 "	"
Boonaldoon	B. Richards, J. Williams, & G. Williams	30,000	28,963	70 0 0	1 10 114	1,037	"	"	"	18 "	1 "	1877
Boonangar	Rt. Rev. William Tyrrell	27,000	27,000	84 0 0	1 19 94	"	"	"	"	14 Dec., 1875	1 "	1876
Boonooma	A. Town, J. Onus, and A. Benson	24,000	23,600	48 0 0	1 6 04	100	300	"	"	18 Oct., 1876	1 "	1877
Booraba	Richard Holmes	13,440	13,440	10 0 0	0 9 64	"	"	"	"	18 "	1 "	"
Borungo	M. C. Machardy	40,960	40,960	82 0 0	1 5 74	"	"	"	"	11 Dec., 1875	1 "	1876
Boroo	J. F. Doyle	8,000	8,000	16 0 0	1 5 74	"	"	"	"	30 Nov., 1874	1 "	1875
Brigalow	Thomas Parnell	18,560	18,560	29 0 0	1 0 0	"	"	"	"	18 Oct., 1876	1 "	1877
" North	"	25,000	25,000	45 0 0	1 3 04	"	"	"	"	14 Dec., 1874	1 "	1875
Bugobilla	John Brown	50,000	33,135	50 0 0	0 19 34	6,455	10,410	"	"	8 Sept., 1877	1 "	1878
Bullerana	B. Richards, J. & J. Williams	12,800	12,800	60 0 0	3 0 0	"	"	"	"	14 Dec., 1874	1 "	1875
Bullerue	A. G. F. Munro and W. Ross Munro	13,000	5,973	16 0 0	1 14 34	5,150	1,877	"	"	29 Nov., 1875	1 "	1876
Bunarbra North, A	John Town	15,000	15,000	46 0 0	1 19 3	"	"	"	"	29 "	1 "	"
" B	"	16,000	15,360	46 0 0	1 18 4	640	"	"	"	29 "	1 "	"
" South, A	"	17,000	17,000	55 0 0	2 1 5	"	"	"	"	1 Dec., "	1 "	"
" B	"	16,000	15,680	55 0 0	2 4 104	320	"	"	"	1 "	1 "	"
Bundori	Right. Rev. William Tyrrell	20,480	20,480	15 0 0	0 9 44	"	"	"	"	8 Sept., 1877	1 "	1878
Burradoon	The Bank of New South Wales	25,000	25,000	62 10 0	1 12 0	"	"	"	"	30 Nov., 1875	1 "	1876
Cagildool	Joseph Single	13,000	13,000	25 0 0	1 4 74	"	"	"	"	18 Oct., 1876	1 "	1877
Caidmurry	J. F. M'Mullen	54,000	54,000	126 0 0	1 9 104	"	"	"	"	1 Dec., 1875	1 "	1876
" East, block No. 1	"	19,200	19,200	30 0 0	1 0 0	"	"	"	"	2 Aug., 1877	1 "	1878
" " 2	"	19,360	19,360	30 0 0	0 19 1	"	"	"	"	2 "	1 "	"
" " 3	"	14,000	14,000	43 0 0	1 19 34	"	"	"	"	30 Nov., 1875	1 "	1876
" " 4	"	14,000	14,000	38 10 0	1 15 24	"	"	"	"	1 Dec., "	1 "	"
Callyn or Umbry	The Bank of New South Wales	38,000	36,910	88 0 0	1 10 64	1,000	"	"	"	30 Nov., "	1 "	"
Cap and Bonnet	W. R. A., E., and A. Bowman	39,400	38,900	25 0 0	0 8 24	500	"	"	"	18 Oct., 1876	1 "	1877
Carbucky	R. L. Jenkins	89,600	85,747	149 5 0	1 2 34	3,853	"	"	"	11 Dec., 1875	1 "	1876
Carore	A. Town, Mary Town, J. Onus, senr., & A. Benson	65,000	60,268	135 0 0	1 8 8	4,732	"	"	"	1 "	1 "	"
Carraa	Samuel Hoskisson	28,000	27,600	87 0 0	2 0 44	400	"	"	"	14 "	1 "	"
Carreunga	A. A. Adams	32,000	31,960	30 0 0	0 12 04	40	"	"	"	19 "	1 "	1875
" East	"	16,000	16,000	25 0 0	1 0 0	"	"	"	"	18 Oct., 1876	1 "	1877
" North	"	28,000	28,000	19 0 0	0 8 84	"	"	"	"	18 "	1 "	"
Cobbarthana	The Right Rev. William Tyrrell	25,920	25,920	55 0 0	1 7 2	"	"	"	"	18 "	1 "	"
Cobbidah	William Crowley	32,000	20,080	38 15 0	1 4 84	2,680	9,240	"	"	2 Nov., 1875	1 "	1876
Collymangool	William Pearce	43,000	42,840	117 5 0	1 15 04	160	"	"	"	1 Dec., "	1 "	"
" East	"	14,080	14,080	37 0 0	1 3 74	"	"	"	"	19 "	1 "	1875
Cooloobong	J. G., A. J. and E. N. Doyle	24,960	24,960	40 0 0	1 0 64	"	"	"	"	18 Oct., 1876	1 "	1877
Coorar	Samuel Hoskisson	61,000	60,400	193 0 0	2 0 104	600	"	"	"	14 Dec., 1875	1 "	1876
Coppymurrumbil	John Browne	76,800	42,392	91 5 0	1 7 64	13,775	20,633	"	"	8 Sept., 1877	1 "	"
Conbal	Thomas Parnell	21,000	21,000	64 0 0	1 19 0	"	"	"	"	1 Dec., 1875	1 "	"
Cowmerton	"	19,000	19,000	36 0 0	1 4 3	"	"	"	"	1 "	1 "	"
Croppa Creek Back block	A. A. Adams	51,200	51,200	13 10 0	0 3 44	"	"	"	"	14 "	1 "	1875
Cugildool East	J. D. Single	12,800	12,800	20 0 0	1 0 0	"	"	"	"	18 Oct., 1876	1 "	1877
Cunnycuddelong	Thomas Parnell	18,000	18,000	28 0 0	0 19 104	"	"	"	"	1 Dec., 1875	1 "	1876
Currah	J. F. Doyle	37,000	37,000	60 0 0	1 0 9	"	"	"	"	30 Nov., 1874	1 "	1875
Curragandi	J. Arndell	30,000	29,372	50 0 0	1 1 94	628	"	"	"	2 "	1 "	1876
Duriman	R. Hall	6,832	6,832	13 0 0	1 4 44	"	"	"	"	16 Mar., 1874	1 "	1874

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisalment.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
GWYDIR DISTRICT—continued.											
				£ s. d.	£ s. d.						
Derra	J. B. Watt	36,000	33,251	64 0 0	1 4 7½	2,749		Not ascer-	Not ascer-	30 Nov., 1875	1 Jan., 1876
Derra Derra	J. R. Jones	25,600	22,230	52 10 0	1 10 2½	1,130	2,240	tainable...	tainable...	2 "	1 "
Derriman North	Ebenezer Vickery	2,700	2,700	10 0 0	2 7 4½					18 Oct., 1876	1 " 1877
Direlmabiddy	The Bank of New South Wales	23,000	23,000	20 0 0	0 11 1½					18 "	1 "
West		7,000	7,000	16 10 0	1 10 2					26 Feb., 1874	1 " 1874
East Kelo	William Pearce	22,400	22,400	40 0 0	1 2 10½					19 Dec., "	1 " 1875
Eena	William J. Russell and J. R. Black	52,000	51,740	76 0 0	0 18 9½	260				26 Oct., 1875	1 " 1876
Eulowrie	R. M'Donald	32,000	25,484	30 0 0	0 15 0½	1,716	4,800			27 Nov., "	1 "
Forest, block No. 2	W. J., H. C., F. H., & A. A. Dangar	61,440	58,440	55 0 0	0 12 0½	1,080	1,920			11 "	1 " 1877
Gil Gil	J. F. M'Mullen	16,000	16,000	37 10 0	1 10 0					1 Dec., 1875	1 " 1876
Gingham	The Bank of New South Wales	15,000	15,000	38 0 0	1 12 5½					30 Nov., "	1 "
Gourable	J. and T. Cooper	90,000	89,920	190 0 0	1 7 0½	80				26 Oct., "	1 "
Gournama	O. Bloxsome	80,640	70,730	120 0 0	1 1 8½	4,790	5,120			17 Dec., "	1 "
Gragin	H. Gordon	72,000	43,757	53 0 0	0 15 6	28,243				11 "	1 "
Graman		50,000	10,187	23 0 0	1 8 10½	39,813				11 "	1 "
Gunerai	T. A. Adams	80,000	66,883	105 0 0	1 0 1½	4,797	8,320			2 Nov., "	1 "
Gunnee	F. A. Stratford	40,000	10,565	21 0 0	1 5 5½	20,915	8,520			10 "	1 " 1877
Gunyer Warildi	Sloper Cox	152,320	140,040	300 0 0	1 7 5½	3,320	8,960			11 Dec., 1875	1 "
Gurley	Charles Smith	200,000	162,387	220 0 0	0 17 4	29,026	8,587			29 Oct., "	1 "
Garrotha	R. Hall	16,500	16,500	35 0 0	1 7 1½					14 Dec., 1874	1 " 1875
West		22,000	22,000	33 0 0	0 19 2½					14 "	1 "
Gurriedah	W., R., A., E., and A. Bowman	104,320	95,960	125 0 0	0 16 8	2,600	5,760			2 Nov., 1875	1 " 1876
Keera	Donald Munro	128,000	121,320	85 0 0	0 8 11½	1,560	5,120			2 "	1 "
Kelo	William Pearce	30,000	29,200	75 10 0	1 13 1½	800				1 Dec., "	1 "
Keriengobeldie	W. J. Dangar	30,720	3,000	10 0 0	2 2 8	6,570	21,150			27 Oct., "	1 "
Kunopia	The Rt. Rev. William Tyrrell	27,000	26,920	73 0 0	1 14 8½	80				14 Dec., "	1 "
Lay Green	John Gill	32,000	32,000	91 0 0	1 16 4½					21 "	1 " 1874
North	W. J., H. C., F. H., and A. A. Dangar	42,240	42,240	30 0 0	0 9 1					11 Nov., 1876	1 " 1877
South	John Gill	19,200	19,200	30 0 0	1 0 0					18 Oct., "	1 "
Lindesay	Abraham Cohen	40,000	38,957	70 0 0	1 3 0	1,043				2 Nov., 1875	1 " 1876
Mandoe	C. and J. Codrington	80,000	71,282	160 0 0	1 8 8½	2,318	6,400			27 Oct., "	1 "
Meero (Goonal)	J. B. Watt	39,500	31,137	73 0 0	1 10 0	8,363				30 Nov., "	1 "
Melialina	J. and T. Cooper	30,000	29,920	80 0 0	1 14 2½	80				26 Oct., "	1 "
Merawa	Richard Dines	40,960	108	10 0 0	59 5 2½	13,452	27,400			27 "	1 " 1875
Merkin	A. Town and Mary Town, J. Onus, senr. and A. Benson.	73,000	65,897	125 0 0	1 4 3½	7,103				1 Dec., "	1 "
Meroe	Sydney Burdekin	15,000	15,000	43 0 0	1 16 8½					30 Nov., "	1 "
Minna Minnane	T. W. Smart	34,000	28,488	56 5 0	1 5 7	2,212	3,300			11 July, 1878	1 " 1879
Midlands	M. C. Machardy	12,500	12,500	20 0 0	1 0 5½					11 Dec., 1875	1 " 1876
Mobindry	The Commercial Banking Company	16,000	14,841	10 0 0	0 8 7½	1,159				27 Oct., "	1 "
Molroy	The Australian Joint Stock Bank	80,000	66,109	40 0 0	0 7 9	5,891	8,000			26 "	1 " 1876
Moree	B. Richards, and J. and G. Williams	11,000	1,148	10 0 0	5 11 6	9,852				30 Nov., "	1 "
Mosquito Creek	J. and T. Cooper	46,080	45,880	56 0 0	0 15 7½	200				26 Oct., "	1 "
Mungie Bundie	J. Macdonald, S. M. Swift & J. H. Spiller	52,700	44,109	112 0 0	1 12 6	8,591				1 Dec., "	1 "
Mungie Waterhole	John Town	6,400	6,400	15 0 0	1 10 0					2 Aug., 1877	1 " 1878
Mungle	Richard Holmes	16,000	16,000	18 0 0	0 14 4½					26 Feb., 1874	1 " 1874
Mungyer	Ebenezer Vickery	80,000	79,000	155 0 0	1 5 1½	1,000				1 Dec., 1875	1 " 1876
Murgo	W. J., H. C., F. H., and A. A. Dangar	23,040	18,810	58 0 0	1 19 5½	1,030	3,200			27 Oct., "	1 "
Myall Creek	W. J. Dangar	191,360	69,366	81 0 0	0 14 11½	31,763	90,231			27 "	1 " 1877
Nepickallina and Cumbadillo	T. W. Smart	85,000	50,735	101 0 0	1 5 5½	10,451	23,814			11 July, 1878	1 " 1879
No Man's Land	W. J., H. C., F. H. and A. A. Dangar	10,000	10,000	25 0 0	1 12 0					26 Feb., 1874	1 " 1874
Noonah	A. Town, Mary Town, J. Onus, senr., and A. Benson.	65,000	64,460	155 0 0	1 10 9½	540				1 Dec., 1875	1 " 1876
North Meroe	Sydney Burdekin	16,000	16,000	36 0 0	1 8 9½					31 "	1 " 1874
North Murgo	W. J., H. C., F. H., and A. A. Dangar	7,000	7,000	10 0 0	0 18 3½					11 Nov., 1876	1 " 1877

Oregon	18,000	18,000	31 10 0	1 9 11	2,320	1,000	27 Oct., 1875	1	1876
Pallal	60,000	49,586	95 0 0	1 4 6 $\frac{1}{2}$	4,014	6,400	2 Nov., "	1	"
Pallaranga	38,000	38,000	90 0 0	1 10 3 $\frac{1}{2}$			11 Dec., "	1	"
Piedmont	50,000	44,760	70 0 0	1 0 0 $\frac{1}{2}$	920	4,320	2 Nov., "	1	"
Rocky Creek	64,000	59,115	75 0 0	0 16 3	1,365	3,520	2 "	1	"
Sand Holes	31,400	30,840	25 0 0	0 10 4 $\frac{1}{2}$		560	18 Oct., 1876	1	1877
Singapore	30,000	25,120	40 0 0	1 0 4 $\frac{1}{2}$	1,040	3,840	29 "	1	1876
Slaughter-house Plain	23,680	23,640	30 0 0	0 16 3	40		18 Dec., 1874	1	1875
South Crugalla	19,800	19,800	31 0 0	1 0 0 $\frac{1}{2}$			1 "	1	1876
" Gil Gil	16,000	16,000	37 10 0	1 10 0			1 "	1	"
South Werritt	20,000	20,000	62 0 0	1 19 8 $\frac{1}{2}$			14 "	1	1875
Tarlari	52,200	48,460	125 0 0	1 13 0 $\frac{1}{2}$	1,180	2,560	2 Nov., 1875	1	1876
Tellarraga	56,000	55,760	80 0 0	0 18 4 $\frac{1}{2}$	240		30 "	1	"
Terry-hie-hie	128,000	111,757	40 0 0	0 16 0 $\frac{1}{2}$	6,693	9,550	2 "	1	"
The Forest	16,000	16,000	15 0 0	0 12 0			18 Oct., 1876	1	1877
The Ponds	14,000	14,000	18 0 0	0 16 5 $\frac{1}{2}$			2 Aug., 1877	1	1878
Trigamon	50,000	45,120	65 0 0	0 18 5 $\frac{1}{2}$	1,040	3,840	27 Oct., 1875	1	1876
Tukka Tukka	51,200	33,843	78 0 0	1 9 6	8,980	8,377	26 "	1	"
Tulloona	64,000	56,748	105 0 0	1 3 8 $\frac{1}{2}$	3,312	3,940	29 Nov., "	1	"
" South	40,960	40,800	50 0 0	0 15 8 $\frac{1}{2}$	160		18 Oct., 1876	1	1877
Turrawa	27,000	26,680	70 0 0	1 13 7	320		29 Nov., 1875	1	1876
Tycannah	22,500	1,035	10 0 0	6 3 8	8,235	13,230	22 July, 1878	1	"
Tyrreel	44,800	33,936	106 0 0	2 0 0	3,883	6,981	27 Oct., 1875	1	"
Ulimbawn	30,720	30,720	48 0 0	1 0 0			18 "	1	1877
Umbarella	24,600	22,718	27 10 0	0 15 6	602	1,280	2 Nov., 1875	1	1876
Upper Warrana	62,000	62,000	120 10 0	1 4 10 $\frac{1}{2}$			1 Dec., "	1	"
Walbundunga	15,000	15,000	25 0 0	1 1 4			1 "	1	"
Wallah	17,280	17,280	18 0 0	0 13 4			26 Feb., 1874	1	1874
Wallangra	70,000	60,538	100 0 0	1 1 1 $\frac{1}{2}$	4,503	4,959	29 Nov., 1875	1	1876
Wallonal	15,000	2,608	10 0 0	2 9 1	2,960	9,432	22 July, 1878	1	"
Warren	16,000	15,900	20 0 0	0 16 1 $\frac{1}{2}$	100		2 Aug., 1877	1	1878
" South	23,040	22,940	40 0 0	1 2 3 $\frac{1}{2}$	100		18 Oct., 1876	1	1877
Wathagar	18,000	18,000	56 0 0	1 19 9			30 Nov., 1875	1	1876
" No. 2	4,700	4,700	14 0 0	1 18 1 $\frac{1}{2}$			8 Sept., 1877	1	1878
Weebollabolla	53,000	19,093	30 0 0	1 0 1 $\frac{1}{2}$	13,318	20,589	21 June, 1878	1	1876
Weeweelarrgee	18,000	17,680	40 0 0	1 8 11 $\frac{1}{2}$	320		26 Feb., 1874	1	1874
Welbon	70,000	61,520	132 0 0	1 7 5 $\frac{1}{2}$	2,400	6,080	2 Nov., 1875	1	1876
" Back, block No. 1	23,000	23,000	36 0 0	1 0 0 $\frac{1}{2}$			2 Aug., 1877	1	1878
" " " " 2	14,000	14,000	22 0 0	1 0 1 $\frac{1}{2}$			2 "	1	"
Werrinah	53,000	53,000	83 10 0	1 0 2			1 Dec., 1875	1	1876
West Gingham	16,000	16,000	25 0 0	1 0 0			10 Nov., "	1	"
Whaland	40,000	40,000	80 0 0	1 5 7 $\frac{1}{2}$			11 Dec., "	1	"
Winslow	8,500	8,500	13 0 0	0 19 7			18 Oct., 1876	1	1877
Wirrah	85,000	85,000	198 0 0	1 9 9 $\frac{1}{2}$			1 Dec., 1875	1	1876
Wirrir	36,000	36,000	98 0 0	1 14 10 $\frac{1}{2}$			1 "	1	"
Wyemo	15,360	15,360	25 0 0	1 0 10			29 Nov., 1874	1	"
Yaggaba	76,800	72,050	90 0 0	0 15 11 $\frac{1}{2}$	1,550	3,200	5 "	1	"
Yagobi	38,400	31,980	65 0 0	1 6 0 $\frac{1}{2}$	2,580	3,840	26 Oct., "	1	"
Yallaroi	56,000	50,800	180 0 0	2 5 4 $\frac{1}{2}$	2,640	2,560	27 "	1	"
Yarawah Back block	13,440	13,440	25 0 0	1 3 10			18 "	1	1877
Yarronah	32,000	31,360	100 0 0	2 0 9 $\frac{1}{2}$	640		30 Nov., 1875	1	1876
Yetman	76,800	64,169	125 0 0	1 4 11 $\frac{1}{2}$	7,431	5,200	22 "	1	"
Total	6,410,782	5,527,683	10,206 15 0	1 3 7 $\frac{1}{2}$	422,359	460,740			
LACHLAN DISTRICT.									
Abbotsford	64,640	64,640	100 0 0	0 19 9 $\frac{1}{2}$			16 July, 1874	1	Jan., 1875
Alma	64,000	64,000	80 0 0	0 16 0			16 "	1	"
" No. 1	25,600	25,600	40 0 0	1 0 0			22 "	1	"
" " 8	25,600	25,600	20 0 0	0 10 0			22 "	1	"
Ann's Vale or Cungera	11,000	3,200	10 0 0	2 0 0	3,900	3,900	30 "	1	1876
Aotea	15,360	15,360	22 0 0	0 18 4			16 "	1	1875
Ariah	25,600	25,600	55 0 0	1 8 0 $\frac{1}{2}$			10 Nov., 1875	1	1876

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisal.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
LACHLAN DISTRICT—continued.											
Armagong	John Daily	18,000	15,140	£ s. d.	£ s. d.	2,860				30 July, 1875	1 Jan., 1876
" East	The Oriental Bank Corporation	15,360	3,360	10 0 0	1 5 4½	3,080	8,920	Not ascer- tainable...	Not ascer- tainable...	9 Mar., 1876	1 " "
Avondale	W. Campbell	64,000	64,000	80 0 0	0 16 0			"	"	11 July, 1874	1 " 1875
Back Creek	The Oriental Bank Corporation	35,000	35,000	75 0 0	1 7 5			"	"	25 Oct., 1875	1 " 1876
" of Merrowee or Burramagaa	Joseph Smith	11,360	11,360	22 0 0	1 4 9½			"	"	13 Nov., 1876	1 " 1877
" of Whoey	Frederick Shepherd	16,000	16,000	20 0 0	0 16 0			"	"	30 Sept., 1875	1 " 1876
" Wardry	Henry Steadman	38,000	38,000	30 0 0	0 10 1½			"	"	19 Oct., 1876	1 " 1877
" Wogonga	R. A. Molesworth and T. W. Ware	16,000	16,000	30 0 0	1 4 0			"	"	19 " "	1 " "
Balabla, Lower	Steel Caldwell	22,435	21,275	60 0 0	1 7 1½	1,160		"	"	30 July, 1875	1 " 1876
" Upper	"	19,200	Nil	20 0 0		6,790	13,680	"	"	27 Dec., 1877	1 " "
Bald Hill	Watson, Brothers	40,320	38,880	50 0 0	0 16 5½	1,440		"	"	22 " 1875	1 " "
" Hills	J. F. M'Mullen	15,600	15,600	35 0 0	1 8 8½			"	"	27 Sept., 1873	1 " 1874
Ballandry	A. J., R., and E. Rankin	32,000	32,000	40 0 0	0 16 0			"	"	18 Oct., 1876	1 " 1877
Bambaldry	W. R. Watt	47,000	38,169	27 0 0	0 9 0½	8,831		"	"	22 " 1875	1 " 1876
Bandan	James Newell	10,000	6,300	20 0 0	2 0 7½	2,605	1,095	"	"	3 July, 1878	1 " "
Bangalal B.	M. Conway	4,000	3,620	30 0 0	5 6 0½	380		"	"	27 " 1875	1 " "
Barnedman	L., P., and J. Robertson	75,000	75,000	125 0 0	1 1 4			"	"	25 Oct., " "	1 " "
Barralong	J. Gordon	49,536	38,557	40 0 0	0 13 3¼	10,979		"	"	27 Dec., 1877	1 " "
Beabula	J. Rutherford, J. M'Colloch, and R. Sellar	105,600	90,184	350 0 0	2 9 8	3,854	11,562	"	"	30 Sept., 1875	1 " "
Beaumont	R. and T. Smith	22,400	22,400	25 0 0	0 14 3½			"	"	4 Aug., 1874	1 " 1875
Bellingerambil	R. A. Molesworth, T. W. Ware, and C. F. Mackinnon.	107,000	60,100	200 0 0	2 2 7	14,900	32,000	"	"	27 Dec., 1877	1 " 1876
" block A	"	57,000	57,000	70 0 0	0 15 8½			"	"	19 Oct., 1876	1 " 1877
" " B	"	96,000	96,000	90 0 0	0 12 0			"	"	19 " "	1 " "
" " C	"	125,000	125,000	50 0 0	0 5 1½			"	"	19 " "	1 " "
Bellingeramble (Duckama)	J. & G. Whittingham, & W. B. Haines	30,000	30,000	165 0 0	3 8 8½			"	"	24 Aug., 1875	1 " 1876
Belowra	J. and T. Dalton	45,000	45,000	30 0 0	0 8 6½			"	"	1 Nov., 1876	1 " 1877
Bena	John Cox	35,000	35,000	70 0 0	1 5 7			"	"	20 Aug., 1874	1 " 1875
Benangaroo	B. M. Osborne	3,683	3,683	10 0 0	1 14 9			"	"	20 Dec., 1875	1 " 1876
Bendick Murrell	John Pring	12,160	Nil	10 0 0		12,160		"	"	30 July, " "	1 " "
Benduck	A., E. C., and E. W. Severne	115,200	76,180	110 0 0	0 18 5½	39,020		"	"	18 Nov., 1876	1 " "
Bengamby	E. Flood, junior	23,000	23,000	30 0 0	0 16 8½			"	"	30 Sept., 1875	1 " "
Bengeralbyong	D. Ramsay	12,800	4,000	20 0 0	3 4 0	8,800		"	"	Not appraised	1 " 1877
Bent's Hills or Collinrudy West	J. H. Clough and Co.	7,000	6,680	10 0 0	0 19 2	320		"	"	21 Sept., 1877	1 " 1878
Berambah	Thomas Ballie	147,000	72,352	140 0 0	1 4 3	74,648		"	"	28 Nov., " "	1 " 1876
Berrembed	The Australian Joint Stock Bank	36,000	36,000	50 0 0	0 17 9½			"	"	10 " 1875	1 " "
" North	The Trust & Agency Company of Australasia (Limited).	48,000	31,320	60 0 0	1 4 6½	4,800	11,880	"	"	10 " "	1 " "
Bejond, Back of Merrowee	Joseph Smith	19,200	18,560	35 0 0	1 4 1½	640		"	"	13 " 1876	1 " 1877
Billabong	Ricketson and Ghinn	19,200	17,920	60 0 0	2 2 10½	1,280		"	"	25 Oct., 1875	1 " 1876
" Back Run	"	36,500	36,500	48 0 0	0 16 10			"	"	19 " 1874	1 " 1875
Billibong	H. Ricketson	24,000	21,860	60 0 0	1 15 1½	1,180	960	"	"	25 " 1875	1 " 1876
Bimbalingel	J. F. M'Mullen	19,000	15,160	35 0 0	1 9 6½	1,920	1,920	"	"	28 Nov., 1877	1 " 1874
Bingar, No. 1	J. G. Ronald and A. Rankin	32,000	32,000	50 0 0	1 0 0			"	"	18 Oct., 1876	1 " 1877
Binyar	J. H. Patterson	37,000	37,000	45 0 0	0 15 6½			"	"	11 Sept., 1874	1 " 1875
Birrigerry	S. Stinson	37,000	36,897	55 0 0	0 19 1	103		"	"	29 Oct., 1873	1 " 1874
Black Range	W. J. and A. H. M'Bean	13,000	11,087	30 0 0	1 14 7½	1,913		"	"	30 July, 1875	1 " 1876
Bland	J. Chisholm	54,000	52,767	140 0 0	1 13 11½	1,233		"	"	25 Oct., " "	1 " "
" East	A. F. Gibson	16,000	12,530	35 0 0	1 15 1	1,550	1,920	"	"	19 " 1876	1 " 1877
" West	F. F. Gibson	21,815	14,319	50 0 0	2 4 8½	7,496		"	"	25 " 1875	1 " 1876
" Block B 58	R. and H. Power, A. P. Rudd, and T. J. Finlay	24,000	24,000	100 0 0	2 13 4			"	"	20 Dec., " "	1 " "
Block No. 9, or Moonbie	W. A. Brodribb	12,160	12,160	23 0 0	1 4 2½			"	"	19 Oct., 1876	1 " 1877
Blowclear	The Hon. J. G. Francis	14,000	13,520	30 0 0	1 8 4½	480		"	"	20 Aug., 1874	1 " 1875
Boberoy	J. and A. Broad	10,240	10,240	16 0 0	1 0 0			"	"	4 " "	1 " "
	R. and T. Smith	28,800	28,760	135 0 0	3 0 1	40		"	"	24 " 1875	1 " 1876

94-12

Boga Bogalong	A. F., F. F., W. F. and S. F. Gibson.	75,520	59,620	70 0 0	0 15 0 $\frac{1}{2}$	9,060	6,840	25 Oct.,	1	"	1875
Bogago	The Bank of New South Wales	77,000	77,000	114 0 0	0 18 11 $\frac{1}{2}$	620	"	11 Sept., 1874	1	"	1875
Bogalong	M. Armour	32,000	31,380	60 0 0	1 4 5 $\frac{1}{2}$	1,131	"	27 July, 1875	1	"	1876
"	T. Drummond	6,800	5,669	18 0 0	2 0 7 $\frac{1}{2}$	4,068	"	27 "	1	"	"
"	R. Julian	18,000	7,320	10 0 0	0 17 5 $\frac{1}{2}$	6,612	"	27 Dec., 1877	1	"	"
Bogaadillon	J. Miller	16,000	4,135	20 0 0	3 1 10 $\frac{1}{2}$	5,025	"	27 "	1	"	"
Bogia	The Trust and Agency Company of Australasia.	33,000	33,000	20 0 0	0 7 9	6,840	"	11 Sept., 1874	1	"	1875
Bogolaro	S. Barber and J. Dale	30,000	12,622	25 0 0	1 5 4	4,790	12,588	27 Dec., 1877	1	"	1876
Bolagamy Gulman	M. N. Calaghan	34,350	34,030	40 0 0	0 15 0 $\frac{1}{2}$	320	"	20 Aug., 1874	1	"	1875
Bolamble	The Trust and Agency Company of Australasia (Limited).	30,000	29,330	120 0 0	2 12 4 $\frac{1}{2}$	670	"	19 Oct., 1875	1	"	1876
Bolaro	The Bank of New South Wales	24,000	23,640	50 0 0	1 7 1	360	"	30 Sept.,	1	"	"
Bonar	George Lee	12,500	11,780	30 0 0	1 12 7	720	"	18 Oct., 1876	1	"	1877
" South	"	10,500	9,860	20 0 0	1 5 11 $\frac{1}{2}$	640	"	27 Sept., 1873	1	"	1874
Bong Bong	G. Campbell	19,200	7,056	20 0 0	1 16 3 $\frac{1}{2}$	10,074	2,070	27 Dec., 1877	1	"	1876
Bonyeo	W. A. Cottee and W. Allan	16,000	4,375	10 0 0	1 9 3	11,625	"	3 Aug., 1875	1	"	"
Boolegal	W. Campbell	23,000	23,000	90 0 0	2 10 1	"	"	20 Oct.,	1	"	"
Boolooree	The Bank of New South Wales	14,000	8,625	20 0 0	1 9 8	1,535	3,840	28 Nov., 1877	1	"	1877
Booraran	J. and G. Whittingham and W. B. Haines	33,000	33,000	50 0 0	0 19 4 $\frac{1}{2}$	"	"	22 July, 1874	1	"	1875
Booreebil	The Bank of New South Wales	26,700	26,700	40 0 0	0 19 2	"	"	11 Sept.,	1	"	"
Booroocambil	"	52,000	52,000	68 0 0	0 16 8 $\frac{1}{2}$	"	"	11 "	1	"	"
Bowling	D. Minehan	10,000	4,950	15 0 0	1 18 9 $\frac{1}{2}$	957	4,093	30 July, 1875	1	"	1876
Boy Beyan	J. and G. Whittingham and W. B. Haines	19,200	19,200	30 0 0	1 0 0	"	"	22 "	1874	1	1875
Boyd	The Commercial Banking Company	25,600	19,977	70 0 0	2 4 10 $\frac{1}{2}$	5,623	"	19 Oct., 1875	1	"	1876
Brawlin	J. Fitzpatrick	46,080	17,066	10 0 0	0 7 6	18,404	10,610	27 Dec., 1877	1	"	"
Breakfast Creek	The Commercial Banking Company	33,280	29,520	60 0 0	1 6 0	1,840	1,920	22 Oct., 1875	1	"	"
Bringergee	S. L. Learmonth	115,200	10,728	40 0 0	2 7 8 $\frac{1}{2}$	87,870	16,602	10 April, 1877	1	"	"
Broula	W. Hood	7,680	7,110	20 0 0	1 16 0	570	"	22 Oct., 1875	1	"	"
Brundah	B. Buchanan and H. Mort	46,080	18,308	40 0 0	1 7 11 $\frac{1}{2}$	15,112	12,660	22 "	1	"	"
Buddigower	The New Zealand Loan and Mercantile Agency Company (Limited).	60,800	60,800	65 0 0	0 13 8 $\frac{1}{2}$	"	"	19 "	1874	1	1875
Bulgarbugerygam	Peter Tyson	64,000	64,000	90 0 0	0 18 0	"	"	1 Nov., 1876	1	"	1877
Bumbaldry	Abraham Hope	8,000	7,840	20 0 0	1 12 7 $\frac{1}{2}$	160	"	22 Oct., 1875	1	"	1876
Bundaburra	The Commercial Banking Company	26,400	17,708	60 0 0	2 3 4 $\frac{1}{2}$	6,056	2,636	19 "	1	"	"
Bundidgery	The Australian Mortgage Land and Finance Company (Limited).	25,600	21,380	35 0 0	1 0 11 $\frac{1}{2}$	4,220	"	30 Sept.,	1	"	"
Bundure	The Melbourne Banking Corporation (Limited).	64,000	64,000	15 0 0	0 3 0	"	"	21 "	1877	1	1878
Bungarie	James Tyson	32,000	30,720	50 0 0	1 0 10	1,280	"	20 Oct., 1875	1	"	1876
Bungerra	John Peter	28,800	28,800	45 0 0	1 0 0	"	"	1 Nov., 1876	1	"	1877
Bungumbil	The Bank of New South Wales	44,800	44,800	60 0 0	0 17 1 $\frac{1}{2}$	"	"	10 "	1875	1	1876
Burramunda Troy	The City Bank	16,000	Nil	10 0 0	"	16,000	"	30 July,	1	"	"
Burrangong	James White	30,000	Nil	10 0 0	"	30,000	"	30 "	1	"	"
Burthong	James Gibb	52,000	36,187	50 0 0	0 17 8 $\frac{1}{2}$	15,813	"	30 "	1	"	"
" No. 1	R. and T. Smith	64,000	64,000	50 0 0	0 10 0	"	"	21 Sept., 1877	1	"	1878
" North	J. F. Jenkins	11,000	1,666	10 0 0	3 16 10	9,334	"	30 May, 1875	1	"	1876
Bygoloroe	J. F. M'Mullen	26,520	26,520	30 0 0	0 14 5 $\frac{1}{2}$	"	"	11 Sept., 1874	1	"	1875
Bygoo	J. and J. Robertson	54,480	54,480	50 0 0	0 11 9	"	"	18 Oct., 1876	1	"	1877
Cadow	E. Jones	25,920	14,233	40 0 0	1 15 11 $\frac{1}{2}$	11,687	"	27 Dec., 1877	1	"	1876
Cagellico	The Australian Agency and Banking Corporation (Limited).	28,800	28,800	45 0 0	1 0 0	"	"	Not appraised	1 July, 1874	"	"
Cain	J. F. M'Mullen	28,800	28,800	60 0 0	1 6 7 $\frac{1}{2}$	"	"	2 Oct., 1875	1 Jan., 1876	"	"
Calabash	William Kelly and Sarah Parkman	45,000	11,945	10 0 0	0 10 8 $\frac{1}{2}$	33,055	"	30 July,	1	"	"
Calkibitoo	The Bank of New South Wales	85,120	75,528	120 0 0	1 0 4	9,592	"	10 Nov.,	1	"	"
Calytria, block C	Isaac Younghusband	32,000	32,000	20 0 0	0 8 0	"	"	5 Aug., 1874	1	"	1875
" " D	T. M. Stewart	32,000	32,000	10 0 0	0 4 0	"	"	17 Oct., 1877	1	"	1878
" " E	Isaac Younghusband	32,000	32,000	30 0 0	0 12 0	"	"	5 Aug., 1874	1	"	1875
" " F	"	16,000	16,000	20 0 0	0 16 0	"	"	5 "	1	"	"
Canowly	R. A. Molesworth and T. W. Ware	19,200	19,200	36 0 0	1 4 0	"	"	19 Oct., 1876	1	"	1877
Cantarlo, No. 2	James Dickson	58,800	58,800	74 0 0	0 16 1	"	"	11 Sept., 1874	1	"	1875
Caragabal	F. F. Gibson	26,880	25,630	80 0 0	1 19 11 $\frac{1}{2}$	1,250	"	25 Oct., 1875	1	"	1876
Cargelligo	The Bank of New South Wales	20,000	20,000	50 0 0	1 12 0	"	"	30 Sept.,	1	"	"
Carilla	The Trust and Agency Company of Australasia.	30,500	14,650	45 0 0	1 19 3 $\frac{1}{2}$	4,440	11,410	28 Nov., 1877	1	"	"

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisalment.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
LACHLAN DISTRICT—continued.											
				£ s. d.	£ s. d.						
Carrego	W. Rudd, jun., T. V., L. J. & B. Rudd	32,000	23,040	45 0 0	1 5 0	4,160	4,800	Not ascer-	Not ascer-	28 Nov., 1877	1 Jan., 1874
Cave Flat	John Hannan	16,000	14,600	25 0 0	1 1 11	1,400		tainable...	tainable...	27 July, 1875	1 " 1876
Chadwick and Phelps' No. 3 (now Corrongo)	Peter Tyson	30,000	22,363	50 0 0	1 8 7½	7,637		"	"	20 Oct., "	1 " "
Chidowla	Edward Carroll	9,000	8,960	20 0 0	1 8 6½	40		"	"	27 July, "	1 " "
Clear Ridges	Ricketson and Ghinn	46,400	46,400	45 0 0	0 12 5			"	"	19 Oct., 1874	1 " 1875
Cobram	R. Blackwood and C. Ibbotson	32,000	32,000	15 0 0	0 6 0			"	"	22 Sept., 1877	1 " 1878
Cockenwonga	The Trust and Agency Company of Australasia (Limited).	65,000	65,000	70 0 0	0 13 9½			"	"	22 July, 1874	1 " 1875
Cocomingla	Thomas Smith	13,240	4,800	10 0 0	1 6 8	2,740	2,700	"	"	10 Jan., 1878	1 " 1876
Cocoparra	J. H. Patterson	25,000	25,000	45 0 0	1 3 0½			"	"	18 Oct., 1876	1 " 1877
" East	"	95,000	95,000	50 0 0	0 6 8½			"	"	13 " 1875	1 " 1876
" North	"	12,000	12,000	25 0 0	1 6 8			"	"	18 " 1876	1 " 1877
" " block A	John Armour	13,600	13,600	20 0 0	0 18 9¾			"	"	18 " "	1 " "
Colleroy	R. and T. Smith	25,600	25,600	30 0 0	0 15 0			"	"	4 Aug., 1874	1 " 1875
Combaining	The Bank of New South Wales	40,000	35,510	60 0 0	1 1 7½	4,490		"	"	25 Oct., 1875	1 " 1876
Conaparra	The Australian Mortgage Land and Finance Company (Limited).	130,000	130,000	100 0 0	0 9 10			"	"	13 Nov., 1876	1 " 1877
Condoulin	George Lee	38,000	8,654	10 0 0	0 14 9½	16,334	13,012	"	"	19 Oct., 1875	1 " 1876
Cookaburragong	J. Cox and J. Hore	16,000	16,000	25 0 0	1 0 0			"	"	27 Sept., 1873	1 " 1874
Coolman Holes	J. Holloway	7,500	5,260	10 0 0	1 4 4		2,240	"	"	18 Oct., 1876	1 " 1877
Coonon Point	J. Blackwood and C. Ibbotson	96,000	95,280	300 0 0	2 0 3½	720		"	"	2 " 1875	1 " 1876
Cooraberrima	The City Bank	32,000	30,720	100 0 0	2 1 8	1,280		"	"	25 " "	1 " "
Cootamundra	John Hurley	92,160	6,581	10 0 0	0 19 5½	85,579		"	"	10 April, 1877	1 " "
Copperbella	The Commercial Banking Company	32,000	14,631	30 0 0	1 7 7½	7,664	9,705	"	"	29 May, 1878	1 " "
Coree	The Trust and Agency Company of Australasia (Limited).	64,000	64,000	25 0 0	0 5 0			"	"	21 Sept., 1877	1 " 1878
"	The Melbourne Banking Corporation (Limited).	64,000	63,960	50 0 0	0 10 0	40		"	"	22 " "	1 " "
Cota	George Campbell	19,200	9,680	15 0 0	0 19 10	5,170	4,350	"	"	27 Dec., "	1 " 1876
Cowaby	The Australian Mortgage Land and Finance Company (Limited).	68,400	63,290	80 0 0	0 16 2	5,110		"	"	27 Sept., 1873	1 " 1874
Cowal	The New Zealand Loan and Mercantile Agency Company (Limited).	16,000	7,244	25 0 0	2 4 2	4,514	4,242	"	"	20 Nov., 1876	1 " 1876
" North	"	16,000	9,280	30 0 0	2 1 4½	1,560	5,160	"	"	20 " "	1 " 1875
Cowra Rocks	George Campbell	19,200	9,861	20 0 0	1 6 1½	6,899	2,440	"	"	27 Dec., 1877	1 " 1876
Craigengullen	H. K. H. Darlot	48,000	16,349	10 0 0	0 7 9¾	9,444	22,207	"	"	18 Nov., 1876	1 " "
Crowl Creek, block No. 7	John Black	32,000	32,000	10 0 0	0 4 0			"	"	30 Sept., 1875	1 " "
" " " 8	A. Morton, J. McDonald, and J. J. Wright	32,000	32,000	30 0 0	0 12 0			"	"	5 Aug., 1874	1 " 1875
" " " 9	William Allan	32,000	32,000	30 0 0	0 12 0			"	"	25 Oct., 1875	1 " 1876
" " " 10	"	32,000	32,000	40 0 0	0 16 0			"	"	5 Aug., 1874	1 " 1875
Crown Camp	John King	18,360	18,360	29 0 0	1 0 2½			"	"	20 " "	1 " "
Crowther Creek	John Pring	14,080	Nil.	10 0 0		14,080		"	"	30 May, 1875	1 " 1876
Cucumgilliga	B. Buchanan and H. Mort	19,200	15,432	45 0 0	1 0 3¾	1,788	1,980	"	"	22 Oct., "	1 " "
Cucumla	J. Fitzpatrick	56,320	17,632	10 0 0	0 7 3	34,385	4,303	"	"	22 May, 1878	1 " "
Cudgemy Country	B. Buchanan and H. Mort	9,600	7,680	20 0 0	1 13 4	1,920		"	"	22 Oct., 1875	1 " "
Cullinga	W. A. Cottet and W. Allan	16,000	5,740	10 0 0	1 2 3½		*10,260	"	"	3 Aug., "	1 " "
Culparling	Peter Tyson	64,000	64,000	90 0 0	0 18 0			"	"	1 Nov., 1876	1 " 1877
Culpataro	The Australian Mortgage Land and Finance Company (Limited).	64,000	64,000	100 0 0	1 0 0			"	"	1 " "	1 " "
Cumbamurra	J. K. Salting	60,000	Nil.	10 0 0		60,000		"	"	30 July, 1875	1 " 1876
Cumbigingi	James and Andrew Broad	12,000	12,000	45 0 0	2 8 0			"	"	13 Oct., "	1 " "
Cunimba	William Hood	17,800	No information.	20 0 0		All the frontage of this run alienated.		"	"	22 " "	1 " "
Curianga	Henry Brown	3,200	3,200	10 0 0	2 0 0			"	"	27 July, "	1 " "
Cunningham's Creek	Christopher Ward	3,840	2,240	10 0 0	2 17 1¾	1,600		"	"	30 " "	1 " "

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area released, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisalment.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
LACHLAN DISTRICT—continued.											
Gugong	The Commercial Banking Company	16,970	16,970	£ s. d.	£ s. d.					30 Sept., 1875	1 Jan., 1876
Gulgo	The Australian Joint Stock Bank	30,000	27,200	50 0 0	1 17 8½	2,800		Not ascer-	Not ascer-	19 Oct.,	1 " "
Gummal	J. M., G. C., A., and W. H. Loughnan	47,000	47,000	75 0 0	1 15 3½			tainable	tainable	2 "	1 " "
Gunagia	J. and G. Whittingham and B. Haines	29,000	29,000	40 0 0	0 10 10¼			"	"	22 July, 1874	1 " 1875
Gundagai (A)	James Robinson	8,000	Nil.	30 0 0	0 13 3			"	"	10 Nov., 1875	1 " 1876
Gundibendal	W. O'Brien	45,000	41,740	10 0 0		8,000		"	"	25 Oct.,	1 " "
Gunnawlia West	J. and G. Whittingham and B. Haines	15,360	15,360	30 0 0	0 9 2½	3,260		"	"	19 "	1 " 1877
Hartwood	E. Roset	78,500	78,500	30 0 0	1 5 0			"	"	27 Sept., 1873	1 " 1874
Head of Bribera Creek	Steel Caldwell	15,000	3,170	30 0 0	0 4 10¾			"	"	19 Oct., 1876	1 " 1877
* Heifer Station (Grong Grong)	C. and H. Morgan	42,000	2,250	10 0 0	2 0 4½	11,830		"	"	10 Nov., 1875	1 " 1876
Hiawatha	The Australian Mortgage Land and Finance Company (Limited).	45,780	45,780	40 0 0	11 7 6½	39,750		"	"	19 Oct., 1874	1 " 1875
Hokianga North	F. C., and K. E. Brodribb	23,680	23,680	33 0 0	0 11 2			"	"	16 July,	1 " "
" South	T. James and A. Johnson	28,800	28,800	33 0 0	0 12 6½			"	"	22 "	1 " "
Honuna (Moon Moon)	R. Chirnside	92,000	32,209	34 0 0	0 15 1½			"	"	4 June, 1878	1 " 1876
" block A	W. and T. F. Cumming, T. R. G., and J. Armstrong.	53,924	53,924	85 0 0	1 13 9½	25,091	34,700	"	"	30 Sept., 1875	1 " "
" " B	"	49,776	49,776	130 0 0	1 10 10¼			"	"		
" " C	"	79,200	76,560	130 0 0	1 13 5½			"	"	30 "	1 " "
Houlahan's Creek North	M. Comans and P. Heffernan	20,000	3,200	150 0 0	1 5 0½	720	1,920	"	"	30 "	1 " "
" " South	John Hurley	20,000	5,460	10 0 0	2 0 0	16,800		"	"	30 July,	1 " "
Howlong	W. Rudd, jun., T. V., I., J. & B. Rudd	60,160	47,946	10 0 0	1 3 5½	14,540		"	"	30 "	1 " "
Huala	Michael Walsh	25,600	25,600	25 0 0	0 6 8	11,574	640	"	"	30 Sept.,	1 " "
Hulong	W. E. Stanbridge and J. M'Gaw	26,000	8,177	40 0 0	1 0 0			"	"	24 Aug.,	1 " "
Hyandra East	Grace Budd	16,000	16,000	25 0 0	1 19 1½	17,823		"	"	28 Nov., 1877	1 " "
" West	E. J. Owens and T. Keelty	17,500	17,500	25 0 0	1 0 0			"	"	2 Oct., 1875	1 " "
Illalong	Henry Brown	40,960	21,800	25 0 0	0 18 3½			"	"	24 Aug.,	1 " "
Illunie	John Allen	20,760	20,760	20 0 0	0 11 8½	3,160	16,000	"	"	2 Oct.,	1 " "
Ironbark	P. and J. Robertson	44,000	44,000	50 0 0	1 10 10			"	"	30 July,	1 " "
Ironbong	The Australian Joint Stock Bank	32,000	27,320	55 0 0	0 16 0			"	"	30 "	1 " "
Island	Hon. J. G. Francis	25,000	20,400	60 0 0	1 8 1½	4,680		"	"	18 Oct., 1876	1 " 1877
Jandra	The City Bank	50,000	50,000	80 0 0	2 10 2½	2,140	2,460	"	"	10 Nov., 1875	1 " 1876
Jemelong	C. M'Phillamy	19,200	15,902	43 0 0	0 11 0			"	"	19 Oct.,	1 " "
Jollingyong	James Dickson	10,000	9,960	40 0 0	0 11 8½	3,298		"	"	Not appraised	1 " "
Jugeyong North	Ben M. Osborne	20,000	1,140	25 0 0	1 12 2½	40		"	"	11 Dec., 1876	1 " "
June	T. W. Hammond and J. Johnston	60,400	22,050	25 0 0	1 12 1½	40		"	"	29 Nov., 1873	1 " 1874
" North	J. F. M'Mullen	64,000	49,693	10 0 0	5 12 3½	18,860		"	"	20 Dec., 1875	1 " 1876
Kangaroooby	R. C. Ambrose	16,000	15,680	50 0 0	1 9 0½	27,170	11,180	"	"	7 Aug., 1877	1 " "
Kangerong	The Australian Mortgage Land and Finance Company (Limited).	64,000	64,000	100 0 0	1 5 9	10,664	3,643	"	"	10 Nov., 1875	1 " "
Keandra Creek	J. Stinson	35,000	26,220	30 0 0	1 4 5½	320		"	"	19 Oct.,	1 " "
Keginni	Isaac Younghusband	16,000	16,000	0 6 0				"	"	21 Sept., 1877	1 " 1878
Kendal	W. A. Brodribb	25,600	25,600	40 0 0	0 19 6½	8,780		"	"	19 Oct., 1876	1 " 1877
Kener	D., T., J., B., and J. Morgan	34,000	26,090	25 0 0	1 0 0			"	"	5 Aug., 1874	1 " 1875
Kiamba	Isaac Younghusband	54,000	54,000	48 0 0	1 4 0			"	"	19 Oct., 1876	1 " 1877
Kikiamar	Patrick Walsh	35,000	8,430	30 0 0	0 14 8½	6,730	1,180	"	"	22 " 1875	1 " 1876
Killeen	The Melbourne Banking Corporation, (Limited).	48,000	48,000	15 0 0	0 3 6½			"	"	17 " 1877	1 " 1878
Kirindi, No. 1	T. James and A. Johnson	16,200	16,200	20 0 0	1 10 4½	9,290	17,280	"	"	11 Dec., 1876	1 " 1876
Kitegora	J. Holloway	22,700	9,484	25 0 0	0 6 8			"	"	22 Sept., 1877	1 " 1878
Kolangan	The Commercial Banking Company	20,000	Nil.	16 0 0	0 12 7½			"	"	22 July, 1874	1 " 1875
Kolkibitoo, Back Run	The Trust and Agency Company of Australasia, (Limited).	38,400	38,400	15 0 0	1 0 2½	2,599	10,617	"	"	18 Oct., 1876	1 " 1877
Kolkibitoo block A	J. V. and R. C. Cooper	35,000	34,680	10 0 0	0 13 4			"	"	30 July, 1875	1 " 1876
" North	John Cox	25,600	25,600	40 0 0	0 13 4			"	"	29 Oct., 1877	1 " 1878

South	The Trust and Agency Company of Australasia, (Limited).	93,000	93,000	70 0 0	0 9 7½				18 Oct., 1876	1	1877
West	block A	63,000	63,000	40 0 0	0 8 1½				13 "	1875	1 " 1876
Kooiba	W. E. Stanbridge and J. M'Gaw	38,400	38,400	50 0 0	0 16 8				18 "	1876	1 " 1877
Kuryong	Henry Brown	94,000	55,935	120 0 0	1 7 5½	31,920	6,145		28 Nov., 1877	1	1876
Kymo	James Robinson	23,040	14,880	20 0 0	0 17 2½	3,040	5,120		30 July, 1875	1	" "
Lake Walgiers	John Peter	28,000	10,384	30 0 0	1 16 11½	17,616			10 Nov., "	1	" "
Little Burrangong	The City Bank	52,000	48,160	180 0 0	2 7 10	3,840			20 Oct., "	1	" "
Little Cadow	Edward Jones	10,000	Nil	10 0 0		10,000			30 July, "	1	" "
Lower Barringerambil	R. A. Molesworth and T. W. Ware	16,000	16,000	35 0 0	1 8 0				20 Aug., 1874	1	1875
Lower Billabong Run	Ricketson and Ghinn	13,000	13,000	55 0 0	2 16 1½				4 "	"	" "
Lower Coolegong	John Maroney	24,000	24,000	34 0 0	0 18 1½				19 Oct., "	1	" "
Lower Mithul Creek	The Australian Joint Stock Bank	12,800	3,860	10 0 0	1 13 1½	8,940			30 July, 1875	1	1876
Lower Moorai	R. A. Molesworth and T. W. Ware	21,270	21,270	31 0 0	0 18 7½				20 Aug., 1874	1	1875
Lower North Thononga	William Campbell	8,960	8,960	17 10 0	1 4 3½				19 Oct., 1876	1	1877
Lucaboo	R. A. Molesworth and T. W. Ware	38,000	6,858	25 0 0	2 6 7½	21,342	9,800		1 Dec., 1877	1	" "
Mahurangi	The New Zealand Loan and Mercantile Agency Company, (Limited).	16,000	16,000	30 0 0	1 4 0				19 Oct., 1876	1	" "
Malagadery Springs	J. and G. Whittingham and W. B. Haines	63,700	63,700	10 0 0	0 2 0				12 "	1877	1 " 1878
Malonga	J. V. Cooper and R. C. Cooper	32,000	32,000	40 0 0	0 16 0				19 "	1876	1 " 1877
Mallyan	W. R. Watt	23,680	23,680	36 0 0	0 19 5½				11 Sept., 1874	1	1875
Mandamar	The Commercial Banking Company	10,000	Nil	10 0 0		10,000			22 Oct., 1875	1	1876
Manna	Edward Jones	33,000	33,000	50 0 0	0 19 4½				1 Nov., 1876	1	1877
Marar	John Cox	29,000	28,484	60 0 0	1 6 11½	516			19 Oct., 1875	1	1876
Marengo	J. T. Beaumont	41,000	40,680	60 0 0	0 18 10½	320			1 Nov., 1873	1	1874
Margaro	The Australian Mortgage Land and Finance Company (Limited).	50,000	20,411	20 0 0	0 12 6½	14,229	15,360		30 July, 1875	1	1876
Maria's Lake	The Bank of New South Wales	62,720	62,720	98 0 0	1 0 0				1 Nov., 1876	1	1877
Marool Creek	John Cox	15,000	15,000	40 0 0	1 14 1½				30 "	1875	1 " 1876
Marule Baale Creek	The Commercial Banking Company	51,840	51,840	70 0 0	0 17 3				19 Oct., 1874	1	1875
Mary Merrygall	The Trust and Agency Company of Australasia	57,000	57,000	75 0 0	0 16 10				25 "	1875	1 " 1876
Matakana	T. M. Stewart	24,000	10,840	15 0 0	0 17 10	3,820	9,340		28 Nov., 1877	1	" "
Metamong Plains	John Peter	51,000	51,000	10 0 0	0 2 6				12 Oct., "	1	1878
Maudry	J. B. Watt and W. O. Gilchrist	32,000	32,000	60 0 0	1 4 0				20 "	1875	1 " 1876
Meamia	W. and T. F. Cumming, T. R., G. and J. Armstrong.	30,720	30,720	60 0 0	1 5 0				18 "	1876	1 " 1877
Mea Mia, block A	"	64,000	17,873	85 0 0	3 0 10½	18,127	28,000		28 Nov., 1877	1	1876
" C	"	52,000	5,100	10 0 0	1 5 1	15,220	31,680		27 Dec., "	1	" "
Meeroomeerootherie	Hon. W. Campbell	114,000	114,000	180 0 0	1 0 2½				30 Sept., 1875	1	" "
Meldior	R. and T. Smith	22,000	22,000	40 0 0	1 3 3½				13 Oct., 1876	1	1877
Memagong	The City Bank	38,400	38,400	25 0 0	0 8 4				4 Aug., 1874	1	1875
Merool Creek	J. A., G., and R. Rankin	40,000	13,270	30 0 0	1 8 11½	14,110	12,620		30 July, 1875	1	1876
Merriganoury	J. Grant, junr.	33,300	33,300	25 0 0	0 9 7½				19 Oct., 1876	1	1877
Merrimerriva	W. Higgins	14,240	Not ascertain'ble	15 0 0		Nearly all alienated.			22 "	1875	1 " 1876
Merrybandinah	Stephen White	25,600	25,340	25 0 0	0 12 7½	260			22 Sept., 1877	1	1878
Merringreen	John Cox	26,880	11,960	40 0 0	2 2 9½	8,150	6,770		10 Nov., 1875	1	1876
Mickabill	Hon. W. Campbell	48,000	48,000	70 0 0	0 18 8				20 Aug., 1874	1	1875
Milbeg	The Australian Joint Stock Bank	26,000	10,610	35 0 0	2 2 2½	11,320	4,070		31 Mar., 1877	1	1876
" West	Alexander Mackay	37,000	37,000	46 0 0	0 15 11				6 Aug., 1874	1	1875
Milong	The Commercial Banking Company	22,000	22,000	25 0 0	0 14 6½				25 Oct., 1875	1	1876
Mimosa	The Bank of New South Wales	20,000	6,430	15 0 0	1 9 10½	7,870	5,700		4 Dec., 1874	1	" "
Mingay	P. J. O'Donnell	88,000	88,000	100 0 0	0 14 6½				1 Nov., 1876	1	1877
Miparo North, block A	James Gallagher	18,000	Nil	10 0 0		18,000			30 May, 1875	1	1876
" B	W. Murray and F. G. Barton	38,000	38,000	20 0 0	0 6 8½				Not appraised	1	1874
" of Manfred	The Trust and Agency Company	75,000	75,000	60 0 0	0 10 2½				21 July, 1874	1	1875
" East	W. Murray and F. G. Barton	64,000	64,000	10 0 0	0 2 0				1 Nov., 1876	1	1877
Monument Flats	Ann Parkman	48,000	48,000	35 0 0	0 9 4				17 Oct., 1877	1	1878
Mooinbooldoole	J. Holloway, J. Holloway, junr., and E. Holloway.	16,150	16,150	25 0 0					27 Sept., 1873	1	1874
Moonbuka	S. Caldwell	23,040	23,040	45 0 0	1 5 0				30 "	1875	1 " 1876
Moonee	J. F. M'Mullen	40,000	40,000	90 0 0	1 8 9½				25 Oct., "	1	" "
Moon Moon Curra	C. B. Fisher	30,000	30,000	40 0 0	0 17 0½				5 Aug., 1874	1	1875
Moony Moony	E. J. Keane	23,000	22,620	70 0 0	1 19 7½	380			30 Sept., 1875	1	1876
		5,120	Nil	10 0 0		5,120			10 Nov., "	1	" "

* Now sub-divided into Heifer Station and Grong Grong.

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisal.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
LACHLAN DISTRICT—continued.											
				£ s. d.	£ s. d.						
Moora Moora.....	C. M'Phillamy.....	27,000	21,704	50 0 0	1 9 5½	1,324	3,972	Not ascer-	Not ascer-	19 Oct., 1876	1 Jan., 1877
Moorangoral.....	The Oriental Bank Corporation.....	39,000	33,004	75 0 0	1 9 1	1,224	4,772	tainable ...	tainable ...	25 „ 1875	1 „ 1876
Moothumbool.....	A. B. Malleson and J. O. Inglis.....	64,000	64,000	70 0 0	0 14 0			„	„	7 Dec., 1874	1 „ 1875
Mopperty.....	The Oriental Bank Corporation.....	9,000	Nil	10 0 0		9,000		„	„	31 July, 1875	1 „ 1876
Mordie.....	J. F. M'Mullen.....	31,000	30,960	25 0 0	0 10 4	40		„	„	5 Aug., 1874	1 „ 1875
Mossgiel.....	John Simson.....	64,000	63,360	100 0 0	1 0 2½	640		„	„	16 July, „	1 „ „
Moulmain.....	The Commercial Banking Company.....	25,000	25,000	30 0 0	0 15 4½			„	„	11 Sept., „	1 „ „
Mouramba No. 1.....	R. and T. Smith.....	63,000	63,000	50 0 0	0 10 1½			„	„	22 „ 1877	1 „ 1878
„ „ 2.....	„ „ „.....	48,000	48,000	40 0 0	0 10 8			„	„	22 „ „	1 „ „
Mugga Swamp.....	Henry Ricketson.....	31,860	31,860	40 0 0	0 16 0¾			„	„	1 Nov., 1876	1 „ 1877
Mungolia.....	J. and A. Broad.....	16,000	16,000	25 0 0	1 0 0			„	„	4 Aug., 1874	1 „ 1875
Muroleale.....	R. Goldsbrough and H. Parker.....	56,000	49,226	70 0 0	0 18 2½	6,316	458	„	„	10 Nov., 1875	1 „ 1876
Murril Creek.....	The Australian Joint Stock Bank.....	51,000	49,740	70 0 0	0 18 0	1,260		„	„	10 „ „	1 „ „
Muttama.....	Thomas Broughton.....	185,000	85,000	50 0 0	0 7 6½	60,000	40,000	„	„	31 July, „	1 „ „
Mylora.....	J. J. Garry.....	16,000	2,440	15 0 0	3 18 8½	13,560		„	„	27 „ „	1 „ „
Nandum.....	James Tyson.....	30,000	30,000	60 0 0	1 5 7½			„	„	20 Oct., „	1 „ „
Nangus.....	John Jenkins.....	72,000	8,125	30 0 0	2 7 3	57,959	5,916	„	„	10 Nov., „	1 „ „
Nanima.....	Major and John West.....	30,720	28,840	75 0 0	1 13 3½	1,880		„	„	19 Oct., „	1 „ „
Naradun.....	J. Brewer and F. P. Hines.....	122,800	122,800	60 0 0	0 6 3			„	„	29 Nov., 1873	1 „ 1874
„ East.....	P. Davis and J. M. Smith.....	195,000	195,000	152 0 0	0 9 11½			„	„	11 Sept., 1874	1 „ 1875
„ North.....	J. F. M'Mullen.....	56,000	56,000	82 0 0	0 18 9			„	„	11 „ „	1 „ „
Narra Allan.....	The Oriental Bank.....	19,200	16,360	50 0 0	1 19 1½	995	1,845	„	„	30 July, 1875	1 „ 1876
Narrabara.....	The Bank of New South Wales.....	58,000	56,980	100 0 0	1 2 5½	1,020		„	„	25 Oct., „	1 „ „
Narraburra Creek.....	The Oriental Bank Corporation.....	11,500	11,500	30 0 0	1 13 4½			„	„	29 „ 1873	1 „ 1874
Narrandarai.....	Edward Flood.....	76,800	46,161	45 0 0	0 12 5½	30,639		„	„	19 Dec., 1876	1 „ 1876
Narrawah or Gummell, block B.....	J. M. Loughnan, G. C. A. and W. H. Loughnan.....	72,000	72,000	35 0 0	0 6 2½			„	„	16 Oct., „	1 „ 1877
Native Dog Creek.....	The Commercial Banking Company.....	16,000	15,680	35 0 0	1 8 6	320		„	„	19 „ 1875	1 „ 1876
Nattue.....	John Peters.....	26,240	13,240	20 0 0	0 19 4	13,000		„	„	1 Nov., 1876	1 „ 1877
Nimby A.....	Frank Johns.....	31,360	Nil	10 0 0		31,360		„	„	Not appraised	1 „ 1876
„ B.....	„ „ „.....	5,000	Nil	10 0 0		5,000		„	„	„ „	1 „ „
Nobby's Lagoon.....	The Oriental Bank Corporation.....	20,000	18,840	50 0 0	1 13 11½	1,160		„	„	18 Oct., 1876	1 „ 1877
No. 1, Willandra Billelong.....	J. and G. Whittingham and W. B. Haines.....	12,800	12,800	20 0 0	1 0 0			„	„	22 July, 1874	1 „ 1875
No. 3, „ „.....	„ „ „.....	15,500	15,500	25 0 0	1 0 7½			„	„	22 „ „	1 „ „
No. 5, „ „.....	„ „ „.....	19,000	19,000	30 0 0	1 0 2½			„	„	22 „ „	1 „ „
No. 7, „ „.....	„ „ „.....	25,000	25,000	40 0 0	1 0 4½			„	„	22 „ „	1 „ „
No. 8, „ „.....	„ „ „.....	16,000	16,000	25 0 0	1 0 0			„	„	22 „ „	1 „ „
No. 9, „ „.....	„ „ „.....	16,000	16,000	25 0 0	1 0 0			„	„	22 „ „	1 „ „
No. 10, „ „.....	„ „ „.....	19,200	19,200	30 0 0	1 0 0			„	„	22 „ „	1 „ „
No. 11, „ „.....	„ „ „.....	16,000	16,000	25 0 0	1 0 0			„	„	22 „ „	1 „ „
No. 6, Jererumbie Creek.....	The Trust and Agency Co. of Australasia (Limited).....	17,920	17,920	25 0 0	0 17 10¼			„	„	16 „ „	1 „ „
No. 7, „ „.....	„ „ „.....	16,000	16,000	22 0 0	0 17 7			„	„	16 „ „	1 „ „
No. 10, „ „.....	W. A. Brodribb.....	20,640	20,640	32 0 0	0 19 10			„	„	16 „ „	1 „ „
North Abbotsford.....	William Taylor.....	64,640	64,000	70 0 0	0 14 0	640		„	„	21 Sept., 1877	1 „ 1878
North Barellan.....	John Gordon.....	33,000	33,000	40 0 0	0 15 6			„	„	18 Oct., 1876	1 „ 1877
North Bolero, block A.....	W. Huon and G. R. M. Collins.....	30,720	30,720	30 0 0	0 12 6			„	„	30 Sept., 1875	1 „ 1876
Northern Bolero.....	The Bank of New South Wales.....	30,740	30,740	45 0 0	0 18 8½			„	„	30 „ „	1 „ „
North-east Wallandra.....	J. F. M'Mullen.....	63,700	63,700	20 0 0	0 4 0			„	„	19 Oct., 1876	1 „ 1877
North Gogeldrie.....	H. Cunningham and J. K. Smyth.....	37,000	37,000	85 0 0	1 9 4½			„	„	11 Sept., 1874	1 „ 1875
North Hulong.....	W. E. Stanbridge and J. M'Gaw.....	26,000	15,751	40 0 0	1 12 6	5,627	4,622	„	„	21 May, 1877	1 „ „
North Hyandra.....	E. J. Owens and T. Keelty.....	57,000	57,000	18 0 0	0 4 0½			„	„	27 Sept., 1873	1 „ 1874
North Malonga.....	The Australian Mortgage Land and Finance Co.....	37,000	37,000	30 0 0	0 10 4½			„	„	27 „ „	1 „ „
North Merrowee.....	Joseph Smith.....	32,000	31,360	150 0 0	3 1 2½	640		„	„	24 Aug., 1875	1 „ 1876
North Moonbooldool.....	J. and J. Holloway, junr. and Edward Holloway.....	25,000	25,000	25 0 0	0 12 9½			„	„	18 Oct., 1876	1 „ 1877
North Tubbeta.....	J., G., R. & A. Rankin.....	29,600	29,600	30 0 0	0 12 11½			„	„	18 „ „	1 „ „
North Uabbalong.....	The Commercial Banking Company.....	19,200	19,200	25 0 0	0 16 8			„	„	4 Aug., 1874	1 „ 1875

North Ulong	W. E. Stanbridge and J. M'Gaw	30,000	19,081	45 0 0	1 10 2 $\frac{1}{2}$	10,919				28 Nov., 1877	1	"	"
North Walgiers	John Peter	28,000	28,000	40 0 0	0 18 3 $\frac{1}{2}$					4 Aug., 1874	1	"	"
North Wallandra	The New Zealand Loan and Mercantile Agency Co.	67,100	67,100	50 0 0	0 9 6 $\frac{1}{2}$					22 July, "	1	"	"
North Wardry	W. Wragge, J. and J. Hearn	38,080	17,085	40 0 0	1 9 11 $\frac{1}{2}$	10,370	10,625			10 April, 1877	1	"	"
North Wheoy	R. and T. Smith	42,000	42,000	20 0 0	0 6 1					24 Aug., 1875	1	"	1876
Nubba	J. F. M'Mullen	16,000	3,240	10 0 0	1 19 6	12,760				30 July, "	1	"	"
Nym	James Tyson	32,000	25,463	90 0 0	2 5 2 $\frac{1}{2}$	4,137	2,400			20 Oct., "	1	"	"
Oma	A. Hinchcliff	44,800	41,306	70 0 0	1 1 8 $\frac{1}{2}$	3,494				19 "	1	"	"
Oura	J. F. M'Mullen	25,000	Nil	15 0 0		25,000				10 Nov., "	1	"	"
Outer Back of Wheoy	Frederick Shepherd	35,200	35,200	10 0 0	0 3 7 $\frac{1}{2}$					30 Sept., "	1	"	"
Outer Back Roto North	Isaac Younghusband	25,600	25,600	25 0 0	0 12 6					5 Aug., 1874	1	"	1875
Outer Back Wangaron	W. A. Brodribb	51,200	51,200	25 0 0	0 6 3					17 Oct., 1877	1	"	1878
Outer Borambil	The Trust and Agency Company of Australasia (Limited).	19,000	18,360	30 0 0	1 0 11	640				18 " 1876	1	"	1877
Outer East Wangaron	Isaac Younghusband	51,200	51,200	40 0 0	0 10 0					5 Aug., 1874	1	"	1875
Outer Enebelong	R. and T. Smith	16,000	16,000	10 0 0	0 8 0					4 " "	1	"	"
Outer Lower North Thononga	W. Campbell	34,000	34,000	50 0 0	0 18 9 $\frac{1}{2}$					16 July, "	1	"	"
Outer Upper	J. and A. Broad	33,600	33,600	52 0 0	0 19 9 $\frac{1}{2}$					4 Aug., "	1	"	"
Outer Wallandra, block A	J. F. M'Mullen	16,000	15,920	40 0 0	1 12 2	80				5 " "	1	"	"
" East	"	19,000	19,000	35 0 0	1 3 7					5 " "	1	"	"
" West	"	30,400	30,400	60 0 0	1 5 3					19 Oct., 1876	1	"	1877
Outer Wangaron	T. M. Stewart	32,000	32,000	30 0 0	0 12 0					13 Nov., "	1	"	"
Overall Plains	E. L. Moore	32,000	32,000	170 0 0	3 8 0					20 Oct., 1875	1	"	1876
Paddy's Plains	The City Bank	82,100	82,100	190 0 0	1 9 7 $\frac{1}{2}$					20 " "	1	"	"
" or Cudgelong	"	9,600	5,228	15 0 0	1 16 8 $\frac{1}{2}$	1,792	2,580			20 April, 1878	1	"	"
Palmyra	F. W. Armytage	25,600	17,670	35 0 0	1 5 4 $\frac{1}{2}$	6,550	1,380			20 " "	1	"	"
Papakura, No. 1	T. James and A. Johnson	49,000	49,000	50 0 0	0 13 0 $\frac{1}{2}$					12 Oct., 1877	1	"	1878
" 3	John Simson	35,840	35,840	50 0 0	0 17 10 $\frac{1}{2}$					22 July, 1874	1	"	1875
" 4	J. & G. Whittingham & W. B. Haines	25,600	25,600	40 0 0	1 0 0					16 " "	1	"	"
Papatoitoti East	The Trust and Agency Company of Australasia (Limited).	25,600	25,600	36 0 0	0 18 0					22 " "	1	"	"
" North	"	72,000	72,000	80 0 0	0 14 2 $\frac{1}{2}$					22 " "	1	"	"
" No. 1	F. W. Armytage	65,000	65,000	80 0 0	0 15 9					16 " "	1	"	"
Pine Tree	John Simson	64,000	64,000	76 0 0	0 15 2 $\frac{1}{2}$					16 " "	1	"	"
Pinnacle	P. and J. Robertson	60,000	60,000	80 0 0	0 17 0 $\frac{1}{2}$					18 Oct., 1876	1	"	1877
Pinpayipa	Roger Feehily	26,880	26,560	50 0 0	1 4 1	320				19 " 1875	1	"	1876
Police Point	J. Blackwood and C. Ibbotson	35,000	35,000	160 0 0	2 18 6					30 Sept., "	1	"	"
Priory Plains, block A	J. Rutherford, J. M'Culloch, and R. Sellar	92,800	59,468	185 0 0	1 19 9 $\frac{1}{2}$	8,932	24,400			30 " "	1	"	"
" B	J. F. M'Mullen	45,000	45,000	25 0 0	0 7 1 $\frac{1}{2}$					12 Oct., 1877	1	"	1878
" C	"	45,000	45,000	25 0 0	0 7 1 $\frac{1}{2}$					12 " "	1	"	"
" D	"	45,000	45,000	25 0 0	0 7 1 $\frac{1}{2}$					12 " "	1	"	"
" E	"	64,000	64,000	35 0 0	0 7 0					27 Sept., 1873	1	"	1874
" F	"	64,000	64,000	50 0 0	0 10 0					27 " "	1	"	"
" G	The Trust and Agency Company of Australasia (Limited).	64,000	64,000	40 0 0	0 8 0					27 " "	1	"	"
" H	Andrew R. Inglis	64,000	64,000	40 0 0	0 8 0					22 " 1877	1	"	1878
Quondary	F. A. Gwynne	64,000	64,000	50 0 0	0 10 0					1 Nov., 1876	1	"	1877
Rankin's Hill, No. 5	G. Harmon	40,000	39,280	40 0 0	0 13 0 $\frac{1}{2}$	720				19 Oct., "	1	"	"
" 6	F. W. Armytage	72,500	72,500	45 0 0	0 7 11 $\frac{1}{2}$					16 July, 1874	1	"	1875
Reedy Creek	Mary Ryan	72,500	72,500	90 0 0	0 15 10 $\frac{1}{2}$					16 " "	1	"	"
Restdown	E. Roset	2,000	2,000	10 0 0	3 4 0					27 " 1875	1	"	"
Rossi Creek, lower end of	Thomas Barrett	92,400	92,400	17 10 0	0 2 5					27 Sept., 1873	1	"	1874
Roto	The New Zealand Loan and Mercantile Agency Company.	32,000	24,000	40 0 0	1 1 4	3,200	4,800			27 Dec., 1877	1	"	1876
" North	"	65,500	65,500	60 0 0	0 11 8 $\frac{1}{2}$					22 July, 1874	1	"	1875
" North-east	"	63,700	63,700	50 0 0	0 10 0 $\frac{1}{2}$					22 " "	1	"	"
Salamagundia	The Australian Agency and Banking Corporation (Limited).	64,000	64,000	20 0 0	0 4 0					Not yet appraised.	1	"	1874
Sandy Creek	J. F. M'Mullen	32,500	32,500	20 0 0	0 7 10 $\frac{1}{2}$					19 Oct., 1876	1	"	1877
Sawyer's Creek	The City Bank	32,000	31,960	50 0 0	1 0 0	40				18 " "	1	"	"
Scrubby Range North	Thomas Scanlan	1,280	1,280	10 0 0	5 0 0					30 July, 1875	1	"	1876
" South	The Australian Mortgage Land and Finance Company.	90,000	90,000	100 0 0	0 14 2 $\frac{1}{2}$					18 Oct., 1876	1	"	1877
" "	"	44,000	44,000	40 0 0	0 11 7 $\frac{1}{2}$					18 " "	1	"	"

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisal.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
LACHLAN DISTRICT—continued.											
Sebastopol, block A, No. 1	F. C. Brodribb	24,000	24,000	£ s. d.	£ s. d.						
" " B, " 2	W. A. Brodribb	24,000	24,000	33 0 0	0 17 7			Not ascer-	Not ascer-	16 July, 1874	1 Jan., 1875
" " C, " 3	"	32,000	32,000	37 0 0	0 19 8½			tainable.	tainable.	16 " " "	1 " " "
" " D, " 4	F. C. Brodribb	32,000	32,000	50 0 0	1 0 0			" " "	" " "	16 " " "	1 " " "
Sheep Station Creek	J. and J. Loomes, jun.	3,200	3,000	45 0 0	0 18 0			" " "	" " "	16 " " "	1 " " "
Shenandoah	The Australian Mortgage Land and Finance Company.	52,000	52,000	10 0 0	2 2 8	200		" " "	" " "	30 " 1875	1 " 1876
South Boorambil	J. V. and R. C. Cooper	22,500	22,500	30 0 0	0 7 4½			" " "	" " "	21 Sept. 1877	1 " 1878
South Merrowee	H. Cunningham and J. K. Smyth	26,000	23,760	35 0 0	0 19 10½			" " "	" " "		
South Thononga	R. Chirnside, J. Bell, and R. Edgar	44,650	30,819	70 0 0	1 17 8½	2,240		" " "	" " "	27 Dec., 1873	1 " 1874
" " block A	"	33,124	33,124	110 0 0	2 5 8½	8,711	5,120	" " "	" " "	24 Aug., 1875	1 " 1876
" " " B	"	30,576	30,576	75 0 0	1 8 11½			" " "	" " "	4 June, 1878	1 " "
" " " C	J. Rutherford, J. McCulloch, and R. Sellar	55,000	55,000	65 0 0	1 7 2½			" " "	" " "	2 Oct., 1875	1 " "
Spring Creek	T. Wilding	30,000	Nil.	75 0 0	0 17 5½	30,000		" " "	" " "	2 " " "	1 " "
Staepoole's Tender	J. M., G. C., A., and W. H. Loughnan	37,500	37,180	10 0 0		320		" " "	" " "	1 Nov., 1876	1 " 1877
Stockinbingal	W. O'Brien	28,600	26,170	25 0 0	0 8 7½			" " "	" " "	30 July, 1875	1 " 1876
Stony Creek	John Conroy	3,840	3,760	50 0 0	1 4 5½	1,790	640	" " "	" " "	12 Oct., 1877	1 " 1878
" " "	The Bank of New South Wales	13,000	11,520	10 0 0	1 14 0½	80		" " "	" " "	25 " 1875	1 " 1876
Strathavon	John Simson	64,000	63,800	25 0 0	1 7 9½	1,480		" " "	" " "	30 July, " "	1 " "
Tallebung	R. and T. Smith	36,000	36,000	80 0 0	0 16 0½	200		" " "	" " "	30 " " "	1 " "
Tara, No. 4	The Australian Agency and Banking Corporation (Limited).	64,000	64,000	33 0 0	0 11 8½			" " "	" " "	16 " 1874	1 " 1875
" " 5	"	32,000	31,960	40 0 0	0 8 0	40		" " "	" " "	4 Aug., " "	1 " "
Tarawong	Peter Tyson	64,000	64,000	25 0 0	0 10 0			" " "	" " "	5 " " "	1 " "
Tarawonga	F. C. and K. E. Brodribb	64,700	64,060	80 0 0	0 16 0	640		" " "	" " "	16 July, " "	1 " "
Tarcombe	R. Blackwood and C. Ibbotson	64,000	64,000	80 0 0	0 16 0			" " "	" " "	16 " " "	1 " "
Temora	The Australian Mortgage Land and Finance Company.	120,000	118,920	37 10 0	0 7 6	1,080		" " "	" " "	22 Sept., 1877	1 " 1878
Ten-mile Plain	John Peter	60,000	60,000	120 0 0	0 12 11			" " "	" " "	25 Oct., 1875	1 " 1876
The Battery	The Commercial Banking Company	25,600	25,600	90 0 0	0 19 2½			" " "	" " "		
" " Rocks	The Australian Mortgage Land and Finance Company.	38,400	35,821	60 0 0	1 10 0	2,579		" " "	" " "	4 Aug., 1874	1 " 1875
" " Rookery	John Hurley	70,000	70,000	45 0 0	0 16 1			" " "	" " "	18 Oct., 1876	1 " 1877
Thollollaboy and Tellellaboy	J. and G. Whittingham & W. B. Haines	40,000	40,000	30 0 0	0 5 5½			" " "	" " "	25 " 1875	1 " 1876
Thule	Isaac Younghusband	24,900	24,900	60 0 0	0 19 2½			" " "	" " "	22 Sept., 1877	1 " 1878
Ticehurst	The Trust and Agency Company of Australasia (Limited).	64,000	64,000	25 0 0	0 12 10½			" " "	" " "	22 July, 1874	1 " 1875
" " "	C. W. and T. F. Umphelby	32,000	32,000	50 0 0	0 10 0			" " "	" " "	22 Sept., 1877	1 " 1878
Tin-pot Alley	Thomas Hilliar	15,360	14,460	20 0 0	0 8 0	900		" " "	" " "	27 Dec., " "	1 " "
Tommanbil	The City Bank	15,360	13,950	20 0 0	0 8 0	1,410		" " "	" " "	22 Sept., " "	1 " "
Tom's Lake	J. Wilkinson and R. A. Lidwell	44,800	44,760	60 0 0	2 13 1½	40		" " "	" " "	22 Oct., 1875	1 " 1876
Tooloor	J. & G. Whittingham & W. B. Haines	25,600	25,600	36 0 0	1 13 0½			" " "	" " "	21 Mar., 1876	1 " "
Toopruk	James Tyson	30,000	25,252	60 0 0	0 17 2	4,748		" " "	" " "	16 July, 1874	1 " 1875
Tooyal	John D. Holloway	51,200	19,380	48 0 0	1 4 0	13,220	18,600	" " "	" " "	19 Oct., 1876	1 " 1877
Top Lagoon	The Commercial Banking Company	40,000	36,660	90 0 0	2 5 7½	750		" " "	" " "	20 " 1875	1 " 1876
Tregalana	Andrew F. Gibson	24,000	15,069	50 0 0	1 13 0½			" " "	" " "	10 Nov., " "	1 " "
" " East	A. F. and F. F. Gibson	25,000	16,334	35 0 0	0 12 2½			" " "	" " "	5 " 1877	1 " "
Trigalong	J. F. M. Mullen	10,500	10,500	75 0 0	3 3 8½	8,666		" " "	" " "	25 Oct., 1875	1 " "
Tubbeta	J. G., R., and A. Rankin	34,000	34,000	40 0 0	1 11 4½			" " "	" " "	19 " 1876	1 " 1877
Towryel	Charles M'Phillamy	32,000	29,710	15 0 0	0 18 3½	2,290		" " "	" " "	30 Sept., 1875	1 " 1876
Tuprong Back Plains	James Tyson	41,000	41,000	40 0 0	0 15 0½			" " "	" " "	18 Oct., 1876	1 " 1877
Twoprang	"	30,000	30,000	50 0 0	0 15 7½			" " "	" " "	11 Dec., " "	1 " "
Uabalong	The Bank of New South Wales	11,000	11,000	40 0 0	0 17 0½			" " "	" " "	4 Aug., 1874	1 " 1875
Uabba	James Dickson	32,000	31,040	40 0 0	1 14 11	960		" " "	" " "	4 " " "	1 " "
Uabbalong South	The Bank of New South Wales	6,600	6,600	160 0 0	3 5 11½			" " "	" " "	30 Sept., 1875	1 " 1876
				14 0 0	1 7 1½			" " "	" " "	24 Aug., " "	1 " "
								" " "	" " "	11 Sept., 1874	1 " 1875

Uanunoo	Joseph Smith	20,480	20,480	32 0 0	1 0 0			28 Aug.,	1	"	1876
Uar	The Trust and Agency Company of Australasia (Limited).	8,000	6,940	20 0 0	1 16 10 $\frac{1}{2}$	1,060		19 Oct., 1875	1	"	"
Uardry	W. Wragge, J. and J. Hearn	76,800	3,740	20 0 0	3 8 5 $\frac{1}{2}$	42,220	30,840	10 April, 1877	1	"	"
Ugalong	John Cummings	19,600	8,320	45 0 0	3 9 2 $\frac{1}{2}$	11,280		18 Oct., 1876	1	"	1877
Uglo	C. H. Barber and C. Burcher	21,500	21,180	40 0 0	1 4 2	320		13 Nov., "	1	"	"
Ugolo, block A	"	28,800	28,800	60 0 0	1 6 8			20 Aug., 1874	1	"	1875
Ulong	W. E. Stanbridge and J. M'Gaw	30,000	10,326	30 0 0	1 17 2 $\frac{1}{2}$	19,674		28 Nov., 1877	1	"	1876
Ulonga, block A	D. W. H. and T. F. Patterson	6,500	6,500	10 0 0	0 19 8 $\frac{1}{2}$			30 July, 1875	1	"	"
Ulonga	"	89,600	89,429	300 0 0	2 2 11 $\frac{1}{2}$	171		20 Oct., "	1	"	"
Ungaree	John Blyth	74,000	74,000	106 0 0	0 18 4			11 Sept., 1874	1	"	1875
Uoka (Weego)	A. G. Jones	16,000	14,080	50 0 0	1 2 8 $\frac{1}{2}$	1,920		25 Oct., 1875	1	"	1876
Upper North Thononga	J. and A. Broad	33,700	33,700	130 0 0	2 9 4 $\frac{1}{2}$			4 Aug., 1874	1	"	1875
Upper Wyolong	J. Cox and M. Callaghan	100,992	100,992	70 0 0	0 8 10 $\frac{1}{2}$			19 Oct., "	1	"	"
" No. 2	The Commercial Banking Company	41,000	41,000	27 0 0	0 8 5			19 "	1	"	"
" " 3	The City Bank	40,000	40,000	27 0 0	0 8 7 $\frac{1}{2}$			19 "	1	"	"
Urambee	R. and T. Smith	16,000	16,000	15 0 0	0 12 0			22 Sept., 1877	1	"	1878
" No. 2	"	16,000	16,000	15 0 0	0 12 0			22 "	1	"	"
" " 3	"	63,000	63,000	50 0 0	0 10 2			22 "	1	"	"
" " 4	"	64,000	64,000	50 0 0	0 10 0			22 "	1	"	"
" " 5	J. MacBain and W. Wilson	12,000	12,000	15 0 0	0 16 0			4 Aug., 1874	1	"	1875
Urolee	Isaac Younghusband	36,000	36,000	30 0 0	0 10 8			22 Sept., 1877	1	"	1878
Wagga	The Melbourne Banking Corporation (Limited).	48,000	48,000	24 0 0	0 6 4 $\frac{1}{2}$			22 "	1	"	"
Waiko East	The Trust and Agency Company of Australasia (Limited).	51,000	51,000	35 0 0	0 8 9 $\frac{1}{2}$			27 Dec., "	1	"	"
Walgier Plains	John Peter	32,000	32,000	60 0 0	1 4 0			20 Oct., 1875	1	"	1876
Wallaby	E. L. Moore	34,000	34,000	175 0 0	3 5 10 $\frac{1}{2}$			20 "	1	"	"
" block A	William Moore	31,200	29,510	80 0 0	1 14 8 $\frac{1}{2}$	1,050	640	20 "	1	"	"
" " B	J. Rutherford, J. M'Culloch, & R. Sellar	62,000	56,560	100 0 0	1 2 7 $\frac{1}{2}$	5,440		1 Nov., 1876	1	"	1877
Walamundry	The Trust and Agency Company of Australasia (Limited).	11,500	9,190	40 0 0	2 15 8 $\frac{1}{2}$	2,310		19 Oct., 1875	1	"	1876
Walandra North	J. F. M'Mullen	23,500	23,500	150 0 0	4 1 8 $\frac{1}{2}$			2 "	1	"	"
" South	J. M., G. C., A., & W. H. Loughnan	20,000	20,000	52 0 0	1 13 3 $\frac{1}{2}$			19 "	1	"	"
Walandry	The New Zealand Loan and Mercantile Agency Company.	94,000	94,000	80 0 0	0 10 10 $\frac{1}{2}$			18 "	1	"	1877
Walaroy	The Trust and Agency Company of Australasia (Limited).	35,000	29,840	40 0 0	0 17 2	5,160		21 Mar., "	1	"	1876
Wallawalla	The City Bank	46,080	40,280	70 0 0	1 2 3	5,800		19 Oct., 1875	1	"	1876
Walla Walla and Carringatel	R. H. and W. H. Oakes	16,000	6,639	45 0 0	4 6 9	9,361		30 July, "	1	"	"
Wallenbeen	A. Mackay	32,000	2,000	10 0 0	3 4 0	30,000		13 Nov., 1876	1	"	1877
Wanga	T. M. Stewart	32,000	32,000	30 0 0	0 12 0			21 Sept., 1877	1	"	1878
Wangaroa	James Bevan	32,000	32,000	20 0 0	0 8 0			19 Oct., 1876	1	"	1877
Wangaron	M. Bevan	32,000	32,000	30 0 0	0 12 0			22 Sept., 1877	1	"	1878
Warbreccan	Isaac Younghusband	49,900	49,900	30 0 0	0 7 8 $\frac{1}{2}$			27 Dec., "	1	"	1876
Wardry	R. Y. Cousins	24,000	20,160	50 0 0	1 11 8 $\frac{1}{2}$	960	2,880	27 Sept., 1873	1	"	1874
Wargambegal	The Commercial Banking Company	27,000	27,000	20 0 0	0 9 5 $\frac{1}{2}$			7 Aug., 1877	1	"	1876
Waroo	Charles M'Phillamy	31,000	11,010	30 0 0	1 14 10 $\frac{1}{2}$	10,990	9,000	22 Oct., 1875	1	"	"
Warraderry	Watson Brothers	35,200	32,360	40 0 0	0 15 9 $\frac{1}{2}$	2,840		28 Aug., 1874	1	"	1875
Warragoodiana	Joseph Smith	12,800	12,800	20 0 0	1 0 0			14 Oct., 1876	1	"	1877
Warranary	J. and G. Whittingham and W. B. Haines	35,000	35,000	60 0 0	1 1 11 $\frac{1}{2}$			19 "	1	"	"
" South	The New Zealand Loan and Mercantile Agency Company (Limited).	16,000	16,000	30 0 0	1 4 0			19 "	1	"	"
" West	"	32,000	32,000	40 0 0	0 16 0			22 "	1	"	1876
Warrangong	George Campbell	16,000	5,266	10 0 0	1 4 3 $\frac{1}{2}$	10,734		22 "	1	"	"
Warrowie	"	19,200	16,860	25 0 0	0 18 11 $\frac{1}{2}$	2,340		25 "	1	"	"
Warry	Ed. Lord	30,000	28,900	50 0 0	1 2 1 $\frac{1}{2}$	1,100		22 "	1	"	"
Watamondra	W. Hood	23,040	21,720	40 0 0	1 3 6 $\frac{1}{2}$	1,320		10 Nov., "	1	"	"
Watti Creek	E. Flood	13,440	3,730	10 0 0	1 14 3 $\frac{1}{2}$	9,710		4 Aug., 1874	1	"	1875
Wealbah, block A	J. and A. Broad	16,000	16,000	25 0 0	1 0 0			4 "	1	"	"
" " B	"	17,920	17,920	28 0 0	1 0 0			4 "	1	"	"
" " C	"	35,520	35,520	50 0 0	0 18 0			4 "	1	"	"
" " D	"	34,480	34,480	48 0 0	0 17 9 $\frac{1}{2}$			10 Nov., 1875	1	"	1876
Wedgagallong	B. M. Osborne	9,575	NIL	10 0 0		9,575					

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisal.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
LACHLAN DISTRICT—continued.											
Weejagada.....	J. and G. Whittingham and W. B. Haines	16,000	16,000	£ s. d.	£ s. d.					19 Oct., 1876	1 Jan., 1877
Weelong.....	The Commercial Banking Company	27,200	21,120	30 0 0	1 4 0	4,820	1,260	Not ascertainable	Not ascertainable	19 " 1875	1 " 1876
Weerie or Block A.....	J. M., G. C., A., and W. H. Loughnan	70,000	69,920	47 0 0	0 8 7½	80		"	"	16 " 1876	1 " 1877
Wentworth's Gully.....	John Nowlan	25,000	24,800	60 0 0	1 10 11½	200		"	"	30 July, 1875	1 " 1876
West Bland Plains.....	R. and H. Power, A. P. Rudd, and T. J. Finlay	18,000	18,000	70 0 0	2 9 9½			"	"	20 Dec., " "	1 " "
West Grange.....	A. J. L. Learmonth	153,600	53,843	50 0 0	0 11 10½	61,406	38,351	"	"	10 Aug., 1877	1 " "
" Mandamar.....	The Commercial Banking Company	46,000	46,000	50 0 0	0 13 10½			"	"	19 Oct., 1874	1 " 1875
" Plains.....	C. M'Phillamy	12,800	12,800	25 0 0	1 5 0			"	"	29 " 1873	1 " 1874
" Thelangering.....	Thomas Darchy	75,000	73,400	220 0 0	1 18 4½	1,600		"	"	20 " 1875	1 " 1876
" Thule.....	Isaac Younghusband	17,000	17,000	10 0 0	0 7 6			"	"	Not yet appraised.	1 " 1874
Wheabah.....	J. and A. Broad	16,000	16,000	65 0 0	2 12 0			"	"	30 Oct., 1875	1 " 1876
Whoey.....	Frederick Shepherd	12,800	11,800	70 0 0	3 15 11	1,000		"	"	30 Sept., " "	1 " "
Wilbetroy.....	C. M'Phillamy	48,000	30,892	45 0 0	0 18 7½	5,432	11,676	"	"	7 Aug., 1877	1 " 1877
Wilga.....	J. F. M'Mullen	31,360	31,360	45 0 0	0 18 4½			"	"	11 Sept., 1874	1 " 1875
" South.....	"	22,400	22,400	30 0 0	0 17 1½			"	"	11 " "	1 " "
Willandra, Billebong or Dry Country.....	F. C., and K. E. Brodribb	12,800	12,800	20 0 0	1 0 0			"	"	16 July, " "	1 " "
Wirlong.....	J. F. M'Mullen	54,000	54,000	40 0 0	0 9 5½			"	"	12 Oct., 1877	1 " 1878
Wogongo.....	R. A. Molesworth and T. W. Ware	15,350	15,350	50 0 0	2 1 8½			"	"	14 " 1876	1 " 1877
Wombine.....	Ricketson and Ghinn	28,800	14,400	32 0 0	1 8 5½	14,400		"	"	19 " 1874	1 " 1875
Wongajong.....	The Trust and Agency Company of Australasia (Limited.)	25,000	19,498	70 0 0	2 5 11½	5,502		"	"	18 Nov., 1875	1 " 1876
Wontabadgery.....	W. O. Windeyer	69,120	19,023	40 0 0	1 6 11	29,319	20,778	"	"	10 " "	1 " "
Wood, No. 1.....	J. and G. Whittingham and W. B. Haines	25,000	25,000	48 0 0	1 4 7			"	"	19 Oct., 1876	1 " 1877
Woolgarlo.....	T. Robertson	7,600	5,510	20 0 0	2 6 5½	2,090		"	"	30 July, 1875	1 " 1876
Woolondool.....	Wm. M'Evoey and R. Gibson	68,000	51,602	140 0 0	1 14 8½	8,478	7,920	"	"	30 Sept., " "	1 " "
Woolloombye.....	"	16,000	16,000	30 0 0	1 4 0			"	"	1 Nov., 1876	1 " 1877
Woolongough.....	John King	40,800	40,800	55 0 0	0 17 3			"	"	20 Aug., 1874	1 " 1875
Woowingeragong.....	Alfred Stokes	12,000	1,576	20 0 0	8 2 5½	4,584	5,840	"	"	19 Oct., 1875	1 " 1876
Wooyeo.....	J. F. M'Mullen	39,000	39,000	110 0 0	1 16 1½			"	"	27 Sept., 1873	1 " 1874
Wyangan (North Kooba).....	W. E. Stanbridge and J. M'Gaw	32,000	32,000	53 0 0	1 1 2½			"	"	19 Oct., 1874	1 " 1875
Yackerboon.....	William Macanah	42,000	42,000	50 0 0	0 15 2½			"	"	18 " 1876	1 " 1877
Yaddra.....	The Commercial Banking Company	11,620	2,440	10 0 0	2 12 5½	2,780	6,400	"	"	3 July, 1878	1 " 1876
Yalgogoring North.....	John Cox	46,080	46,080	55 0 0	0 15 3½			"	"	20 Aug., 1874	1 " 1875
" ".....	H. Cunningham and J. K. Smyth	39,700	39,700	56 0 0	0 18 0½			"	"	19 Oct., " "	1 " "
Yallock.....	G. P. Desailly	75,500	75,500	45 0 0	0 7 7½			"	"	27 Sept., 1873	1 " 1874
" block A.....	W. A. Brodribb	72,000	72,000	30 0 0	0 5 4			"	"	17 Oct., 1877	1 " 1878
" " B.....	"	64,000	64,000	20 0 0	0 4 0			"	"	17 " "	1 " "
" " C.....	"	64,000	64,000	25 0 0	0 5 0			"	"	17 " "	1 " "
" " D.....	"	54,400	54,400	15 0 0	0 3 6½			"	"	17 " "	1 " "
" North.....	"	58,000	58,000	20 0 0	0 4 4½			"	"	17 " "	1 " "
" " block A.....	"	82,000	82,000	25 0 0	0 3 10½			"	"	17 " "	1 " "
" " B.....	H. Cunningham and J. K. Smyth	90,000	89,320	30 0 0	0 4 3½	680		"	"	17 " "	1 " "
" West.....	G. P. Desailly	67,800	67,800	30 0 0	0 5 8			"	"	27 Sept., 1873	1 " 1874
Yamma.....	Isaac Younghusband	51,200	51,200	30 0 0	0 7 6			"	"	22 " 1877	1 " 1878
Yanko.....	"	24,000	24,000	20 0 0	0 10 8			"	"	22 " "	1 " "
Yara.....	W. R. Johnson	68,000	68,000	30 0 0	0 5 7½			"	"	22 " "	1 " "
Yara, block B.....	"	70,000	69,800	50 0 0	0 9 2	200		"	"	22 " "	1 " "
Yarringarry.....	T. A. and G. R. Barnes	23,500	23,500	40 0 0	1 1 9½			"	"	28 " 1874	1 " 1875
Yathong.....	Isaac Younghusband	75,000	75,000	50 0 0	0 8 6½			"	"	22 " 1877	1 " 1878
Yerra Yerra.....	The Commercial Banking Company	12,800	12,800	35 0 0	1 15 0			"	"	19 Oct., 1874	1 " 1875
Yoneo.....	J. H. Douglas	98,000	6,634	20 0 0	1 18 7	23,526	67,840	"	"	18 Nov., 1876	1 " 1876
Youngara Creek.....	W. A. Atkins	46,000	45,040	50 0 0	0 14 2½	960		"	"	1 " "	1 " 1877
Youngee Plain.....	The Commercial Banking Company	29,100	29,100	40 0 0	0 17 7			"	"	1 " "	1 " "
Youyang, block A.....	J. F. M'Mullen	40,000	40,000	15 0 0	0 4 9½			"	"	12 Oct., 1877	1 " 1878

" B	"	56,000	56,000	30 0 0	0 6 10 $\frac{1}{2}$			"	"	12	"	1	"
" C	"	62,400	62,400	25 0 0	0 5 1 $\frac{1}{2}$			"	"	19	"	1	"
" D	"	64,000	64,000	10 0 0	0 2 0			"	"	30 Sept.,	1875	1	"
" E	"	20,000	20,000	32 0 0	1 0 5 $\frac{1}{2}$			"	"	Not appraised		1	"
" F	E. and F. Culgan	62,000	62,000	15 0 0	0 3 1 $\frac{1}{2}$			"	"	24 Aug.,	1875	1	"
" G	"	64,000	64,000	15 0 0	0 3 0			"	"	18	"	1	"
Rock Creek Station	T. W. Hammond and J. Johnston	10,000	5,750	10 0 0	1 2 3	1,950	2,300	"	"	Sub-division of		1	"
								"	"	June.			
Dundoo Hills South	B. Buchanan and H. Mort	25,000	25,000	25 0 0	0 12 9 $\frac{1}{2}$			"	"	Sub-division of Gor-		1	"
								"	"	man's Hill, west.			
South Merrowee, block A	H. Cunningham and J. K. Smyth	7,000	7,000	20 0 0	1 16 6 $\frac{1}{2}$			"	"	Not appraised		1	"
Gundibendal North	The Oriental Bank	Sub-division of Gundibendal		30 0 0				"	"			1	"
Walandra East	J. F. M'Mullen	11,300	11,300	33 0 0	1 17 4 $\frac{1}{2}$			"	"	Not appraised		1	"
* Grong Grong	C. and H. Morgan							"	"			1	"
								"	"				
Total		23,023,376	19,504,454	28,098 10 0	0 18 5 $\frac{1}{2}$	2,560,063	928,089						
LIVERPOOL PLAINS DISTRICT.													
Arrarownie	F. Y. Woolsley	32,000	31,800	25 0 0	0 10 0 $\frac{1}{2}$	200		"	"	15 Oct.,	1875	1	Jan., 1876
Ashantee	A. M'Donald and C. Smith	10,000	10,000	30 0 0	1 18 4 $\frac{1}{2}$			"	"	3 Nov.,	1877	1	" 1878
Attunga	Mary Ann Burdekin	40,000	8,360	15 0 0	1 2 11 $\frac{1}{2}$	11,000	20,640	"	"	18	"	1	" 1876
Baan Baa North	Hon. A. Campbell and Hon. J. Hay	35,840	9,204	10 0 0	0 13 11	13,896	12,740	"	"	29 Oct.,	"	1	"
" South	John Scott	32,000	29,892	40 0 0	0 17 1 $\frac{1}{2}$	1,108	1,000	"	"	29	"	1	"
Back Meriwynebone	Thomas Cook	15,360	15,360	25 0 0	1 0 10			"	"	29 Sept.,	1876	1	" 1877
" South Oreel		15,360	15,360	25 0 0	1 0 10			"	"	29	"	1	"
" Tareela	T. J. Sumner and J. Benn	28,160	28,160	25 0 0	0 11 4 $\frac{1}{2}$			"	"	16 Oct.,	"	1	"
" Vacant Cumble	T. G. Dangar	30,080	30,080	10 0 0	0 4 3			"	"	16	"	1	"
Bald Hill	J. F. and H. C. White	32,000	12,021	40 0 0	2 2 8	10,979	9,000	"	"	29	"	1	" 1876
Bando Plains		51,200	13,140	30 0 0	1 9 2 $\frac{1}{2}$	12,060	26,000	"	"	29	"	1	"
Baradean	Thomas Walker	20,000	19,240	27 0 0	0 17 11 $\frac{1}{2}$	120	640	"	"	13 Nov.,	"	1	"
Barraba	Arthur Witten	19,200	2,550	10 0 0	2 10 2 $\frac{1}{2}$	5,296	11,354	"	"	14 Dec.,	"	1	"
" Creek	Thomas Hoskisson	51,200	23,279	40 0 0	1 2 0		27,921	"	"	23 Nov.,	"	1	"
" Detached	A. Munro	54,400	54,180	45 0 0	0 10 7 $\frac{1}{2}$	220		"	"	14 Dec.,	"	1	"
" North	Arthur Witten	28,800	23,032	35 0 0	0 19 5 $\frac{1}{2}$	5,688	80	"	"	14	"	1	"
Barraneal	Benjamin Richards	16,000	16,000	28 0 0	1 2 4 $\frac{1}{2}$			"	"	17 Oct.,	1876	1	" 1877
Behind Pockataroo	Thomas Cook	24,900	24,900	78 0 0	2 0 1 $\frac{1}{2}$			"	"	12 Feb.,	1874	1	" 1874
Berriary	Abraham Cohen	26,880	25,609	30 0 0	0 15 0	1,271		"	"	15 Nov.,	1875	1	" 1876
Berryabar North	T. J. Sumner and J. Benn	16,000	16,000	65 0 0	2 12 0			"	"	16 Sept.,	"	1	"
" South	J. B. Rundle	18,000	18,000	35 0 0	1 4 1 $\frac{1}{2}$			"	"	7 Oct.,	"	1	"
Billeboo	George Loder	18,300	18,300	30 0 0	1 1 0			"	"	3 Nov.,	1877	1	" 1878
" South		13,440	13,440	30 0 0	1 8 6 $\frac{1}{2}$			"	"	23	"	1	" 1875
Billyeena	George Cross	32,000	27,746	35 0 0	0 16 1 $\frac{1}{2}$	2,664	1,590	"	"	29 Sept.,	1876	1	" 1877
Bogera	T. J. Sumner and J. Benn	16,000	16,000	30 0 0	1 4 0			"	"	16 Oct.,	"	1	"
Boggibrie	Ebenezer Vickery	26,980	4,784	16 0 0	2 2 9 $\frac{1}{2}$	12,669	9,527	"	"	3 Nov.,	1877	1	" 1876
Bomera	The Bank of New South Wales	76,800	67,238	45 0 0	0 8 6 $\frac{1}{2}$	6,762	2,800	"	"	15 Oct.,	1875	1	"
Bondaballa	Ebenezer Vickery	64,000	37,591	40 0 0	0 13 7 $\frac{1}{2}$	9,962	16,447	"	"	15	"	1	"
Bone	Bank of New South Wales	35,200	2,331	15 0 0	4 2 4 $\frac{1}{2}$	14,015	18,854	"	"	15	"	1	"
Boobadil	James Sivil	24,320	8,910	10 0 0	0 14 4 $\frac{1}{2}$	7,800	7,610	"	"	28	"	1	" 1875
Booballa Creek	The Bank of New South Wales	32,000	15,484	25 0 0	1 0 8	7,828	8,688	"	"	15	"	1	" 1876
Bora	J. F. M'Mullen	83,200	83,040	46 0 0	0 7 1	160		"	"	15	"	1	"
Breeza	W., J., S. and G. Clift	60,160	47,934	80 0 0	1 1 4 $\frac{1}{2}$	9,586	2,640	"	"	16	"	1	" 1876
Baigalow	W. H. Moseley	23,040	23,040	23 0 0	0 12 9 $\frac{1}{2}$			"	"	26 Sept.,	1876	1	" 1877
Bubbogullion North	R. Pringle	23,040	2,421	14 0 0	3 14 0 $\frac{1}{2}$	10,159	10,460	"	"	16 Oct.,	1875	1	" 1876
" South		64,000	14,753	20 0 0	0 17 4 $\frac{1}{2}$	26,247	23,000	"	"	16	"	1	" 1874
Bugaldi	James Leslie	28,800	28,600	40 0 0	0 17 6 $\frac{1}{2}$	200		"	"	29	"	1	" 1876
Bugilbone	T. H. Sumner and J. Benn	28,000	26,000	100 0 0	2 9 2 $\frac{1}{2}$	2,000		"	"	16 Sept.,	1875	1	"
Bulgarrie	George Loder	36,000	36,000	30 0 0	0 10 8			"	"	17	"	1	"
Bulgeori South, No. 1	W. J., H. C., F. H., and A. A. Dangar	16,000	16,000	25 0 0	1 0 0			"	"	29	"	1	" 1877
" " 2		15,360	15,360	20 0 0	0 16 8			"	"	29	"	1	"
Bull	Ebenezer Vickery	28,000	20,423	70 0 0	2 3 10 $\frac{1}{2}$	7,277	300	"	"	15 Oct.,	1875	1	" 1876
Bullerawa	J. B. Rundle	35,000	34,500	10 0 0	0 3 8 $\frac{1}{2}$	500		"	"	24 Sept.,	"	1	"
Bulleori	W. J., H. C., F. H., and A. A. Dangar	54,000	53,900	147 0 0	1 14 11	100		"	"	19 Oct.,	"	1	"
Bullulivi	J. B. Rundle	28,160	28,160	10 0 0	0 4 6 $\frac{1}{2}$			"	"	16	"	1	" 1877

* Sub-division of Heifer Station, area not given. See Heifer Station, area and rent included in that run.

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area released, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisalment.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
LIVERPOOL PLAINS DISTRICT—continued.											
				£ s d.	£ s d.						
Bullumbulla	F. Lassetter	64,000	37,631	70 0 0	1 3 9½	9,962	16,407	Not ascer-	Not ascer-	15 Oct., 1875	1 Jan., 1876
Bundalla	The Bank of New South Wales	28,800	13,467	30 0 0	1 8 11½	9,530	5,803	tainable	tainable	15 "	" "
Bundulla	D. and J. M'Master	33,280	2,166	15 0 0	4 8 7½	17,584	13,530	"	"	15 "	" "
Bunna Bunna, Back Block	W. J., H. C., F. H., and A. A. Dangar	22,400	22,400	35 0 0	1 0 0			"	"	29 Sept., 1876	1 " 1877
Burbugate North	Ebenezer Vickery	64,000	58,070	85 0 0	0 18 8½	5,630	300	"	"	15 Oct., 1865	1 " 1876
" South	"	26,880	16,949	67 0 0	2 10 7½	8,031	1,900	"	"	15 "	" "
Burgarrol	W. H. Moseley	36,480	36,480	35 0 0	0 12 3½			"	"	26 Sept., 1876	1 " 1877
Burgen, No. 4	Benjamin Richards	16,000	16,000	25 0 0	1 0 0			"	"	17 Oct., "	1 " "
Burindi	The Commercial Banking Company	25,600	6,903	14 0 0	1 5 11½	6,064	12,633	"	"	21 Dec., "	1 " 1876
Burran	J. N. Brunker, T. Cook, and J. Button	66,000	66,000	200 0 0	1 19 0			"	"	16 Sept., 1875	1 " "
" East	Charles Button	17,280	17,280	40 0 0	1 9 7½			"	"	16 Oct., 1876	1 " 1877
" South	"	17,280	17,280	30 0 0	1 2 2½			"	"	16 "	1 " "
Burrell	R. G. Higgins and C. Smith	33,000	160	12 0 0	48 0 0	18,000	14,840	"	"	16 "	1 " 1876
Burrilda	Ebenezer Vickery	16,640	16,640	40 0 0	1 10 9½			"	"	26 Sept., 1876	1 " 1877
Carroll, North East	S. B. Dight	77,680	70,835	10 0 0	0 1 9½	2,675	4,170	"	"	15 Oct., 1875	1 " 1876
" West	"	12,800	6,669	12 0 0	1 3 0½	1,849	4,282	"	"	13 Nov., "	1 " "
" South East	"	19,200	Nil	10 0 0		9,853	9,640	"	"	6 " 1874	1 " 1875
" West	"	28,800	Nil	15 0 0		15,294	17,000	"	"	6 "	1 " "
Ceelnooy Lagoon	A. Cruickshank	16,000	15,960	18 0 0	0 14 5½	40		"	"	17 Oct., 1876	1 " 1877
Centre, block No. 1	J. K. Mackay	39,040	39,040	42 0 0	0 13 9½			"	"	18 "	1 " "
" 2	"	14,080	14,080	17 0 0	0 15 5½			"	"	18 "	1 " "
" 3	The Australian Joint Stock Bank	25,600	25,600	40 0 0	1 0 0			"	"	18 "	1 " "
Coghill	Charles Capp	51,200	51,200	35 0 0	0 8 9			"	"	29 " 1875	1 " 1876
Coolah	B. Buchanan and H. Mort	15,000	15,000	22 0 0	0 18 9½			"	"	2 April, 1874	1 " 1874
Collyblue	G. Clive and H. G. Hamilton	41,600	15,713	40 0 0	1 12 7	14,047	11,840	"	"	16 Oct., 1875	1 " 1876
Colygrah	Ebenezer Vickery	44,800	44,800	25 0 0	0 7 1½			"	"	18 " 1876	1 " 1877
Come-by Chance	William Colless	16,000	15,640	35 0 0	1 8 7½	160	200	"	"	16 "	1 " "
Cooma	John Scott	28,800	28,063	20 0 0	0 9 1½	737		"	"	29 " 1875	1 " 1876
Coomore	T. G. Dangar	15,000	15,000	10 0 0	0 8 6			"	"	12 Feb., 1874	1 " 1874
Cowmore	Ebenezer Vickery	47,000	43,776	25 0 0	0 7 3½	3,224		"	"	15 Oct., 1875	1 " 1876
Cryon	Joseph Pearse	30,000	30,000	75 0 0	1 12 0			"	"	19 "	1 " "
" South No. 1	"	18,000	18,000	37 10 0	1 6 8			"	"	12 Feb., 1874	1 " 1874
" 2	J. K. Mackay	18,000	18,000	37 10 0	1 6 8			"	"	12 "	1 " "
Cubbaroo	T. G. G. Dangar	73,000	73,000	185 0 0	1 12 5½			"	"	29 Sept., 1875	1 " 1876
Culmier	Henry Bell	11,520	11,520	33 0 0	1 16 8			"	"	16 Oct., 1876	1 " 1877
Cumbil	T. G. G. Dangar	16,000	15,920	10 0 0	0 7 6½	80		"	"	17 Sept., 1875	1 " 1876
Cumoo Cumoo	R. Pringle	28,800	10,091	16 0 0	1 0 3½	18,709		"	"	16 Oct., "	1 " "
Cuerindi South	T. P. Wills-Allen	21,000	13,230	25 0 0	1 4 2½	2,890	4,880	"	"	15 Nov., "	1 " "
" Creek	J. M. Loder	40,000	10,000	16 0 0	1 0 5½	15,300	14,700	"	"	26 Sep., 1877	1 " 1878
Curububla	J. B. and W. B. Christian and W. M. Christian	64,000	46,752	40 0 0	0 10 11½	11,168	6,080	"	"	28 Oct., 1874	1 " 1875
Dandy	M. Shanahan and P. A. Jennings	25,600	25,520	20 0 0	0 10 0½	80		"	"	13 Nov., 1875	1 " 1876
Dead Bullock Creek	J. I. and C. G. Capp	15,000	15,000	36 0 0	1 10 8½			"	"	16 Sep., "	1 " "
" Warrambool	Thomas Cook	13,440	13,440	22 0 0	1 0 11½			"	"	21 Dec., 1876	1 " 1877
Dealwaraldi	Charles Button	16,640	16,640	50 0 0	1 18 5½			"	"	23 Nov., 1874	1 " 1875
Denaboli	A. Cruickshank	30,720	30,720	60 0 0	1 5 0			"	"	23 "	1 " "
Denobillie	M. Shanahan and P. A. Jennings	19,200	19,200	12 0 0	0 8 0			"	"	15 " 1876	1 " 1877
Dinniwarindi	Otto Baldwin	60,800	25,120	23 0 0	0 11 8½	35,680		"	"	15 " 1875	1 " 1876
Doughboy Hollow	A. Loder	46,000	25,172	26 0 0	0 13 3	8,608	12,220	"	"	26 Sep., 1877	1 " 1878
Doorobeeba	Ebenezer Vickery	16,000	16,000	25 0 0	1 0 0			"	"	19 Oct., 1875	1 " 1876
" East	"	55,000	55,000	15 0 0	0 3 4			"	"	17 Sep., "	1 " "
Drildool	Thomas Cook	29,000	28,900	85 0 0	1 17 7½	100		"	"	29 "	1 " "
Dripping Rock	Ebenezer Vickery	28,160	23,685	20 0 0	0 10 9½	4,475		"	"	18 Oct., 1876	1 " 1877
Doono Range	W., J., S., and G. Clift	14,080	996	10 0 0	6 8 6½	7,174	5,910	"	"	28 " 1874	1 " 1875
Dungowan	J. J. Cadell	35,000	14,235	28 0 0	1 5 2½		20,765	"	"	21 April "	1 " 1874
Dunwalderdi	George Loder	16,000	16,000	12 0 0	0 9 7½			"	"	29 Sept., 1876	1 " 1877

Dunwarian		16,000	16,000	18 0 0	0 14 43			29			1		
Duri	W. B., J. B., and W. M. Christian	49,920	6,637	14 0 0	1 7 0	22,813	20,470	28 Oct., 1874	1			1875	
East Cumble	J. B. Rundle	32,640	32,640	10 0 0	0 3 11 1/2			16			1		1877
Nowley	Ebenezer Vickery	16,000	16,000	20 10 0	0 16 4 1/2			18			1		
Eato East	J. B. Rundle	19,000	19,000	10 0 0	0 6 8 1/2			24 Sept., 1875	1			1876	
West		26,240	25,576	12 0 0	0 6 0 1/2	166	498	16 Oct., 1876	1			1877	
Erinbri	Catherine M'Kenzie	16,000	16,000	12 10 0	0 10 0			12 Feb., 1874	1			1874	
Euroka	The English, Scottish, and Australian Chartered Bank	47,500	46,979	132 0 0	1 15 11 1/2		521	19 Oct., 1875	1			1876	
Galathra	Ebenezer Vickery	128,000	120,190	220 0 0	1 3 5 1/2		7,810	29			1		
North		28,000	22,253	22 0 0	0 12 7 1/2	4,547	1,200	1 Dec., 1877	1				
Galathra West	W. H. Moseley	10,880	10,880	17 0 0	1 0 0			26 Sept., 1876	1			1877	
Gibbican	John Maguire	16,000	16,000	12 10 0	0 10 0			9 April, 1874	1			1874	
Gidgenbar	William Alison	13,000	13,000	35 0 0	1 14 5 1/2			12 Nov., 1877	1			1878	
Gidgingbilla		13,200	12,240	45 0 0	2 7 0 1/2	960		13			1		1876
Gidginbilla North	A. M'Donald and C. Smith	15,360	15,360	33 0 0	1 7 6			17 Oct., 1876	1			1877	
Girriwillie	M. Shanahan and P. A. Jennings	30,080	12,944	35 0 0	1 14 7 1/2	4,286	12,850	15			1		1876
Glen Quinn	James Moseley	19,200	18,380	15 0 0	0 10 5 1/2		820	29			1		
Goangra Retro	R. H. Blomfield	13,440	13,440	23 0 0	1 1 10 1/2			16			1		1877
East		13,500	13,500	23 0 0	1 1 9 1/2			3 Nov., 1877	1			1878	
West		13,440	13,440	23 0 0	1 1 10 1/2			16 Oct., 1876	1			1877	
Gorian	Daniel Capel	70,400	70,080	160 0 0	1 9 2 1/2	320		19			1		1876
South		21,120	21,120	33 0 0	1 0 0			26 Sept., 1876	1			1877	
Gorriagilla	M. Shanahan and P. A. Jennings	16,000	15,960	25 0 0	1 0 0 1/2	40		15 Oct., 1875	1			1876	
Guinguingulla	The Commercial Banking Company	13,440	13,440	40 0 0	1 18 1 1/2			16			1		1877
Gunandilly	J. B., W. M., M. S. Christian and G. Thornton	6,400	Nil	14 0 0		4,000	2,440	28			1		1875
Gundemaine	Ebenezer Vickery	74,880	29,638	56 0 0	1 4 2 1/2	19,826	25,416	3 Nov., 1877	1			1876	
North		60,800	60,480	110 0 0	1 3 3 1/2		320	29 Oct., 1875	1				
Guninga	The English, Scottish, and Australian Chartered Bank	8,000	8,000	13 0 0	1 0 9 1/2			17			1		1877
Gunnedah East	The Commercial Bank	9,000	Nil	10 0 0		5,963	10,940	6 Nov., 1874	1			1875	
West		15,360	9,974	14 0 0	0 17 11 1/2	2,426	2,960	15 Oct., 1875	1			1876	
Gunner Water-hole	F. Y. Wolseley	32,000	32,000	15 0 0	0 6 0			12 Feb., 1874	1			1874	
Henryandie	J. K. Clark	14,720	11,920	36 0 0	1 18 8	1,840	960	16 Oct., 1875	1			1876	
Iron Bark Creek	W. L. Spencer	76,800	76,300	45 0 0	0 7 6 1/2		500	23 Nov.,	1				
Jacob and Joseph	J. B., W. B., and W. M. Christian	35,200	31,710	65 0 0	1 6 2 1/2	1,900	1,590	28 Oct., 1874	1			1875	
Jereel, No. 5	T. J. Sumner, and J. Benn	16,000	16,000	26 0 0	1 0 9 1/2			16			1		1877
Jim-along Josey	A. and W. Colless	13,000	13,000	15 0 0	0 14 9 1/2			16 Sept., 1875	1			1876	
Joney Good Morning Yard	Henry Bell	13,000	13,000	20 0 0	0 19 8 1/2			10 Oct., 1874	1			1875	
Keepit	The Commercial Banking Company	62,000	23,949	62 0 0	1 13 1 1/2	19,956	18,095	3			1		1876
Kert	The English, Scottish, and Australian Chartered Bank	30,000	30,000	50 0 0	1 1 4			19			1		
Kiamber	D. Cohen, L. W. Levy, G. J. and M. Cohen	25,600	25,160	26 0 0	0 13 2 1/2	440		20			1		
Kickerbell	R. Weaver and Elizabeth Blaxland	34,000	6,517	12 0 0	1 3 6 1/2	21,723	5,760	16			1		
Kidgar	The Commercial Banking Company	16,500	16,500	48 0 0	1 17 2 1/2			19			1		
Leybourne	W. Alderton	4,000	1,280	10 0 0	5 0 0	760	1,960	26 Sept., 1876	1			1877	
Long Point East	Ebenezer Vickery	25,000	25,000	52 0 0	1 6 7 1/2			13 Feb., 1874	1			1874	
West	J. B., W. B., and W. M. Christian	17,920	15,120	12 0 0	0 10 2	1,840	960	16 Oct., 1875	1			1876	
East		38,400	38,400	50 0 0	0 16 8			16			1		
Lower Arrowramie	L. W. Levy, and G. J. Cohen	22,400	22,400	20 0 0	0 11 5 1/2			29 Sept., 1876	1			1877	
Malaraway	John Eckford	44,800	42,815	85 0 0	1 5 4 1/2		1,985	10 Nov., 1875	1			1876	
Manilla Minor	J. K. Mackay	16,000	16,000	25 0 0	1 0 0			18 Oct., 1876	1			1877	
North		14,000	14,000	46 0 0	2 2 0 1/2			16 Sept., 1875	1			1876	
South		15,000	15,000	48 0 0	2 0 11 1/2			19 Oct.,	1				
Melville Plains	J. K. Clark	162,560	150,494	138 0 0	0 11 8 1/2	12,066		16			1		
Memdebrie North	The Commercial Banking Company	12,800	Nil	10 0 0		6,923	6,720	26 Sept., 1876	1			1877	
South	John Brown	19,000	8,938	14 0 0	1 0 0 1/2	7,706	2,356	12 Oct., 1877	1			1878	
Merah	George Loder	33,000	33,000	120 0 0	2 6 6 1/2			21 Sept., 1875	1			1876	
Merrigala	J., F., and H. C. White	89,600	44,130	20 0 0	0 5 9 1/2		45,470	29 Oct.,	1				
Merrimbombone	Thomas Cook	38,000	37,680	100 0 0	1 13 11 1/2	320		21 Sept.,	1				
Merrimborough	George Loder	32,000	32,000	25 0 0	0 10 0			16 Nov.,	1				
Milchomi	J. B. Rundle	22,000	21,896	37 0 0	1 1 7 1/2	104		7 Oct.,	1				
Back, No. 1		21,120	21,120	20 0 0	0 12 1 1/2			17			1		1877
3	A. Cruickshank	12,160	12,160	10 0 0	0 10 6 1/2			17			1		

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile, now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisalment.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
LIVERPOOL PLAINS DISTRICT—continued.											
Milkengowrie	The Bank of New South Wales	15,000	4,773	£ s. d.	£ s. d.						
Mille or Coolga	J. I. and C. G. M. Capp	40,000	40,000	15 0 0	2 0 2½	7,827	2,400	Not ascer-	Not ascer-	15 Oct., 1875	1 Jan., 1876
" North	John Eckford	48,000	47,040	120 0 0	1 18 4½			tainable	tainable	16 Sept., "	1 " "
" "	W. J., H. C., F. H., and A. A. Dangar	80,000	72,000	110 0 0	1 9 11½	960		"	"	19 Oct., "	1 " "
Miller's Creek	George Forrester	11,520	11,520	180 0 0	1 12 0	2,000	6,000	"	"	19 " "	1 " "
Mollieroi	Charles Capp	38,400	38,400	10 0 0	0 11 1½			"	"	28 Oct., 1874	1 " 1875
Molly	A. B. Lomax and E. W. Severne	51,200	46,830	13 0 0	0 4 4			"	"	16 " 1876	1 " 1877
Mooki East	The City Bank	24,320	1,620	46 0 0	0 12 7		4,370	"	"	29 " 1875	1 " 1876
" West	R. Fitzgerald, W. Bowman, T. Arndell, W. Walker, and R. Ridge.	12,800	2,695	10 0 0	4 0 0	21,700	1,000	"	"	16 " "	1 " "
" River	W., J., S., and G. Clift	64,000	37,120	10 0 0	2 7 6	10,105		"	"	15 " "	1 " "
" Springs	The City Bank	16,000	1,140	80 0 0	1 7 7½	26,880		"	"	16 " "	1 " "
Moonbi	John Gill	87,000	18,280	10 0 0	5 12 3½	13,900	960	"	"	16 " "	1 " "
Moore Creek		19,200	16,399	20 0 0	0 14 0		68,720	"	"	18 Nov., "	1 " "
More Devil	R. J. Traill	12,800	Nil.	35 0 0	1 7 3½		2,801	"	"	18 " "	1 " "
Mundowey	T. Polk Wills-Allen	128,000	114,000	10 0 0		8,610	7,100	"	"	16 Oct., 1876	1 " "
Murkadool	J. K. Mackay	54,000	53,840	50 0 0	0 5 7		14,000	"	"	15 Nov., 1875	1 " "
Myall Downs	Benjamin Richards	12,800	12,800	155 0 0	1 16 10½	160		"	"	19 Oct., "	1 " "
" Lowry	A. Cruickshank	50,000	50,000	26 0 0	1 6 0			"	"	23 Nov., 1874	1 " 1875
Namoi Hut	J. K. Clark	71,680	62,214	125 0 0	1 12 0			"	"	17 Sept., 1875	1 " 1876
Narrabry	A. J., A. J. F. Doyle, and T. & A. Cadell.	76,800	33,224	76 0 0	0 15 7½	9,466		"	"	16 Oct., "	1 " "
Neminga	S. W. Cook	14,080	2,306	19 0 0	0 7 3½	16,094	27,482	"	"	3 Nov., 1877	1 " "
New Bulorora	Andrew Tobin	26,000	26,000	10 0 0	2 15 6	10,814	960	"	"	26 Sept., "	1 " 1878
Nomeby	M. Shanahan and P. A. Jennings	87,000	18,280	18 0 0	0 8 10½			"	"	10 Oct., 1874	1 " 1875
Norfolk	H. C. and E. Eather	44,800	44,800	50 0 0	1 15 0½		68,720	"	"	13 Nov., 1875	1 " 1876
North Oreel	Thomas Cook	44,000	43,850	20 0 0	0 5 8½			"	"	29 Sept., 1876	1 " 1877
North Tareela	T. J. Sumner and J. Benn	16,000	16,000	115 0 0	1 13 6½	150		"	"	21 " 1875	1 " 1876
Pagan Plains	Eliza Jane Glass	32,000	31,680	26 0 0	1 0 9½			"	"	16 Oct., 1876	1 " 1877
" Minor		29,440	29,440	110 0 0	2 4 5½	320		"	"	17 Sept., 1875	1 " 1876
Piallamore	John Gill	6,000	573	52 0 0	1 2 7½			"	"	18 Oct., 1876	1 " 1877
Piallaway East	J. B., W. M., M. S. Christian, & G. Thornton	31,360	17,149	10 0 0	11 3 4½	1,687	3,740	"	"	26 Sept., 1877	1 " 1878
" West		20,480	13,260	36 0 0	1 6 10½	4,636	9,575	"	"	28 Oct., 1874	1 " 1875
Pialy	Reuben Hall	16,000	16,000	35 0 0	1 13 9½	1,970	5,250	"	"	28 " "	1 " "
Piliga	J. B. Rundle	48,000	47,834	31 0 0	1 4 9½			"	"	19 " 1875	1 " 1876
Pokataroo	Thomas Cook	16,100	16,100	67 0 0	0 17 11½	166		"	"	7 " "	1 " "
Portadown	L. W. Levy and G. J. Cohen	11,520	11,520	15 0 0	0 16 8			"	"	21 Sept., "	1 " "
Premier	Bank of New South Wales	16,640	Nil.	10 0 0		3,784	13,600	"	"	16 Oct., "	1 " "
Pretty Plains, block A	Charles Colwell	45,000	45,000	10 0 0	0 2 10½			"	"	15 " "	1 " "
" B	E. Keep, F. Day, and W. M. Ronald	62,000	62,000	20 0 0	0 4 1½			"	"	19 " "	1 " "
Pullaming	John Brown	89,600	61,558	20 0 0	0 14 6½	6,946	21,096	"	"	25 Sept., "	1 " "
Quiangarra	R. H. Blomfield	70,000	70,000	70 0 0	0 14 6½			"	"	15 Oct., "	1 " "
Ranger's Valley	S. and G. Swain	12,800	12,600	200 0 0	1 16 6½			"	"	15 " "	1 " "
Saddle Bags	John Crowley	7,040	7,040	30 0 0	1 10 5½	200		"	"	23 Nov., 1874	1 " 1875
" Back Block	Eliza Jane Glass	11,520	11,520	15 0 0	1 7 3			"	"	23 " "	1 " "
Sandy Creek	George Loder	25,600	25,520	18 0 0	1 0 0			"	"	18 Oct., 1876	1 " 1877
South Oreel	Thomas Cook	38,000	38,000	25 0 0	0 12 6½	80		"	"	16 Nov., 1875	1 " 1876
Summer Hill	G. A. Single	23,040	546	100 0 0	1 13 8½			"	"	21 Sept., "	1 " "
Sussex	The English, Scottish, and Australian Chartered Bank.	18,500	18,500	10 0 0	11 14 5½	9,470	13,024	"	"	28 Oct., 1874	1 " 1875
Swamp Oak Creek	John Gill	108,800	107,217	35 0 0	1 4 2½			"	"	19 " 1875	1 " 1876
Talluba	J. B. Rundle	68,000	59,672	127 0 0	0 15 2	1,183	400	"	"	18 Nov., "	1 " "
Tareela	A. Hinchcliff	43,520	8,675	20 0 0	0 4 3½	8,328		"	"	24 Sept., "	1 " "
" Plains	T. J. Sumner and J. Benn	12,800	12,800	12 0 0	0 17 8½		34,845	"	"	15 Nov., "	1 " "
Tarriaro	Hon. A. Campbell, and Hon. J. Hay	48,000	42,177	20 0 0	1 0 0			"	"	16 Oct., 1876	1 " 1877
Thalaba	J. K. Mackay	11,520	11,520	17 0 0	0 5 2		5,823	"	"	29 " 1875	1 " 1876
				18 0 0	1 0 0			"	"	18 " 1876	1 " 1877

North	G. W. Allen	16,640	16,640	26 0 0	1 8 8 $\frac{1}{2}$			18	1	1876
Tharabone	Thomas Walker	29,000	29,000	65 0 0	1 8 8 $\frac{1}{2}$			17 Sept., 1875	1	1876
The Manilla and Glen Riddle	George Cross	96,000	50,908	70 0 0	0 17 7 $\frac{1}{2}$	45,092		15 Nov., "	1	"
Theribry	L. W. Levy and G. J. Cohen	32,000	22,658	30 0 0	0 16 11 $\frac{1}{2}$	4,622	4,720	15 Oct., "	1	"
Thinawindy or Dandry North	Benjamin Richards	11,520	11,520	16 0 0	0 17 9 $\frac{1}{2}$			7 Dec., 1874	1	Jan., 1875
Tholo, No. 3	William Colwell	16,640	16,640	26 0 0	1 0 0			17 Oct., 1876	1	1877
Thurumbone Back	F. Y. Wolsley	12,500	12,500	10 0 0	0 10 2 $\frac{1}{2}$			28 " 1873	1	1874
Thurradulba	Hon. A. Campbell and Hon. J. Hay	64,000	64,000	35 0 0	0 7 0			29 " 1875	1	1876
Tiberenah	The English, Scottish, and Australian Chartered Bank	51,200	33,907	15 0 0	0 5 7 $\frac{1}{2}$	17,293		29 " "	1	"
Tolcra	W. H. Moseley	14,720	14,720	28 0 0	1 4 4 $\frac{1}{2}$			17 " 1876	1	1877
Toloduna	John Crowley	52,000	51,050	75 0 0	0 18 9 $\frac{1}{2}$	950		22 Sept., 1875	1	1876
Tory-wee-wha	The Commercial Banking Company	16,000	16,000	60 0 0	2 8 0			16 " "	1	"
" Back Run	T. and W. Vivers	14,080	14,080	27 0 0	1 4 6 $\frac{1}{2}$			16 Oct., 1876	1	1877
Treilmon	John Gill	16,000	16,000	45 0 0	1 16 0			16 " "	1	"
Trinke	J. Winter	69,120	30,634	19 0 0	0 7 11 $\frac{1}{2}$	32,786	5,700	16 Nov., 1877	1	1876
Tuckeraman	James Moseley	3,840	Nil	10 0 0			3,840	18 " 1875	1	"
Tulcumbah	The Commercial Banking Company	96,000	10,400	36 0 0	2 4 3 $\frac{1}{2}$		85,600	16 Oct., "	1	"
Turrawan	Robert Penny	16,000	14,215	18 0 0	0 16 2 $\frac{1}{2}$	1,545	240	16 " "	1	"
Ullambie	J. B. Rundle	46,000	45,954	16 0 0	0 4 5 $\frac{1}{2}$	46		19 " "	1	"
Upper Bugaldi	George Loder	6,000	5,900	12 0 0	1 6 0 $\frac{1}{2}$	100		3 Nov., 1877	1	1878
" Cumble	Thomas G. Dangar	14,720	14,720	10 0 0	0 8 8 $\frac{1}{2}$			16 Oct., 1876	1	1877
" Dunwarian	Eliza Jane Glass	32,000	32,000	18 0 0	0 7 2 $\frac{1}{2}$			29 Sept., "	1	"
Vale of Sighs	J. B., W. B., and W. M. Christian	16,000	16,000	10 0 0	0 8 0			15 Oct., 1875	1	1876
Vivianfield	L. W. Levy and G. J. Cohen	22,100	22,100	10 0 0	0 5 9 $\frac{1}{2}$			12 Nov., 1877	1	1878
Walgett	Hon. A. Campbell and Hon. J. Hay	37,120	23,360	75 0 0	2 1 1 $\frac{1}{2}$	3,200	10,560	18 Oct., 1876	1	1876
Walhollow East	W., J., S., and G. Clift	18,900	4,158	18 0 0	2 15 4 $\frac{1}{2}$		14,742	21 April, 1874	1	1874
West	W., J., S., and G. Clift	6,400	3,180	12 0 0	2 8 3 $\frac{1}{2}$	1,300	1,920	26 Sept., 1876	1	1877
Wallabadah	J. B. Rundle	67,000	20,443	30 0 0	0 18 9 $\frac{1}{2}$	20,364	26,193	26 " 1877	1	1878
Wallah	Catherine M'Kenzie	44,800	31,352	10 0 0	0 4 1		13,448	29 Oct., 1875	1	1876
Wallala Back	J. B. Rundle	11,520	1,951	10 0 0	3 5 7 $\frac{1}{2}$		9,569	16 " "	1	"
Wambadale	J. B. Rundle	38,400	38,400	18 0 0	0 6 0			17 " 1876	1	1877
Wangen	J. B. Rundle	32,000	31,520	22 0 0	0 8 11 $\frac{1}{2}$		480	29 " 1875	1	1876
" Back	J. B. Rundle	50,000	50,000	10 0 0	0 2 6 $\frac{1}{2}$			19 " "	1	"
" North	C. S. Capp and G. Loder	14,720	14,720	12 0 0	0 10 5 $\frac{1}{2}$			17 " 1876	1	1877
Weetaleba	James Fletcher	10,000	10,000	25 0 0	1 12 0			12 Feb., 1874	1	1874
Wee Waa, South side of Namoi	George Loder	76,000	72,210	85 0 0	0 15 0 $\frac{1}{2}$		3,790	16 Sept., 1875	1	1876
Weeta Waa	W., J., S., and G. Clift	67,500	76,500	145 0 0	1 7 6			21 " "	1	"
Back	T. G. Dangar	4,000	4,000	10 0 0	1 12 0			29 " 1876	1	1877
Weia Weia Creek	Ebenezer Vickery	37,120	9,051	20 0 0	1 8 3 $\frac{1}{2}$	20,678	7,391	28 Oct., 1874	1	1875
Wera	J. Cooper	27,500	27,340	10 0 0	0 4 8 $\frac{1}{2}$	160		16 Sept., 1875	1	1876
West Nowley	Joshua Dowe	14,080	14,080	22 10 0	1 0 5 $\frac{1}{2}$			18 Oct., 1876	1	1877
Whittenbra	J. C. Bonarius	16,000	15,960	18 0 0	0 14 5 $\frac{1}{2}$	40		12 Feb., 1874	1	1874
Whittenbra North	John Gill	32,000	32,000	25 0 0	0 10 0			30 Oct., 1876	1	1877
Wollomol	F. H. Williams and T. M. Hole	12,800	Nil	10 0 0		9,753	5,320	26 Sept., "	1	"
Wombromurra	The New Zealand Loan and Mercantile Agency Company (Limited.)	30,000	19,528	31 10 0	1 0 7 $\frac{1}{2}$	1,152	9,320	21 April, 1874	1	1874
Wondobar	M. Shanahan and P. A. Jennings	16,000	4,529	17 0 0	2 8 0 $\frac{1}{2}$		11,471	18 Nov., 1875	1	1876
Wooloomon	George Forrester	15,000	5,549	12 0 0	1 7 8 $\frac{1}{2}$	9,451		22 April, 1874	1	1874
Woolabra	B. Richards							29 Oct., 1875	1	1876
Yaminginba	William Alison							13 Nov., "	1	"
Yaraman	Andrew Tobin							16 Oct., "	1	"
Yarraldool	Ebenezer Vickery							19 " "	1	"
Yarraman	Andrew Brown							12 Nov., 1877	1	1878
" North	Thomas Walker							27 Oct., 1873	1	1874
Yarranbar	Duncan M'Rae							10 " 1876	1	1877
Yearunan	R. G. M'Manus and J. Cotwell							15 " 1875	1	1876
Curianawa	T. Polk Wills-Allen							9 Dec., "	1	"
Turidgerie North	J. K. Mackay							Not appraised	1	Ap., 1874
Bimble	Totals							15 Nov., 1875	1	Jan., 1876
Cuerindi North								19 Oct., "	1	"
Cryon West										
		8,934,380	6,947,432	10,834, 10 0	0 19 11 $\frac{1}{2}$	814,129	1,191,419			

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisalment.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
MACLEAY DISTRICT.											
				£ s. d.	£ s. d.						
Belimbopine and Yarrabandini	Sydney Verge	23,040	13,408	18 0 0	0 17 2½	6,331	3,301	Not ascertainable	Not ascertainable	30 Mar., 1876	1 Jan., 1876
Belimbayung	Charles Sutherland	16,000	16,000	10 0 0	0 8 0					30 " " 1877	1 " " 1878
Booningii	W. H., R. A. H., and F. R. Kemp	14,080	14,080	12 0 0	0 10 11					27 Dec., 1877	1 " " 1875
Calatine	Edward Secombe	12,000	12,000	10 0 0	0 10 8					Not appraised.	1 " " 1875
Congarina	Carl Bashe	11,520	11,520	10 0 0	0 11 1½						1 " " 1876
Corrunga	George and John Kesby	6,400	2,974	10 0 0	2 3 0½	2,466	960			30 Mar., 1876	1 " " "
Cullatin	T. and M. Clark	11,520	9,243	10 0 0	0 13 10½	2,077	200			30 " " 1877	1 " " "
Dungee	Salway, Wauch, and Wauch	9,600	9,250	10 0 0	0 13 10	350				26 Sept., 1875	1 " " 1874
Elsineur	J. J. and W. M'Maugh	10,000	9,770	10 0 0	0 13 1½	230				30 Mar., 1876	1 " " 1876
Five Day Creek	F. and H. C. White	32,000	30,826	18 0 0	0 7 5½	1,174				27 Dec., 1877	1 " " 1878
Innes Creek	W. D. Scott	25,600	23,000	22 0 0	0 12 3	2,600				8 Oct., 1873	1 " " 1874
Klybucca	S. Verge and H. and C. Christian	19,200	15,280	15 0 0	0 12 6½	3,600	320			14 Dec., 1876	1 " " 1877
Nullah Nullah Creek	Henry Sauer	11,520	11,480	10 0 0	0 11 1½	40				26 Sept., 1873	1 " " 1874
Pee Dee Creek	C. O'Sullivan	12,800	12,540	15 0 0	0 15 4½	260				27 Dec., 1877	1 " " 1878
Stockyard Creek	F. and H. C. White	16,000	15,840	18 0 0	0 14 6½	160				27 " " 1877	1 " " "
Tait's Station	W. D. Scott	14,080	13,140	18 0 0	0 17 6½	940				8 Oct., 1873	1 " " 1874
Tanban	Sydney Verge	16,000	16,000	10 0 0	0 8 0					26 Sept., " "	1 " " "
Toorookoo	W. W. Panton	11,520	9,133	15 0 0	1 1 0½	2,147	240			27 Dec., 1877	1 " " 1878
Toorumbec	W. H., R. A. H., and F. R. Kemp	32,000	31,960	16 0 0	0 6 5	40				27 " " "	1 " " "
Towal Creek	F. and H. C. White	41,600	40,810	24 0 0	0 7 6½	790				27 " " "	1 " " "
Wabbara	The Bank of New South Wales	30,080	21,290	45 0 0	1 7 0	4,170	4,620			19 Jan., 1878	1 " " "
Yarrowell	C. Sutherland and G. Kesby	12,800	5,190	10 0 0	1 4 7½	6,940	670			14 Dec., 1876	1 " " 1877
Yasabba	H. Salway	7,680	6,917	10 0 0	0 18 6	763				26 Sept., 1873	1 " " 1874
Bellbrook	The Commercial Banking Company	12,000	12,000	10 0 0	0 10 8					30 Mar., 1876	1 " " 1876
Total		409,040	363,651	356 0 0	0 12 6½	35,078	10,311				
MONARO DISTRICT.											
Adamindumee	John Cosgrove	11,000	3,176	10 0 0	2 0 3½	7,824				3 Sep., 1878	1 Jan., 1879
Anembo	Maurice Harnett	38,000	35,250	45 0 0	0 16 4	830	1,920			3 " " "	1 " " "
Arable	Jeanette M. Hamilton	22,677	1,541	10 0 0	4 3 0½	19,156	1,980	60		3 " " "	1 " " "
Archer's Flat	P. M'Coy and Ann Newsome	8,000	2,474	10 0 0	2 11 8½	3,566	1,960	140		29 Aug., " "	1 " " "
Aston	Sir James Matheson	13,000	2,117	10 0 0	3 0 5½	9,223	960	35		29 " " "	1 " " "
Bald Hills	Ronald Campbell	7,500	1,640	10 0 0	3 18 0½	2,700	3,160	3		29 " " "	1 " " "
" Station	Moses Joseph	16,000	8,863	16 0 0	1 3 1½	3,048	4,089			29 " " "	1 " " "
" or The Gullies	G., E., and W. Williams	20,000	19,880	40 0 0	1 5 9	120				13 Oct., 1876	1 " " 1877
Baylis' Station	Joseph Peters	6,400	2,454	10 0 0	2 12 2	1,162	2,784	22		29 Aug., 1878	1 " " 1879
Bellowra	C. J. Byrne	11,800	8,320	20 0 0	1 10 9½	3,480				26 " " "	1 " " "
Bendeddra	Joseph George	24,000	23,880	30 0 0	0 16 1	120				13 Oct., 1876	1 " " 1877
Bibbenluke	W. Bradley	13,500	2,190	10 0 0	2 18 5½	11,310		30		29 Aug., 1878	1 " " 1879
" or Big Jack	Sir W. M. Manning and Charles Tarlton Stiles	25,600	12,759	20 0 0	1 0 0½	7,596	5,245	400		29 " " "	1 " " "
Biddi	Charles Woodhouse	30,000	29,360	40 0 0	0 17 5½		640			25 Oct., 1875	1 " " 1876
Big Badger River	A. J. Haylock	28,000	28,000	44 0 0	1 0 1½					26 Aug., 1874	1 " " 1875
Ganowra		13,000	13,000	25 0 0	1 4 7½				12	3 Sept., 1878	1 " " 1879
Biggam	W. Jardine	12,000	7,652	18 0 0	1 10 1½	1,822	2,526			3 " " "	1 " " "
"	Mary Harnett	16,000	15,440	35 0 0	1 9 0½	560				25 Oct., 1875	1 " " 1876
Billylingera	J. Cosgrove	20,000	1,264	10 0 0	5 1 3½	13,531	5,205	60		3 Sep., " "	1 " " 1879
Bimben	J. McDonald, J. and W. Webb	35,000	35,000	25 0 0	0 9 1½					25 Oct., " "	1 " " 1876
Boboyan	A. Crawford and W. Brayshaw	21,000	20,840	32 0 0	0 19 7½	160				24 Aug., 1874	1 " " 1875
Bobundra	Timothy O'Mara	4,800	Nil	15 0 0		3,207	1,593	20		3 Sep., 1878	1 " " 1874
"	The Commercial Banking Company	12,000	2,443	10 0 0	2 12 4½	8,656	901	20		3 " " "	1 " " 1879
Boco Creek	Maria Silk	5,500	1,380	10 0 0	4 12 9	4,120		60		31 Aug., " "	1 " " "
" Rock	late William Bradley	10,000	600	10 0 0	10 13 4	9,400		20		29 " " "	1 " " "
Boggy Creek	John Nicholson, jun	12,000	6,063	13 0 0	1 7 5½	2,817	3,120	90		29 " " "	1 " " "

Plain	4,480	Thomas Mahoney	4,394	10 0 0	1 9 1	86				3 Sep.,	1	1877
Bolero		Thomas Chippendale	28,800	7,600	10 0 0	0 16 10	14,000	7,200	280	3	1	1877
Bollera	14,250	The Commercial Banking Company	7,000	2,080	30 0 0	9 4 7	3,900	1,020	40	26 Aug., 1874	1	1875
Boloco Creek		Charles Collman	13,000	7,426	20 0 0	1 14 5	2,934	2,640	30	3 Sep., 1878	1	1879
Boloka Creek	6,000		434	10 0 0	14 15 0	2,883	2,683			4	1	1879
Bombalo	20,000	Ronald Campbell	2,818	10 0 9	2 5 5	16,034	1,148	12	5	3	1	1879
Bondi	40,000	The Commercial Banking Company	33,732	53 0 0	1 0 1	1,567	4,710	3		29 Aug.,	1	1879
Boorooroombi	21,000	C. M'Kechie	19,583	25 0 0	0 16 4	660	757			29	1	1875
Bramina	25,000	Thomas Franklin	24,950	20 0 0	0 10 3	50				24	1	1874
Bredbow North	27,000	Patrick Clifford	7,168	10 0 0	0 17 10	14,074	5,758	120		3 Sept., 1878	1	1879
South	10,000	L. J. Harnett and P. J. Clifford	5,847	12 0 0	1 6 3	2,164	1,989			3	1	1879
Brindebilla	36,000	G., T., & J. Franklin	33,920	25 0 0	0 9 5	700	1,380			3	1	1879
Buckenderry	10,000	J. Delaney	7,778	18 0 0	1 9 7	942	1,280			25 Oct., 1875	1	1876
Buckalong	14,080	J. Boucher	2,748	10 0 0	2 6 7	11,332		74		29 Aug., 1878	1	1879
Bulgar Creek	10,000	A. McDonald and C. Smith, executors of late W. Bradley.	9,640	16 0 0	1 1 3	360				3 Sept.,	1	1879
Bullanamang	120,000	J. Cosgrove	97,609	80 0 0	0 10 6	11,504	10,887			— Dec., 1875	1	1875
Bullumbullong	20,000	G. and F. W. King	14,153	27 0 0	1 4 5	4,387	1,460			25 Oct., 1876	1	1877
Bumbalong	10,000	A. A. M'Kechie	10,000	15 0 0	0 19 2					26 Aug., 1874	1	1875
Bumyumbula	7,515	The Commercial Banking Company	4,085	11 0 0	1 14 5	3,430		200		29	1	1879
Bungarby	12,000	J. Peters	1,836	10 0 0	3 9 8	9,384	780	20		29	1	1879
Burangandra	6,000	R. Campbell and D. McDonald	5,800	15 0 0	1 13 1	200				26	1	1875
Burnima	13,000	Ann Campbell	1,610	10 0 0	3 19 6	11,390		30		29	1	1879
Burrow	14,000	F. A. and C. N. Badgery	14,000	21 0 0	0 19 2					25 Oct., 1875	1	1876
Cambalong	10,000	R. Campbell	2,065	10 0 0	3 2 0	7,135	800		8	29 Aug., 1878	1	1879
Carrott	16,000	S. O'Sullivan	11,306	21 0 0	1 3 9	3,464	1,230			3 Sept.,	1	1879
Clerawa	8,960	James Allen	8,520	19 0 0	1 8 6	440		20		2) Aug.,	1	1879
Cobbon	9,500	J. Thompson	4,983	10 0 0	1 5 8	2,486	2,031	50		3 Sept.,	1	1875
Congwarrah	20,000	A. Cunningham	19,640	30 0 0	0 19 6	360				24 Aug., 1874	1	1875
Coolamatong	40,000	Robt. Hepburn	6,834	14 0 0	1 6 2	14,536	18,630			13 Oct., 1876	1	1877
Coolooman	26,000	L. F. De Salis	24,740	25 0 0	0 12 1	1,260				3 Sept., 1878	1	1879
Coolringdong	26,000	A. and D. Ryrie	2,020	10 0 0	3 3 4	23,340	640	25		3	1	1879
Cooma Creek	20,000	G. King	2,796	10 0 0	2 5 9	17,204		100		3	1	1879
North	20,000	A. and D. Ryrie	Nil	10 0 0		20,000				3	1	1874
South	15,000		Nil	10 0 0		15,000				3	1	1879
Cootalandra	7,680		720	10 0 0	8 17 9	6,000	960	12		3	1	1879
Corrowang	53,760	James O'Hare	14,972	33 0 0	1 8 2	21,808	16,980	134		29 Aug.,	1	1879
Cottage Creek	18,000	J. Pendergast	3,545	10 0 0	1 16 1	11,935	2,520			3 Sept.,	1	1879
Countegany	18,000	Samuel Lucas	16,460	38 0 0	1 9 6	580	960	4		3	1	1879
	10,000	Jeremiah Flynn	8,860	21 0 0	1 10 4	1,140		8		3	1	1879
Coura	32,000	M. Harnett	23,003	35 0 0	0 16 0	1,917	2,080	6		3	1	1879
Craigie	2,560	C. H. and J. J. Lawson	2,008	10 0 0	3 3 9	552		426		29 Aug.,	1	1879
Cubmurra	10,000	W. Russell	9,413	20 0 0	1 7 2	347	240	20		3 Sept.,	1	1879
Cuddygat Creek	10,000	Matthew Shanley	2,000	10 0 0	3 4 0	7,060	940	20		3	1	1879
Cudgee	50,000	C. J. Byrne	42,568	30 0 0	0 9 0	7,354	78	300		26 Aug.,	1	1875
Cuppacumbalong	25,000	L. F. De Salis	16,200	35 0 0	1 7 7	2,400	6,400			24	1	1875
Curraugorambla	24,500	F. R. Hume, jun.	24,500	35 0 0	0 18 3					26	1	1875
West	15,500	R. H. Kennedy and F. W. Hume	15,500	25 0 0	1 0 7					26	1	1875
Curry Flat	14,000	W. Jardine	1,973	10 0 0	3 4 10	6,213	5,814	25		31	1	1879
Dangelong	18,000	G. King	3,004	10 0 0	2 2 7	12,612	2,384	50		3 Sept.,	1	1879
Delegate	5,000	H. Hayden	2,433	10 0 0	2 12 7	1,327	1,240	20		29 Aug.,	1	1879
	30,000	Sophia J. Campbell	1,960	10 0 0	3 5 3	16,060	11,980	100		29	1	1879
Demandering	16,000	Garratt Cotter	15,860	18 0 0	0 14 6	140				24	1	1875
Dooloondoondo	12,000	Alex. Montague	10,901	25 0 0	1 9 4	459	640			3 Sept., 1878	1	1879
Dry Plains	20,000	W. Grahame	2,619	24 0 0	5 17 3	14,881	2,500	60		23 Aug., 1877	1	1874
Dry River	12,000	W. Tarlington	904	10 0 0	7 1 7	10,560	536	7		26	1	1879
Excelsior	28,000	D. Ramsay	28,000	10 0 0	0 4 6					Not appraised.	1	1877
Freshford	6,500	A. Cunningham	3,020	10 0 0	2 2 4	1,230	2,250			24 Aug., 1874	1	1875
Frying-pan Creek	15,000	W. Grahame	10,194	24 0 0	1 10 1	1,500	3,306			14 May, 1877	1	1876
	5,500	G. G. Mould	2,180	12 10 0	1 9 1	1,820	1,500			26 Aug., 1874	1	1875
Geekle	7,000	The Commercial Banking Company	6,092	15 0 0	1 11 6	908		7		3 Sept., 1878	1	1879
Gejizrick	25,000		2,238	10 0 0	2 17 2	16,545	6,217		10	13 Oct., 1876	1	1877
Gillimatong	15,000	A. and D. Ryrie	900	10 0 0	7 2 2	14,100				3 Sept., 1878	1	1879

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisal.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
MONARO DISTRICT—continued.											
Gingary	Simon Codie	10,000	8,620	£ s. d.	£ s. d.					3 Sept., 1878	1 Jan., 1879
Glenbog	The Commercial Banking Company	32,000	28,940	20 0 0	1 9 8½	1,200	180	18		31 Aug., "	1 " "
Gennong	W. Bradley	12,000	1,120	10 0 0	5 14 3½	1,780	1,280	40		29 " "	1 " "
Glenroy	Jeremiah Ryan	11,000	5,520	15 0 0	1 14 9½	10,400	480	20		29 " "	1 " "
Gabramatta	Henry West	16,000	15,679	20 0 0	0 16 4	321				13 Oct., 1876	1 " 1877
Good Good	R. T. Thurbons	15,000	14,630	23 0 0	1 0 1½	370				28 Aug., 1877	1 " 1878
Greenland	R. Holmes	10,000	9,960	28 0 0	1 16 11½	40		40		31 " 1878	1 " 1879
"	J. Walker and — Alcock	16,000	15,800	35 0 0	1 8 4½	200			15	31 " "	1 " "
Grosses Plains	C. Woodhouse	10,500	9,460	23 0 0	1 11 1½	1,040		20		3 Sept., "	1 " "
Gudgenby	C. S. Greenfield	39,000	39,000	45 0 0	0 14 9½					24 Aug., 1874	1 " 1875
Gunninggrach	W. Grahame	40,000	12,406	19 0 0	0 19 7½	22,785	4,809			29 " 1878	1 " 1879
Head of Curry Flat	The Commercial Banking Company	6,080	1,015	10 0 0	6 6 1½	4,105	960	35		31 " "	1 " "
Hugandree	T. L. and C. G. Robinson	11,000	3,000	10 0 0	2 2 8	6,000	2,000			13 Oct., 1876	1 " 1877
Inchbyra	Ellen Woodhouse	20,000	19,840	46 0 0	1 9 8½	160		30		3 Sept., 1878	1 " 1879
Ingregoodby	E. and J. Shiels	30,000	29,960	17 0 0	0 7 3½	40				13 Oct., 1876	1 " 1877
Iron Mungy Minor	Amos Crisp	24,000	18,940	30 0 0	1 0 3½	1,745	3,315			3 Sept., 1878	1 " 1879
Major	The Bank of New South Wales	60,000	15,128	16 0 0	0 13 6½	36,872	8,000	150		3 " "	1 " "
Island Lake	J. M. Hassall	9,000	2,580	10 0 0	2 9 7½	2,420	4,000			28 Aug., 1877	1 " 1878
"	A. and D. Ryrie	12,000	Nil	10 0 0		12,000				3 Sept., 1878	1 " 1879
Jacobs River	W. J. M'Gufficke	15,000	15,000	20 0 0	0 17 0¾					13 Oct., 1876	1 " 1877
Jimen Buen	The Commercial Banking Company	30,000	18,986	45 0 0	1 10 4½	5,134	5,880	26		3 Sept., 1878	1 " 1879
Jindabine East	P. J. Clifford and the executors of the late P. J. J. Clifford.	13,000	4,799	10 0 0	1 6 8	8,201				3 " "	1 " "
" West	D. M'Leure	20,000	16,161	38 0 0	1 10 1½	2,879	960	112		3 " "	1 " "
Jinden	The Commercial Banking Company	12,000	10,202	20 0 0	1 5 1	802	996			25 Oct., 1875	1 " 1876
Junction	G. F. Turner and Miss Emma Jane Turner	15,000	14,880	18 0 0	0 15 5½	120		7		29 Aug., 1878	1 " 1879
" Station	J. Ryan	6,000	4,183	12 0 0	1 16 8½	1,307	510			21 Oct., 1875	1 " 1876
Kalkite	G. and F. W. King	20,000	13,768	25 0 0	1 3 3	2,692	3,540	25		3 Sept., 1878	1 " 1879
Kameruka	F. Tooth	70,000	3,965	10 0 0	1 12 3½	60,000	6,035			26 Aug., "	1 " "
Ketchencary and Brogo	W. D. Tarlington	20,000	11,493	10 0 0	0 11 1½	9,507				26 " "	1 " "
Kybean	T. O'Mara	22,000	21,960	45 0 0	0 16 2½	40				4 Sept., "	1 " "
Kydra	Thomas Tracey and Mary Stokes	16,000	15,900	27 0 0	1 6 2½	100				25 Oct., 1875	1 " 1876
Little Buckenderry	P. O'Neill	5,000	4,484	10 0 0	1 8 6½	516		20		25 " "	1 " "
" Plain	J. Nicholson, jun.	28,000	5,969	14 0 0	1 10 0½	12,987	9,044	160		29 Aug., 1878	1 " 1879
" Tindreys	Thomas Dwyer	14,890	14,800	23 0 0	0 19 10½	90				28 " 1877	1 " 1878
Long Plain	F. Peppin, W. H. Lammond and R. Gibson	34,000	34,000	40 0 0	0 15 0¾					25 Oct., 1875	1 " 1876
Lower Rock Flat	G. King	640	640	10 0 0	10 0 0					3 Sept., 1878	1 " 1879
Mafra	W. Bradley	16,280	4,063	10 0 0	1 11 6	12,217				3 " "	1 " "
Maharatta	Moses Joseph	25,000	3,000	10 0 0	2 2 8	14,000	8,000	200		29 Aug., "	1 " "
Matong	The Commercial Banking Company	32,000	7,460	20 0 0	1 14 3½	9,260	14,280	45		3 Sept., "	1 " "
Mereumbene	J. Mallon	18,000	16,906	20 0 0	0 15 1½	1,094				28 Aug., 1877	1 " 1878
Micilago	Ryrie Brothers	32,000	12,493	18 0 0	0 18 5	13,447	6,060			5 Sept., 1878	1 " 1879
Middle Cotter	J. and W. Webb	24,000	24,000	20 0 0	0 10 8					25 Oct., 1875	1 " 1876
Middling Bank	W. Pendergast	14,000	11,164	25 0 0	1 8 8	1,876	960			28 Aug., 1877	1 " 1878
Mila or Boggy Creek	Moses Joseph	20,000	2,519	10 0 0	2 10 9½	11,465	6,016	20		29 " 1878	1 " 1879
Mohawk	A. A. M'Keachie	5,000	1,730	10 0 0	3 13 11½	3,270				28 " 1877	1 April, 1878
Moles	A. Tivey	15,000	14,860	30 0 0	1 5 10	140		15		31 " 1878	1 Jan., 1879
Moodong	M. and M. Gallagher	19,200	18,404	40 0 0	1 7 9¾	646	150			13 Oct., 1876	1 " 1877
Moonbar	Elizabeth Pendergast and John Barry	20,000	4,501	10 0 0	1 8 5½	6,328	9,171	80		3 Sept., 1878	1 " 1879
Mount Cooper	J. Campbell and A. M'Keachie	17,000	2,488	10 0 0	2 11 5½	13,232	1,280	80		31 Aug., "	1 " "
Mount Marshall	Margaret Stewart	18,000	12,916	20 0 0	1 1 0	4,940	144			29 " "	1 " "
Mount Pleasant	R. Thornbury, jun.	11,000	3,346	10 0 0	1 18 3½	7,654				Not appraised.	1 " 1878
Mowenbah	W. Sturgeon and J. Thompson	18,000	4,700	11 0 0	1 9 11½	5,455	7,845	30		3 Sept., 1878	1 " 1879
Mowles Gully	A. Montague	10,000	10,000	18 0 0	1 3 0½					13 Oct., 1876	1 " 1877
Moyallon Downs	W. Bradley	12,000	1,080	10 0 0	5 8 6½	8,820	2,100	15		29 Aug., 1878	1 " 1879

Mullion	J. Ledger and C. F. Walker	8,800	8,760	20 0 0	1 9 2½	40			24 "	1874	1 "	1875
Murrah	D. Gowing	10,000	4,020	10 0 0	1 11 10	4,160	1,820		20 Oct.,	1876	1 "	1877
Murranumbra	The Mercantile Bank	16,000	1,515	10 0 0	4 4 5½	10,603	3,882	60	3 Sept.,	1878	1 "	1879
Murryang	J. Dickson	22,500	22,500	10 0 0	0 5 8½				Not yet appraised.		1 "	1877
Myalla	The Commercial Banking Company	32,000	7,276	15 0 0	1 6 4½	22,924	1,800	75	3 Sept.,	1878	1 "	1879
Naas	L. F. De Salis	21,000	20,640	30 0 0	0 18 7½	360			24 Aug.,	1874	1 "	1875
" (Valley)		20,000	19,640	30 0 0	0 19 6½	360			24 "		1 "	
Nangutta	A. Weatherhead	32,000	27,980	40 0 0	0 18 3½	4,020		10	29 "	1878	1 "	1879
Narira	W. D. Tarlington	13,000	3,560	10 0 0	1 15 11½	9,440			26 "		1 "	
Narongo	J. Brown	5,000	4,000	12 0 0	1 18 4½	1,000		25	3 Sept.,		1 "	
Narybaba	H. Copeland	30,000	30,000	47 0 0	1 0 0½				Not yet appraised.		1 "	1876
Native Dog Flat	Angus Rankin	6,400	2,918	10 0 0	2 3 10½	2,462	1,020	17	31 Aug.,	1878	1 "	1879
Nimitybell	O. and D. Tindall	12,800	12,260	20 0 0	1 0 10½	540			13 Oct.,	1876	1 "	1877
Nimitybelle	The Bank of New South Wales	4,000	4,000	10 0 0	1 12 0				31 Aug.,	1878	1 "	1879
Nimmo	A. O. Mealey	10,000	9,650	24 0 0	1 11 10	350			12 Dec.,	1873	1 "	1874
Numarella	A. Montague	18,000	1,246	10 0 0	5 2 8¾	7,640	9,114	98	3 Sept.,	1878	1 "	1879
Numbra	A. Gunning and J. Wallace	10,000	3,349	10 0 0	1 18 2½	6,651		5	3 "		1 "	
Numeralla	J. Cosgrove, jun.	8,000	7,630	18 0 0	1 10 2½	370			3 "		1 "	
Old Bull	A. Sturgeon and J. Hale	10,000	10,000	10 0 0	0 12 9½				28 Aug.,	1877	1 "	1877
Orarell or Ororall	Archibald M'Kechie	56,000	56,000	40 0 0	0 9 1½				24 "	1874	1 "	1875
Pawpang	James Woodhouse	15,000	14,960	34 0 0	1 9 1	40			13 Oct.,	1873	1 "	1874
Peak Station	The Commercial Banking Company	10,240	1,188	10 0 0	5 7 5	9,052			3 Sept.,	1878	1 "	1879
Queengallery	John Cosgrove	20,000	2,510	10 0 0	2 10 11½	13,490	4,000	20	4 "		1 "	
Rock Forest	Peter Curtis	18,000	17,650	25 0 0	0 18 1½	50	300	10	13 Oct.,	1873	1 "	1874
Rocky Plain	The Commercial Banking Company	19,000	17,499	30 0 0	1 1 11½	1,501			13 "	1876	1 "	1877
"	M'Donald, Smith, & Co., executors of late W. Bradley.	20,000	20,000	20 0 0	0 12 9½				13 "		1 "	
Rosebrook	M. Harnett	30,000	2,584	10 0 0	2 9 6½	22,656	4,760	450	3 Sept.,	1878	1 "	1879
Rose Valley	L. J. Harnett and P. J. Clifford	20,000	4,622	10 0 0	1 7 8½	10,158	5,220	40	3 "		1 "	
Snow Vale	R. Dowling and W. Martin	16,000	16,000	25 0 0	1 0 0				13 Oct.,	1876	1 "	1877
Snowy River	H. J. Ecclestone	10,240	3,532	15 0 0	2 14 4½	4,668	2,040	30	13 "	1873	1 "	1874
South Meregumbene	A. Cunningham	16,000	16,000	25 0 0	1 0 0				25 "	1875	1 "	1876
Spring Flat	David Bell	4,596	1,500	10 0 0	4 5 4	3,096		25	28 Aug.,	1877	1 "	1878
Square Range	Morgan Thornton, sen.	5,600	5,120	10 0 0	1 5 0	480			31 "	1878	1 "	1879
" of Nimitybelle	J. W. Silk	6,070	3,096	12 0 0	2 9 7½	1,174	1,800	10	3 Sept.,		1 "	
Stockyard	Sir W. M. Manning and T. S. Mort	11,040	5,428	10 0 0	1 3 7	3,572	2,040	10	26 Aug.,		1 "	
" Flat	The Bank of New South Wales	18,000	17,880	28 0 0	1 0 0½	120		16	29 "		1 "	
Summer Run	R. Blackwood	14,000	14,000	20 0 0	0 18 3½				28 "	1877	1 "	1878
Tantangara or Gulph	T. J., F. F., & A. F. Gibson	40,000	40,000	45 0 0	0 14 4½				3 Sept.,	1878	1 "	1879
Taylor's Flat	Margaret Stewart	8,000	2,902	10 0 0	2 4 1½	5,098			21 Oct.,	1875	1 "	1876
The Gulf	W. E. Stanbridge and J. M'Gaw	30,000	30,000	30 0 0	0 12 9½				13 "	1876	1 "	1877
The Pinch Run	C. Woodhouse	40,000	40,000	20 0 0	0 6 4½				3 Sept.,	1878	1 "	1879
Thoco	Sir D. Cooper, Bart., and Thos. Buckland	5,500	4,000	16 0 0	2 11 2½	300	1,200		28 Aug.,	1877	1 "	1878
Tiddinbilly	A. Cunningham	20,000	19,860	25 0 0	0 16 1½	140			21 "	1874	1 "	1875
Tindreys	Ryrie Brothers	16,000	16,000	25 0 0	1 0 0				4 Sept.,	1878	1 "	1879
Tom Bong	James O'Hare	13,000	9,390	25 0 0	1 14 1	2,690	920	14	29 Aug.,		1 "	
Tuamba	Sir W. M. Manning and T. S. Mort	30,880	3,180	10 0 0	2 0 3	17,000	10,700	10	26 "		1 "	
Tullabah or Juttabah	J. Campbell and A. M'Keachie	2,160	580	10 0 0	11 0 8½	940	640	20	31 "		1 "	
Ucumbean	Mary Harnett	12,000	1,183	10 0 0	5 8 2¾	7,207	3,610	50	3 Sept.,		1 "	
Umeralla	D. Lacy	7,000	4,660	10 0 0	1 7 5½	1,380	960	37	3 "		1 "	
Upper Rock Flat	G. King	20,000	800	10 0 0	8 0 0	19,200		100	3 "		1 "	
Urayarra	J. M'Donald, J. and W. Webb	30,000	28,530	45 0 0	1 0 2½	1,470			24 Aug.,	1874	1 "	1875
Wadbilliga	C. J. Byrne	10,000	9,280	20 0 0	1 7 7	720			28 "	1877	1 "	1878
Wallandibby	The Commercial Banking Company	26,000	10,024	15 0 0	0 19 1½	5,434	10,542	124	29 "	1878	1 "	1879
Wamboguga	"	16,000	14,445	20 0 0	0 17 8½	1,555			25 Oct.,	1875	1 "	1876
Wambrook	J. M. Hassall	15,000	324	10 0 0	19 15 0½	14,676		180	3 Sept.,	1878	1 "	1879
Wangarah Creek	R. Jackson	10,000	4,000	10 0 0	1 12 0	1,973	4,027		13 Oct.,	1876	1 "	1877
Warren's Corner	H. Agnew	9,500	8,092	13 0 0	1 0 6½	1,408		40	3 Sept.,	1878	1 "	1879
Waste Point or Triangle	J. Spencer	15,000	14,920	20 0 0	0 17 2	80			3 "		1 "	
Wanley Creek	C. J. Byrne	6,400	6,220	15 0 0	1 10 10½	180			26 Aug.,		1 "	
Whitwhittal or Adicumbene	B. Rourke and F. Delaney	20,000	19,320	20 0 0	0 13 3	680		10	3 Sept.,		1 "	
Willis	J. Woodhouse	12,500	12,500	19 0 0	0 19 5½				3 "		1 "	
"	The Commercial Banking Company	16,000	15,360	25 0 0	1 0 10		640		13 Oct.,	1873	1 "	1874
Windella	W. D. Tarlington	13,200	600	10 0 0	10 13 4	9,400	3,200	30	26 Aug.,	1878	1 "	1879

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisement.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
MONARO DISTRICT—continued.											
				£ s. d.	£ s. d.						
Windy Corner	W. D. Ward	6,000	5,880	14 0 0	1 10 5 ¹ / ₄	120	.....	.....	.....	25 Oct., 1875	1 Jan., 1876
Wog Wog	W. Bradley	12,000	404	10 0 0	15 16 10	11,596	.....	200	.....	29 Aug., 1878	1 " 1879
"	The Commercial Banking Company	20,000	20,000	24 0 0	0 15 4 ¹ / ₂	.....	.....	.....	.....	24 Sept., 1877	1 " 1878
Woolindibby	"	20,000	17,669	25 0 0	0 18 1 ¹ / ₂	606	1,725	.....	.....	3 " 1878	1 " 1879
Woolingumrah	E. J. Nicholson	16,000	13,147	20 0 0	0 19 5 ¹ / ₂	1,933	920	6	.....	29 Aug., " 1878	1 " "
Woolway	Jeannette Margaret Hamilton	14,628	848	10 0 0	7 10 11 ¹ / ₂	8,560	5,220	85	.....	3 Sept., " 1878	1 " "
Yaclama	Henry Grant	7,000	2,470	10 0 0	2 11 9 ¹ / ₂	3,890	640	120	.....	29 Aug., " 1878	1 " "
Yaouk	Lachlan Cochrane	37,000	36,700	50 0 0	0 17 5 ¹ / ₂	300	.....	.....	.....	24 " 1874	1 " 1875
Yarra	Annie Ryan	6,000	4,350	10 0 0	1 9 5	1,400	250	10	.....	29 " 1878	1 " 1879
Yourie	T. Whitehead and D. Sutherland	29,400	28,385	18 0 0	0 8 11 ¹ / ₂	1,015	.....	100	.....	26 " " 1878	1 " "
Yumberra	C. Hall	15,000	8,500	12 0 0	0 18 0 ¹ / ₂	6,500	.....	.....	.....	18 Nov., 1876	1 " 1875
Gejizrick West	Alexander Gunning	25,000	2,249	10 0 0	2 16 11	16,534	6,217	.....	.....	13 Oct., " 1878	1 " 1877
Head of the River	John Barry	20,000	20,000	16 0 0	0 10 3	.....	.....	.....	.....	3 Sept., 1878	1 " 1879
Totals		3,965,406	2,492,721	4,198 10 0	1 1 6 ¹ / ₄	1,100,941	371,744	6,452	87		

NOTE.—In all cases where appraisements have been received the new appraised rentals (and present areas) for the year 1879 have been filled in.

MURRUMBIDGEE DISTRICT.						Area withdrawn from Pastoral leasehold	Not ascer- tainable...	Not ascer- tainable...			
Addilong	C. D. Bardwell	15,000	7,749	15 0 0	1 4 9½	7,251			20 July, 1875	1 Jan., 1876	
Adginbilly	W. K. Smith	32,000	31,000	70 0 0	1 8 10½	1,000			29 Dec., 1873	1 " 1874	
Agintoothong	H. M'Ilree	45,000	45,000	35 0 0	0 9 1				26 July, 1875	1 " 1876	
Arajoe or Old Man Creek	H. H., P. H., A., and B. M. Osborne.	33,057	9,121	28 0 0	1 19 3½	23,936			19 " " "	1 " "	
Argalong	R. J. Gilman	16,000	15,680	20 0 0	0 16 4	320			26 " " "	1 " "	
Baalpool	M. and W. Bryant	48,000	43,200	169 0 0	2 10 0½	4,800			8 " " "	1 " "	
Back Plain	W. Peterson and F. T. Sargood	25,600	5,138	18 0 0	2 4 10	20,462			29 Nov., 1876	1 " "	
Bago	J. Goldspink	41,500	38,420	85 0 0	1 8 3¾	3,080			5 Dec., 1874	1 " 1875	
Bald Hill	M. Curtain	12,500	12,500	50 0 0	2 11 2½				4 June, " "	1 " "	
Banandra	J. Peter	58,000	16,900	86 0 0	3 5 1½	41,100			19 April, 1877	1 " 1876	
Bangus	W. Bootes	28,000	377	10 0 0	16 19 6½	27,623			19 July, 1875	1 " "	
Barham	J. B. Chirnside and J. G. Dougharty.	114,656	92,057	316 0 0	2 3 11½	22,599			8 " " "	1 " "	
Barigan	H. and J. Osborne	35,840	25,818	87 0 0	2 4 2½	10,022			19 April, 1877	1 " 1875	
Barraig	G. B. Mackinnon	54,000	54,000	50 0 0	0 11 10				26 July, 1875	1 " 1876	
Barratta	H. Ricketson	51,200	32,478	65 0 0	1 5 7½	18,722			8 June, 1878	1 " "	
Belubula	J. F. M'Mullen	52,400	17,134	50 0 0	1 17 4½	35,266			30 July, 1877	1 " "	
Bendarbo	B. M. Osborne	6,680	1,680	10 0 0	3 16 2½	5,000			2 Aug., 1878	1 " 1879	
Benongal	J. G. Francis	48,750	46,450	120 0 0	1 13 0½	2,300			17 " 1875	1 " 1876	
Beremegad	Thomas Wragge	75,284	14,564	54 0 0	2 7 5½	60,720			8 June, 1878	1 " "	
Berry Jerry	H. H., P. H., A., and B. M. Osborne.	77,244	21,906	34 0 0	0 19 10½	55,338			19 July, 1875	1 " "	
Billabong (Yarra Yarra)	J. M'Laurin	76,800	16,788	40 0 0	1 10 6	60,012			30 " 1877	1 " "	
Billabong Forest, A	G. Lyell and G. F. Simpson	19,200	17,560	41 0 0	1 9 10½	1,640			8 " 1878	1 " 1879	
Billybong	B. Buchanan and H. Mort	64,000	5,200	15 0 0	1 16 11	58,800			19 " 1875	1 " 1876	
" Back Block	The Trust and Agency Company of Australasia (Limited).	10,000	5,919	20 0 0	2 3 3	4,081			1 Aug., 1878	1 " 1879	
" Forest	H. and J. Osborne	21,340	2,925	10 0 0	1 7 5½	18,415			20 Mar., 1877	1 " 1876	
" "	R. B. Ronald and J. M'Bain	16,000	8,000	15 0 0	1 4 0	8,000			20 Sept., " "	1 " 1878	
Bingalong	A., D., and D. S. Robertson	44,160	5,030	30 0 0	3 16 4	39,130			8 Nov., " "	1 " 1876	
" Back Plains	C. M. Lloyd	30,697	5,808	20 0 0	2 4 1	24,889			1 Aug., 1878	1 " 1879	
Brocklesby	The London Chartered Bank of Australia	51,200	12,200	15 0 0	0 15 8½	39,000			13 May, 1875	1 " 1876	
Blowering East	The Bank of New South Wales	18,000	4,200	10 0 0	1 10 5½	13,800			16 Dec., 1873	1 " 1874	
Bondo	Angus Rankin	16,000	15,920	23 0 0	0 18 5½	80			26 July, 1875	1 " 1876	
Bocabula	J. Blackwood and C. Ibbotson	48,640	12,840	46 0 0	2 5 10½	35,800			17 Aug., " "	1 " "	
Book Book	The Australian Joint Stock Bank	30,000	22,731	65 0 0	1 16 7½	7,269			19 July, " "	1 " "	
Boomanooman	R. Grice, F. J. Sumner, and J. Benn	75,200	18,923	60 0 0	2 0 9	56,277			28 Nov., 1876	1 " "	

Boorobanilly	W. Petersen and F. T. Sargood	19,200	12,255	42 0 0	2 3 10½	6,945	29	1	"	"
Borea Creek	W. E. Jackson and H. Payne	19,580	19,260	30 0 0	0 19 11½	320	19 July, 1875	1	"	"
Boregery	The Australian Joint Stock Bank	3,800	3,800	15 0 0	2 10 6½	"	13 June, 1874	1	"	1875
Borambola	The Bank of New South Wales	52,000	20,618	40 0 0	1 4 9½	31,382	7 Nov., 1877	1	"	1876
Bourke's Creek	"	44,000	34,530	81 0 0	1 9 9	9,170	19 July, 1875	1	"	"
Bowna	J. Peter	35,000	35,000	143 0 0	2 12 3½	"	15 Oct., "	1	"	"
Brewarrena	W. P. Faithfull	64,960	59,777	108 0 0	1 3 1½	5,183	19 April, "	1	"	"
Bringingbrong	J. H. and C. H. Douglas	26,500	4,117	10 0 0	1 11 1	22,383	22 Dec., 1877	1	"	"
Brookong or Urana Creek	R. J. Jeffray	303,600	30,037	95 0 0	2 0 5½	273,563	7 Nov., "	1	"	"
Brown's Springs	T. H. Mate	17,880	3,200	10 0 0	2 0 0	14,680	19 July, 1875	1	"	"
Brundell (Brungie)	A., J., R., and G. Rankin	13,440	2,440	10 0 0	2 12 5½	11,000	29 Dec., 1873	1	"	1874
Buckenbong and Gillingbah	Francis Jenkins	79,450	61,503	134 0 0	1 7 10½	17,947	15 Oct., "	1	"	1876
Buckhargringle	E. W. and A. A. Westby	41,400	7,742	18 0 0	1 9 9	33,658	13 June, 1877	1	"	"
Bulgundrie	T. J. Gibson	27,400	12,030	33 0 0	1 15 1½	15,370	19 Nov., "	1	"	"
Bullenbung	The Commercial Banking Company	25,000	12,568	34 0 0	1 14 7½	12,432	7 "	1	"	"
Bull Plain	J. and H. Osborne	16,500	15,592	54 0 0	2 4 4	908	23 June, 1875	1	"	"
Bumbowlee	J., G., A., and R. Rankin	27,000	5,120	10 0 0	1 5 0	21,880	29 Dec., 1873	1	"	1874
Bundure	The New Zealand and Australian Land Company (Limited) of Glasgow.	74,080	21,760	100 0 0	2 18 10	52,320	15 Oct., "	1	"	1876
Bundynumbulah	H. K. H. Darlot	46,000	8,370	29 0 0	2 4 4	37,630	28 Nov., 1876	1	"	"
Burawang	The Trust and Agency Company of Australasia, (Limited).	62,740	52,820	125 0 0	1 10 3½	9,920	17 Aug., 1875	1	"	"
Burra	J. F. M'Mullen	21,000	Nil	15 0 0	.....	Nearly all absorbed.	26 July, "	1	"	"
Burrabogie, block A	J. M'Gaw, J. Cochran, J. M. and H. N. Loughnan, J. Wilson, and S. Brush.	52,000	20,326	72 0 0	2 5 4	31,674	20 Sept., 1877	1	"	1875
" " B	"	53,000	23,922	85 0 0	2 5 5½	29,078	20 "	1	"	"
Burrangong	The Australian Mortgage Land and Finance Company (Limited).	35,000	17,987	58 0 0	2 1 3½	17,013	15 Oct., 1875	1	"	1876
Burroboogie	J. M'Gaw, J. Cochran, J. M., and H. N. Loughnan, J. Wilson, and S. Brush.	102,000	16,003	50 0 0	2 0 0	85,997	20 Sept., 1877	1	"	"
Burroogo	R. B. Ronald and J. MacBain	44,800	19,303	52 0 0	1 14 5½	25,497	8 July, 1875	1	"	"
Burrumbuttock	T. J. Gibson	19,848	3,200	10 0 0	2 0 0	16,648	19 Nov., "	1	"	"
Burryjae	R. Goldsbrough and H. Parker	32,750	16,936	48 0 0	1 16 3½	15,814	7 ", 1877	1	"	1874
Butherwah	T. J. Sumner and W. Faed	56,433	22,468	75 0 0	2 2 8½	33,965	15 Oct., 1875	1	"	1876
Carabobala	Elliott Heriot	41,000	2,000	10 0 0	3 4 0	39,000	19 Nov., "	1	"	"
Carabost	J. F. M'Mullen	38,000	34,990	50 0 0	0 18 3½	3,010	1 July, "	1	"	"
Carroonboon	J. Dickson	75,425	33,227	117 0 0	2 5 0½	42,198	17 Aug., "	1	"	"
Cavan	J. F. Castle	51,000	41,796	85 0 0	1 6 0½	9,204	29 Dec., 1873	1	"	1874
Chah Sing	J. Childe, E. C. Grant, & S. C. Craig.	48,000	15,964	60 0 0	2 8 1½	32,036	13 June, 1876	1	"	1876
Childowla	The Commercial Banking Company	18,000	12,164	26 10 0	1 7 10½	5,836	31 ", 1878	1	"	1875
Chowar (Neimur)	A. Cameron	76,800	73,920	288 0 0	2 9 10½	2,880	8 July, 1875	1	"	1876
Clear Hill	Hon. W. Wilson	45,000	29,780	75 0 0	1 12 2½	15,220	4 ", 1876	1	"	1875
Cobran	J. C. Telford	85,333	17,420	49 0 0	1 16 0	67,913	31 May, 1875	1	"	1876
Cocardinia	J. Post	14,250	2,000	10 0 0	3 4 0	12,250	19 Nov., "	1	"	"
Cochran	H. Gwynne	4,100	661	10 0 0	9 13 7½	3,439	1 Aug., 1878	1	"	1879
Cockitjedong	G. Watt and H. Thomson	42,200	23,914	98 0 0	2 12 5	18,286	15 Oct., 1875	1	"	1876
Cocup	The Bank of New South Wales	17,250	6,250	10 0 0	1 0 5½	11,000	26 July, "	1	"	"
Cokaminiminian	A., D., and D. S. Robertson	18,700	2,400	10 0 0	2 13 4	16,300	4 ", 1876	1	"	"
Collendina	W. Hay	50,400	6,195	20 0 0	2 1 3½	44,205	25 Jan., "	1	"	"
Collingully	The Bank of New South Wales	22,000	19,000	40 0 0	1 6 11½	3,000	9 July, 1875	1	"	"
Columbo Creek	Jas. Osborne, jun., and H. Osborne	23,040	6,538	30 0 0	2 18 8½	16,502	28 Mar., 1877	1	"	"
" Plains	J. J. Rudd	30,111	15,535	40 0 0	1 0 1	14,576	13 June, 1876	1	"	1877
Connallo	H. Ricketson	62,360	47,043	164 0 0	2 4 7½	15,317	1875	1	"	1876
Cooleman	J. Jenkins	19,500	19,000	28 0 0	0 18 10½	500	20 July, "	1	"	"
Coonargo	Myles Patterson	55,000	18,000	56 0 0	1 19 9½	37,000	17 Aug., "	1	"	"
" Back Run, block C.	W. Campbell	31,000	11,000	45 0 0	2 12 4½	20,000	8 June, 1878	1	"	1875
" block A	"	53,440	32,440	127 0 0	2 10 1½	21,000	8 ", "	1	"	1877
" " B	"	33,500	19,300	75 0 0	2 9 8½	14,200	8 ", "	1	"	1876
" " B, South	"	23,500	23,500	74 0 0	2 0 3½	"	17 Aug., 1875	1	"	"
" " D	"	20,480	19,920	65 0 0	2 1 9	560	17 ", "	1	"	"
" " E	Finlay Campbell	12,500	4,000	17 10 0	2 16 0	8,500	8 June, 1878	1	"	"
Cooneng	S. M'Caughy	41,480	10,440	42 0 0	2 11 5½	31,040	20 Mar., 1877	1	"	"
Cooradigby	J. Hannan	12,000	11,264	22 0 0	1 6 9½	736	5 Dec., 1874	1	"	1875
Copabella Creek	R. Blackwood	19,000	15,780	25 0 0	1 0 3½	3,220	19 July, 1875	1	"	1876

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area withdrawn from Pastoral leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisalment.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
MURRUMBIDGEE DISTRICT—continued.											
Coree	J. Wilson	140,000	27,500	£ s. d. 112 0 0	£ s. d. 2 12 1½		112,500	Not ascer-	Not ascer-	29 Sept., 1877	1 Jan., 1876
Coreen	R. B. Ronald and J. M'Bain	37,900	12,740	40 0 0	2 0 2½		25,160	tainable...	tainable...	4 July, 1876	1 " "
Cotway	The Bank of New South Wales	11,500	9,040	22 0 0	1 11 1½		2,460	"	"	5 Dec., 1874	1 " 1875
Courabyra	E. Ashcroft and C. D. Bardwell	21,000	20,443	30 0 0	0 18 9½		557	"	"	26 July, 1875	1 " 1876
Couradigby	S. Barber	10,000	596	10 0 0	10 14 9½		9,404	"	"	31 Jan., 1878	1 " 1875
Cowpasture	J. and H. Osborne	21,363	2,948	10 0 0	2 3 5		18,415	"	"	18 July, "	1 " 1879
Cunningardroo	The Bank of New South Wales	28,240	10,881	34 0 0	2 0 0		17,359	"	"	7 Nov., 1877	1 " 1876
Darbalaria	W. K. Smith	16,000	9,850	15 0 0	0 19 6		6,150	"	"	26 July, 1875	1 " "
Deniliquin	R. and A. Landale	105,600	20,440	48 0 0	1 10 0½		85,160	"	"	18 May, "	1 " "
Derrulamain	H. Ricketson	25,600	20,400	80 0 0	2 10 2½		5,200	"	"	18 " "	1 " "
Dora Dora	W. Higgins	65,902	58,362	91 0 0	0 19 11½		7,540	"	"	19 July, "	1 " "
Dry Forest	G. and J. G. Gray, & Mrs. S. F. Neill	13,800	3,726	12 0 0	2 1 2½		10,074	"	"	25 June, 1877	1 " "
" Plains	J. Blackwood and C. Ibbotson	42,880	13,020	47 0 0	2 6 2½		29,860	"	"	17 Aug., 1875	1 " "
Dudal Corner	T. Keighran	28,160	17,304	35 0 0	1 5 10		10,856	"	"	19 Nov., "	1 " "
Dutson	T. U. Elliot	38,000	30,810	75 0 0	1 11 2		7,190	"	"	26 July, "	1 " "
Eagan Creek	J. Donnelly	16,000	13,080	37 0 0	1 15 5½		2,920	"	"	19 Nov., "	1 " "
East Booraboonilly	T. Brown and A. M'Farlane	6,400	2,410	10 0 0	2 13 1½		3,990	"	"	1 Aug., 1878	1 " 1879
" Mittagang	R. J. Gilman	32,000	14,377	35 0 0	1 11 2		17,623	"	"	19 Nov., 1875	1 " 1876
" Mundurah	W. E. Jackson and H. Payne	21,760	21,760	51 0 0	1 10 0			"	"	8 " 1877	1 " 1878
Eastern Half of Uggbit, block A	John Peter	45,800	3,759	18 0 0	3 1 3½		42,041	"	"	18 July, 1878	1 " 1879
" portion of Yanco, block F	C. M. Lloyd	30,697	1,913	10 0 0	3 6 10½		28,784	"	"	1 Aug., "	1 " "
Ellerslie	W. Peterson and F. T. Sargood	48,000	31,949	60 0 0	1 4 0½		16,051	"	"	26 July, 1875	1 " 1876
Emu Plain	The Australian Joint Stock Bank	28,775	19,215	50 0 0	1 13 3½		9,560	"	"	13 June, 1876	1 " 1877
Eughrannna	W. Chapman	21,876	10,560	36 0 0	2 3 7½		11,316	"	"	15 Oct., 1875	1 " 1876
Eli Elwah	J. Russell and J. Shaw	77,440	53,421	188 0 0	2 5 0½		24,019	"	"	17 Aug., "	1 " "
" block A	"	37,000	33,720	115 0 0	2 3 7½		3,280	"	"	13 June, 1876	1 " 1877
" " B	"	37,000	37,000	127 0 0	2 3 11½			"	"	7 Aug., 1875	1 " 1876
Four-mile Creek	George Day	12,000	9,960	20 0 0	1 5 8½		2,040	"	"	30 July, 1877	1 " "
Geraldery	J. and H. Osborne	14,400	8,885	24 10 0	1 15 3½		5,515	"	"	20 Nov., "	1 " 1878
Gerogery	S. Watson	43,702	5,902	15 0 0	1 12 6½		37,800	"	"	19 " 1875	1 " 1876
Gadara	R. Broughton	27,414	2,457	10 0 0	2 12 1		24,957	"	"	26 July, "	1 " "
Glenken	A. Elmslie and A. D. Strachan	30,360	28,840	35 0 0	0 15 2½		1,520	"	"	26 " "	1 " "
Glenroy	P. Craven and J. M'Auliffe	52,890	48,106	90 0 0	1 3 11		4,784	"	"	26 " "	1 " "
Goberagandera	W. Atkinson	54,000	53,420	20 0 0	0 4 9½		580	"	"	29 Dec., 1873	1 " 1874
Goombargama	The New Zealand Loan and Mercantile Agency Company.	51,000	11,000	20 0 0	1 3 3½		40,000	"	"	13 July, 1877	1 " 1876
Gooroomyragong	G. M'Donnell	4,000	4,000	12 0 0	1 18 4½			"	"	29 Dec., 1873	1 " 1874
Goree	A. Robertson, D. Robertson, jun., and D. S. Robertson.	36,600	7,450	35 0 0	3 0 2½		29,150	"	"	8 Nov., 1877	1 " 1876
Gorm	R. Youl and J. Graham	42,055	40,775	162 0 0	2 10 10½		1,280	"	"	8 July, 1875	1 " "
Gotha	J. C. Telford	31,289	800	10 0 0	8 0 0		30,489	"	"	31 May, "	1 " "
Green Hills	J. B. Sharp	29,000	20,496	45 0 0	1 8 1½		8,504	"	"	26 July, "	1 " "
"	A. Watson and J. Real	12,800	1,920	10 0 0	3 6 8		10,880	"	"	4 April, 1878	1 " "
Gregado or Tywong	A. B. Morgan and C. Nixon	5,120	2,719	10 0 0	2 7 1		2,401	"	"	26 July, 1875	1 " "
Gri Grik	J. Pierce	13,500	2,860	10 0 0	2 4 9		10,640	"	"	26 " "	1 " "
Grubben Plains	J. Cox	21,120	17,230	40 0 0	1 9 8½		3,890	"	"	29 Nov., "	1 " "
Gumly Gumly	The Bank of New South Wales	36,000	4,428	15 0 0	2 3 4½		31,572	"	"	19 July, "	1 " "
Gunambill	The Hon. W. Wilson	71,680	38,452	90 0 0	1 9 11½		33,228	"	"	4 " 1876	1 " "
Gunnongjugrawah	Mrs. Leah How	17,960	7,830	10 0 0	0 16 4½		10,130	"	"	29 Dec., 1873	1 " 1874
Hanging Rock	John King	28,000	17,440	30 0 0	1 2 0		10,560	"	"	29 Nov., 1875	1 " 1876
Headford	R. B. Ronald and J. M'Bain	18,670	4,420	14 0 0	2 0 6½		14,250	"	"	13 June, 1876	1 " 1877
Head of the Gilmore	S. M. Swift and P. Hann	40,000	23,000	20 0 0	0 11 1½		17,000	"	"	4 April, 1878	1 " 1876
Hillside	B. Buchanan and H. Mort	9,500	3,036	10 0 0	2 2 1½		6,464	"	"	19 July, "	1 " "
Howlong	The Australian Agency and Banking Corporation (Limited).	18,000	7,000	20 0 0	1 16 6½		11,000	"	"	13 May, "	1 " "

Humula	The New Zealand and Australian Land Company of Glasgow (Limited).	83,500	50,972	95 8 0	1 3 11 $\frac{1}{2}$	32,528	"	"	12 Sept., 1877	1	"	"
Indi	H. and C. Douglas	24,000	10,460	12 0 0	0 14 8	13,540	"	"	22 Dec., "	1	"	"
Jeeger	J. Childe, E. C. Grant, and S. C. Craig	67,840	44,435	155 0 0	2 4 7 $\frac{1}{2}$	23,405	"	"	18 June, 1876	1	"	"
Jellingroo	R. Whiticker	14,000	10,431	10 0 0	0 12 3 $\frac{1}{2}$	3,569	"	"	19 July, 1875	1	"	"
Jeremiah	W. K. Smith	19,000	18,960	30 0 0	1 0 3	40	"	"	29 Dec., 1873	1	"	1874
" South	"	10,000	10,000	15 0 0	0 19 2 $\frac{1}{2}$	"	"	"	26 July, "	1	"	1876
Jerildery North	Samuel Wilson	48,400	9,420	39 0 0	2 12 11 $\frac{1}{2}$	38,980	"	"	15 Oct., "	1	"	"
" South	W. Peterson and F. T. Sargood	33,190	6,360	24 0 0	2 8 3 $\frac{1}{2}$	26,830	"	"	29 Nov., 1876	1	"	"
Jerra Jerra	J. Burns	10,000	2,000	10 0 0	3 4 0	8,000	"	"	13 June, 1874	1	"	1875
Jingellick or Ingellick	R. S. Gabbett	25,000	20,193	33 0 0	1 0 11	4,807	"	"	19 July, 1875	1	"	1876
Kentucky	G. Gray, J. G. Gray, and Sarah F. Neill	21,730	8,650	20 10 0	1 10 4	13,080	"	"	18 " 1878	1	"	1879
Khancoban	J. H. Douglas and C. H. Douglas	32,000	22,418	20 0 0	0 11 5	9,582	"	"	22 Dec., 1877	1	"	1876
Kialat	H. Creswick and Col. W. F. Hutton	29,440	24,760	98 0 0	2 10 8	4,680	"	"	31 July, 1875	1	"	"
Kilmyana	R. Grice, T. J. Sumner, and J. Benn	14,000	2,500	10 0 0	2 11 2 $\frac{1}{2}$	11,500	"	"	28 Nov., 1876	1	"	"
Kirabari	The Australian Mortgage Land and Finance Company (Limited).	40,861	35,431	130 0 0	2 6 11 $\frac{1}{2}$	5,430	"	"	17 Aug., 1875	1	"	"
Kyeamba	John Smith	35,500	29,752	52 0 0	1 2 4 $\frac{1}{2}$	5,748	"	"	19 July, "	1	"	"
Lalalte	J. and H. Osborne	14,720	12,729	35 0 0	1 15 2 $\frac{1}{2}$	1,991	"	"	18 " 1878	1	"	1879
Little Billybong	W. H. Williams	9,500	2,603	10 0 0	2 9 2	6,897	"	"	19 " 1875	1	"	1876
Little River	The Commercial Banking Company	43,000	42,228	50 0 0	0 15 1 $\frac{1}{2}$	772	"	"	29 Dec., 1873	1	"	1874
Little Swamp	F. Jenkins	60,800	60,800	130 0 0	1 7 4	"	"	"	22 July, 1874	1	"	1875
Loorica	The Trust and Agency Company of Australasia (Limited).	22,400	22,400	70 0 0	2 0 0	"	"	"	13 June, 1876	1	"	1877
Lower Deniliquin	R. and A. Landale	84,480	18,924	43 0 0	1 9 1	65,556	"	"	18 May, 1875	1	"	1876
Mahonga	R. Rand	85,836	31,943	100 0 0	2 0 0	53,893	"	"	15 Oct., "	1	"	"
Mangoplar	J. Cox	40,000	26,263	55 0 0	1 6 9 $\frac{1}{2}$	13,737	"	"	29 Nov., "	1	"	"
Mannus	R. M'icking	39,500	"	10 0 0	"	39,500	"	"	31 Jan., 1878	1	"	"
Maracat	J. Strachan	4,446	3,826	10 0 0	1 13 5	620	"	"	26 July, 1875	1	"	"
Maragle	E. H. Macartney M'Roll, and E. Moorhouse	49,000	47,940	70 0 0	0 18 8 $\frac{1}{2}$	1,060	"	"	26 " "	1	"	"
Mathara or Methoura	W. R. Virgoe	76,800	15,940	60 0 0	2 8 2	60,860	"	"	31 May, "	1	"	"
Melool	W. H. Brown and T. B. Hunt	51,840	43,840	170 0 0	2 9 7 $\frac{1}{2}$	8,000	"	"	8 July, "	1	"	"
Miranda, block A	H. K. H. Darlot	15,200	4,280	15 0 0	2 4 10 $\frac{1}{2}$	10,920	"	"	28 Nov., 1876	1	"	"
Mittagang	R. J. Gilman	34,000	29,550	65 0 0	1 8 1 $\frac{1}{2}$	4,450	"	"	19 " 1875	1	"	"
Moira	Hon. Sir John O'Shanassy	153,400	83,100	200 0 0	1 10 9 $\frac{1}{2}$	70,300	"	"	15 Oct., "	1	"	"
Mooloomoon	John M'Vean	54,700	15,152	52 0 0	2 3 11	39,548	"	"	4 July, 1876	1	"	"
Moolpa	H. Creswick and Col. W. F. Hutton	19,520	16,296	70 0 0	2 14 11 $\frac{1}{2}$	3,224	"	"	8 " 1875	1	"	"
" Back Run	G. A. and P. Mein	19,520	10,220	30 0 0	1 17 6 $\frac{1}{2}$	9,300	"	"	1 Aug., 1878	1	"	1879
Moonbria	J. Blackwood, J. J. Clarke, and H. B. Patterson	31,697	11,077	51 0 0	2 18 11 $\frac{1}{2}$	20,620	"	"	2 Sept., "	1	"	"
Mooreongatta	R. Youl and James Graham	28,286	26,686	108 0 0	2 11 9 $\frac{1}{2}$	1,600	"	"	8 July, 1875	1	"	1876
Mooruma	J. Laurence	15,400	15,400	35 0 0	1 9 1	"	"	"	"	1	"	"
Morago	The Bank of New South Wales	63,200	28,930	68 0 0	1 10 1	34,270	"	"	17 Aug., "	1	"	"
Moroca	Alexander M'Laurin	55,522	31,460	117 0 0	2 7 7	24,062	"	"	18 May, "	1	"	"
Morundah	F. Jenkins	32,000	17,703	55 0 0	1 19 9	14,297	"	"	15 Oct., "	1	"	"
Moulamein, block A	G. A. and P. Mein	64,000	60,827	213 0 0	2 4 9 $\frac{1}{2}$	3,173	"	"	8 July, "	1	"	"
" " B	"	54,000	52,940	186 0 0	2 4 11 $\frac{1}{2}$	1,060	"	"	"	1	"	"
Mount Adra	James Curtis	7,500	3,524	10 0 0	1 16 3 $\frac{1}{2}$	3,976	"	"	8 " "	1	"	"
Mountain Creek	John Morrice	13,031	5,491	10 0 0	1 3 3 $\frac{1}{2}$	7,540	"	"	19 " "	1	"	"
Mugmugwug	A. Hore	3,837	837	10 0 0	7 12 11	3,000	"	"	29 Nov., "	1	"	"
Mulberrygong	J. M'Gaw, J. Cochran, J. M. & H. N. Loughnan, J. Wilson, & S. Brush.	60,000	6,720	26 0 0	2 9 7 $\frac{1}{2}$	53,280	"	"	17 Aug., "	1	"	"
" block A	"	36,000	10,880	42 10 0	2 10 0	25,120	"	"	20 Sept., 1877	1	"	1875
" " B	"	37,700	14,100	55 0 0	2 0 11 $\frac{1}{2}$	23,600	"	"	20 " "	1	"	"
Mulwhely	Alexander Sloane	35,712	9,050	28 0 0	1 19 7	26,662	"	"	7 Nov., "	1	"	1876
Mundawadera	The Australian Mortgage Land and Finance Company.	41,000	23,954	57 0 0	1 10 4 $\frac{1}{2}$	17,046	"	"	19 " 1875	1	"	"
Munderoo	B. Bell and John Hay	18,000	14,400	25 0 0	1 5 0	3,600	"	"	26 July, "	1	"	"
Mungadingadal	C. W. Simson	62,000	6,431	22 0 0	2 3 9 $\frac{1}{2}$	55,569	"	"	17 Aug., "	1	"	"
" Back Run	"	57,000	11,960	28 0 0	1 9 11 $\frac{1}{2}$	45,040	"	"	17 " "	1	"	"
Munimbla	John Blyth	14,900	2,320	10 0 0	2 15 2	12,580	"	"	20 Mar., 1877	1	"	1875
Murga	The Australian Mortgage Land and Finance Company (Limited).	56,000	39,520	157 0 0	2 10 10 $\frac{1}{2}$	16,480	"	"	17 Aug., 1875	1	"	1876
Murray	E. and P. MacFarland	40,400	19,151	60 0 0	2 0 1	21,249	"	"	8 June, 1878	1	"	"
" Back Run	Thos. Brown and A. M'Farlan	40,320	40,320	98 0 0	1 11 1 $\frac{1}{2}$	"	"	"	13 May, 1875	1	"	"

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area withdrawn from Pastoral leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisalment.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
MURRUMBIDGEE DISTRICT—continued.											
Murray Downs.....	Suetonius H. Officer.....	67,751	31,890	£ s. d. 103 0 0	£ s. d. 2 1 4	.....	35,861	Not ascer- tainable...	Not ascer- tainable...	8 July, 1875	1 Jan., 1876
Myall Forest.....	H. and J. Osborne.....	20,500	14,930	52 0 0	2 4 7	.....	5,570	.....	.....	20 Mar., 1877	1 " 1875
" Plains.....	G. H. Greene.....	5,213	2,653	10 0 0	2 8 2½	.....	2,560	.....	.....	15 Oct., 1875	1 " 1876
Momalong Plains.....	J. and H. Osborne.....	22,400	11,462	40 0 0	2 4 8	.....	10,938	.....	.....	20 Mar., 1877	1 " "
Narrangroe.....	The Commercial Banking Company.....	9,000	5,368	10 0 0	1 3 10½	.....	3,632	.....	.....	31 Jan., 1878	1 " 1874
Nangunia.....	Henry Godfrey.....	16,000	4,855	15 0 0	1 19 6½	.....	11,145	.....	.....	30 July, 1877	1 " 1878
Nap Nap.....	T. M'Farland, J. M'Crae, & J. Brown.....	130,000	125,500	460 0 0	2 6 11	.....	4,500	.....	.....	15 Oct., 1875	1 " 1876
" block A.....	".....	31,320	31,320	88 0 0	1 15 11½	.....	.....	.....	.....	13 June, 1876	1 " 1877
" " B.....	".....	50,560	50,560	152 0 0	1 18 5½	.....	.....	.....	.....	13 " "	1 " "
" " C.....	".....	50,560	50,560	160 0 0	2 0 6	.....	.....	.....	.....	13 " "	1 " "
Narrow Plain.....	The Australian Joint Stock Bank.....	31,360	23,360	30 0 0	0 16 5½	.....	8,000	.....	.....	18 Sept., 1877	1 " 1876
New Maragle.....	R. Blackwood.....	105,600	105,600	35 0 0	0 4 3	.....	.....	.....	.....	29 Dec., 1873	1 " 1874
North Barratta.....	H. Ricketson.....	9,829	4,829	20 0 0	2 13 0	.....	5,000	.....	.....	8 Aug., 1878	1 " 1879
" Boonook.....	Myles Patterson.....	10,240	2,538	12 0 0	3 0 6½	.....	7,702	.....	.....	8 " "	1 " "
" Carroonboon.....	H. K. H. Darlot.....	16,800	1,600	10 0 0	4 0 0	.....	15,200	.....	.....	28 Nov., 1876	1 " 1875
" Currabunganung.....	R. Blackwood.....	52,817	20,438	72 0 0	2 5 1	.....	32,379	.....	.....	15 Oct., 1875	1 " 1876
" East Mangoplar.....	John Cox.....	20,000	12,280	22 0 0	1 2 1½	.....	7,720	.....	.....	29 Nov., "	1 " "
" Goonambil.....	The London Chartered Bank of Australia.....	28,800	11,478	45 0 0	2 10 2	.....	17,322	.....	.....	15 Oct., "	1 " "
" Morago.....	W. Officer.....	3,600	1,500	10 0 0	4 0 0	.....	2,100	.....	.....	8 Aug., 1878	1 " 1879
" Yathong.....	W. Wilson.....	12,053	8,450	40 0 0	3 0 6½	.....	3,594	.....	.....	15 Oct., 1875	1 " 1876
Nottingham Forest.....	Francis Jenkins.....	53,760	53,760	13 0 0	0 3 1½	.....	.....	.....	.....	21 Feb., 1874	1 " 1874
Noweronie.....	G. Lyell and G. F. Simpson.....	55,200	18,492	73 0 0	2 10 6½	.....	36,708	.....	.....	15 Oct., 1875	1 " 1876
Nurmerramang.....	The Australian Mortgage Land and Finance Company.....	56,400	55,500	88 0 0	1 0 3½	.....	900	.....	.....	15 April, 1878	1 " 1878
Nyingay.....	Michael Curtain.....	27,060	14,601	50 0 0	2 3 6½	.....	12,369	.....	.....	1 Aug., "	1 " 1879
Nyang.....	R. J. Everett and T. Watson.....	86,320	73,184	286 0 0	2 11 0½	.....	13,136	.....	.....	8 July, 1875	1 " 1876
Oak Forest.....	J. MacVean.....	39,300	20,100	77 0 0	2 9 0½	.....	19,200	.....	.....	4 " 1876	1 " 1875
Oberne.....	C. D. Bardwell.....	35,640	27,328	70 0 0	1 12 9½	.....	8,312	.....	.....	26 " 1875	1 " 1876
" (Hoban).....	T. H. Mate.....	4,800	3,490	10 0 0	1 16 8	.....	1,310	.....	.....	26 " "	1 " "
O'Brien's Creek.....	G. Wilson.....	49,280	15,419	36 15 0	1 10 6	.....	33,861	.....	.....	13 June, 1877	1 " "
Old Man Plain or Boonook.....	Myles Patterson.....	25,600	9,105	28 0 0	1 19 4½	.....	16,495	.....	.....	18 July, 1878	1 " 1879
Opossum's Point.....	Mary Richards.....	33,000	32,920	30 0 0	0 11 8	.....	80	.....	.....	26 " 1875	1 " 1876
Pericoota.....	A. W. Robertson and J. Wagner.....	86,320	15,200	48 0 0	2 0 5	.....	71,120	.....	.....	31 May, "	1 " "
Pevensey.....	Victoria Alexandrina Chambers.....	48,600	9,948	33 0 0	2 2 5½	.....	38,652	.....	.....	30 Nov., 1876	1 " "
" Back Run.....	F. R. Godfrey.....	52,000	40,629	111 0 0	1 14 11½	.....	11,371	.....	.....	30 " "	1 " "
Pinbeyan.....	T. H. Bear.....	16,000	16,000	27 10 0	1 2 0	.....	.....	.....	.....	16 Dec., 1873	1 " 1874
Piney Range.....	R. Goldsbrough, H. Parker, & Patrick Murphy.....	20,800	6,192	15 0 0	1 11 0	.....	14,608	.....	.....	19 Nov., 1875	1 " 1876
Poon Boon.....	James Laurence.....	138,600	114,686	352 0 0	1 19 3½	.....	23,914	.....	.....	8 July, "	1 " "
Puckai Widgee.....	The Trust and Agency Company of Australasia (Limited).....	40,600	28,180	104 0 0	2 7 2½	.....	12,420	.....	.....	15 Oct., "	1 " "
Pukameilly or Campbell's Island.....	C. B. Fisher.....	6,880	5,320	30 0 0	3 12 2	.....	1,560	.....	.....	8 July, "	1 " "
Pullitop.....	E. W. Westby.....	42,000	26,501	63 0 0	1 10 5	.....	15,499	.....	.....	17 Nov., "	1 " "
Quat Quata.....	Hon. John Alston Wallace.....	45,962	3,200	10 0 0	2 0 0	.....	42,762	.....	.....	13 May, "	1 " "
Quiamong.....	C. Ibbotson and R. Blackwood.....	19,200	7,824	22 0 0	1 15 11½	.....	11,376	.....	.....	17 Aug., "	1 " "
Red Hill.....	The Bank of New South Wales.....	11,520	11,520	20 0 0	1 2 2½	.....	Not stated.	.....	.....	26 July, "	1 " "
Red Plain.....	Peppin and Sons.....	6,720	4,905	15 0 0	1 19 1½	.....	1,815	.....	.....	13 June, 1874	1 " 1875
Red Plains.....	R. Blackwood.....	32,000	10,361	25 0 0	1 10 10½	.....	21,639	.....	.....	24 Feb., 1876	1 " 1876
Reedy Flat or Manus Creek.....	R. Downey.....	9,600	6,780	15 0 0	1 8 3½	.....	2,820	.....	.....	26 July, 1875	1 " "
Round Hill.....	J. Balfour.....	80,000	6,138	16 0 0	1 13 4½	.....	73,862	.....	.....	19 Nov., "	1 " "
Rushy Grass Flat.....	W. R. Virgoe.....	32,000	16,000	60 0 0	2 8 0	.....	16,000	.....	.....	31 May, "	1 " "
Salisbury Plains.....	G. A. and P. Mein.....	74,200	23,874	93 0 0	2 9 10½	.....	50,326	.....	.....	8 June, 1878	1 " "
Salt Plains.....	W. Officer.....	20,800	19,590	61 0 0	1 19 10½	.....	1,210	.....	.....	8 Aug., "	1 " 1879
Sandy Creek.....	E. C. Pearson.....	23,040	5,075	14 0 0	1 15 3½	.....	17,965	.....	.....	7 Nov., 1877	1 " 1876
Sandy Ridges.....	G. and J. Gray and Sarah F. Neill.....	15,760	3,165	10 10 0	2 2 5½	.....	12,595	.....	.....	18 Sept., "	1 " "
Savernake.....	A. Sloane.....	15,000	4,307	14 10 0	2 2 7½	.....	10,693	.....	.....	18 July, 1878	1 " 1879

Sawyers Mistake	J. and H. Osborne	13,600	6,833	15 0 0	1 8 1	6,767	"	"	20 Mar., 1877	1	"	1876
Shaking Bog	P. and J. Robertson	8,400	8,400	16 0 0	1 4 4 $\frac{1}{2}$	"	"	"	5 Dec., 1874	1	"	1875
Singorambah, block A	Samuel M'Caughy	35,600	35,600	135 0 0	2 8 6 $\frac{1}{2}$	"	"	"	15 Oct., 1875	1	"	1876
" " B	Thomas Robertson	32,400	3,520	16 10 0	3 0 0	28,880	"	"	12 Sept., 1877	1	"	"
" " C	"	28,400	1,900	10 0 0	3 7 4 $\frac{1}{2}$	26,500	"	"	12 " "	1	"	"
" " D	"	25,600	4,480	21 0 0	3 0 0	21,120	"	"	12 " "	1	"	"
" " East	"	107,000	20,290	94 10 0	2 19 7 $\frac{1}{2}$	86,710	"	"	12 " "	1	"	"
" " West	"	107,000	30,059	141 0 0	3 0 0 $\frac{1}{2}$	76,941	"	"	12 " "	1	"	"
South Benongle	J. G. Francis	20,000	20,000	15 0 0	0 9 7	"	"	"	13 June, 1874	1	"	1875
South Currabunganung	R. Blackwood	47,266	11,200	36 0 0	2 1 1 $\frac{1}{2}$	36,066	"	"	15 Oct., 1875	1	"	1876
South Khancoban	W. and E. Scammell	23,000	22,703	31 0 0	0 17 5 $\frac{1}{2}$	297	"	"	26 July, "	1	"	"
South Lalait	H. F. H. Budd	3,840	1,240	10 0 0	5 3 2 $\frac{1}{2}$	2,600	"	"	30 " "	1	"	1878
South Mahonga Forest	R. Rand	28,800	20,560	56 0 0	1 14 10 $\frac{1}{2}$	8,240	"	"	4 " "	1	"	1875
South Momalong	J. and H. Osborne	12,800	12,800	35 0 0	1 15 0	"	"	"	13 June, 1874	1	"	"
South Yathong	W. Rawlins	32,000	7,362	29 0 0	2 10 5	24,638	"	"	20 Mar., 1877	1	"	1876
Spring Creek	The Bank of New South Wales	7,000	6,781	18 0 0	1 13 11 $\frac{1}{2}$	219	"	"	29 Dec., 1873	1	"	1874
Stammer's Forest	J. Ledger	33,000	33,000	35 0 0	0 13 7	"	"	"	5 " "	1	"	1875
Stoney Hills	R. J. Gilman, jun	25,600	25,600	40 0 0	1 0 0	"	"	"	13 June, 1876	1	"	1877
Stranger's Retreat	T. Brown and A. Macfarland	25,600	25,600	55 0 0	1 7 6	"	"	"	13 May, 1875	1	"	1876
Tala	The Trust and Agency Company of Australasia (Limited).	90,000	86,480	337 0 0	1 15 1	3,520	"	"	17 Aug., "	1	"	"
Talbingo	Sarah Lampe	29,500	27,580	10 0 0	0 4 7 $\frac{1}{2}$	1,920	"	"	29 Dec., 1873	1	"	1874
Tantonan	J. C. Telford	24,000	21,280	70 0 0	2 2 1 $\frac{1}{2}$	2,720	"	"	31 May, 1875	1	"	1876
Tararie	J. F. Maguire and E. Cohen	22,000	18,800	25 0 0	0 17 0 $\frac{1}{2}$	3,200	"	"	17 Aug., "	1	"	"
Tarmas	The Australian Joint Stock Bank	8,000	3,443	10 0 0	1 17 2	4,557	"	"	29 Dec., 1873	1	"	1874
Tattaila	A. W. Robertson and J. Wagner	23,040	3,840	12 0 0	2 0 0	19,200	"	"	31 May, 1875	1	"	1876
Ten-mile Creek	Samuel Bowler	10,666	581	10 0 0	11 0 3 $\frac{1}{2}$	10,085	"	"	19 July, "	1	"	"
" " (Billabong)	John Purtil, sen.	20,691	6,365	10 0 0	1 0 1 $\frac{1}{2}$	14,326	"	"	19 " "	1	"	"
The Falls	Samuel Bowler	20,054	5,000	10 0 0	1 5 7	15,054	"	"	7 Nov., 1877	1	"	"
The Pound	W. H. Williams	17,000	11,680	15 0 0	0 16 5 $\frac{1}{2}$	5,320	"	"	12 Sept., "	1	"	"
Thelaka or Dry Lake	E. H. Macartney, M. Rolfe, and E. Moorhouse	19,200	19,200	30 0 0	1 0 0	"	"	"	9 Feb., 1878	1	"	1878
Thule	H. K. H. Darlot	21,860	5,240	20 0 0	2 8 10 $\frac{1}{2}$	16,620	"	"	28 Nov., 1876	1	"	1875
Thurrova	J. C. Telford	53,158	9,040	35 0 0	2 9 6 $\frac{1}{2}$	44,118	"	"	31 May, 1875	1	"	1876
Tollendool	Samuel Wilson	23,250	6,933	28 0 0	2 11 8 $\frac{1}{2}$	16,317	"	"	28 Nov., 1876	1	"	"
Tom Groggin	The Commercial Banking Company	14,226	10,242	24 0 0	1 9 11 $\frac{1}{2}$	3,984	"	"	7 " "	1	"	"
Tongaboo	The City Bank	19,200	19,200	15 0 0	0 10 0	No report.	"	"	Unappraised.	1 April, 1874	"	"
Toogoombie	J. Wilson	32,000	2,500	10 0 0	2 11 1 $\frac{1}{2}$	29,500	"	"	19 April, 1877	1	"	1876
" " block A	D. M'Phail and M. Loughlin	85,060	80,080	287 0 0	2 5 10 $\frac{1}{2}$	4,980	"	"	15 Oct., 1875	1	"	"
" " " B	"	47,000	47,000	140 0 0	1 18 1 $\frac{1}{2}$	"	"	"	15 " "	1	"	"
Toole's Creek	"	40,000	40,000	116 0 0	1 17 1 $\frac{1}{2}$	"	"	"	13 June, 1876	1	"	1877
Toolong	T. Maloney	10,000	8,667	25 0 0	1 16 11	1,333	"	"	19 July, 1875	1	"	1876
Tooma	R. Blackwood	32,400	32,400	20 0 0	0 7 10 $\frac{3}{4}$	No report.	"	"	Unappraised.	1 April, 1874	"	"
Toomooroomoo	G. H. Greene	31,350	18,254	35 0 0	1 4 6 $\frac{1}{2}$	13,096	"	"	26 July, 1875	1	"	1876
Toomorroona	L. Robertson	10,500	10,500	21 0 0	1 5 7 $\frac{1}{2}$	"	"	"	5 Dec., 1874	1	"	1875
Tooringabby or Long Swamp	A., R., and G. Rankin	19,500	19,500	38 0 0	1 4 11 $\frac{1}{2}$	"	"	"	5 " "	1	"	"
Tootool	A. W. Robertson and John Wagner	62,500	37,712	120 0 0	2 0 2 $\frac{1}{2}$	24,788	"	"	31 May, 1875	1	"	1876
Triangle	E. Ashcroft	18,150	16,000	63 0 0	2 10 4 $\frac{1}{2}$	2,150	"	"	19 Nov., "	1	"	"
Triangular Plain	R. Rand	6,400	3,100	10 0 0	2 1 31 $\frac{1}{2}$	3,300	"	"	4 July, 1876	1	"	1877
Tumbarumba	H. Godfrey	14,730	14,730	39 0 0	1 13 10 $\frac{1}{2}$	"	"	"	13 June, 1874	1	"	1875
Tumudgerie	T. H. Mate	44,360	42,671	50 0 0	0 14 11 $\frac{1}{2}$	1,689	"	"	26 July, 1875	1	"	1876
Tumut Plains	J. Hardie and W. T. Millar	45,500	41,127	120 0 0	1 17 4	4,373	"	"	8 " "	1	"	"
Tuppall Creek	E. G. Brown and H. L. Harris	23,000	12,830	15 0 0	0 14 11 $\frac{1}{2}$	10,170	"	"	16 Dec., 1873	1	"	1874
" " South	T. Brown and A. Macfarlan	83,200	16,000	57 0 0	2 5 7	67,200	"	"	4 July, 1876	1	"	1876
Turramia	"	9,881	2,120	10 0 0	3 0 4 $\frac{1}{2}$	7,761	"	"	13 May, 1875	1	"	"
Ugoble	J. C. and H. F. Whitty and R. H. Ramsden	57,600	41,330	128 0 0	1 19 7 $\frac{1}{2}$	16,270	"	"	8 July, "	1	"	"
Umutbee and Tonga	W. and A. M'Leay and W. Clarke	70,500	26,383	123 0 0	2 19 8	44,117	"	"	11 Sept., 1877	1	"	"
Union	T. H. Mate	77,000	46,299	90 0 0	1 4 10 $\frac{1}{2}$	30,701	"	"	19 July, 1875	1	"	"
Upper Goberagandera	R. Rand	2,720	750	10 0 0	8 10 8	1,970	"	"	4 " "	1	"	1875
Upper Indi	J. Jenkins	50,000	50,000	12 0 0	0 3 0 $\frac{1}{2}$	"	"	"	26 " "	1	"	1876
Urangeline	H. L. Prentice	16,000	16,000	10 0 0	0 8 0	"	"	"	26 April, 1876	1	"	1877
Uranquinty	R. Rand	106,000	25,530	78 0 0	1 19 1 $\frac{1}{2}$	80,470	"	"	4 July, "	1	"	1876
Uranna	The Bank of New South Wales	47,200	11,236	27 0 0	1 10 9	35,964	"	"	7 Nov., 1877	1	"	"
Uratta	G. Watt and H. Thomson	24,000	3,000	10 0 0	2 2 8	21,000	"	"	15 Oct., 1875	1	"	"
	Clarke and Macleay	51,200	16,340	83 0 0	3 5 0	34,860	"	"	13 June, 1876	1	"	"

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area withdrawn from Pastoral leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisalment.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
MURRUMBIDGEE DISTRICT—continued.											
Uratta, back block	Macleay and Clarke	56,000	10,725	51 0 0	3 0 10½		45,275	Not ascer- tainable	Not ascer- tainable	11 July, 1878	1 Jan., 1879
Uroly	John Peter	60,000	19,786	100 0 0	3 4 8½		40,214			13 June, 1878	1 " 1879
Wagarabability	W. K. Smith	12,000	3,000	10 0 0	2 2 8		9,000			29 Dec., 1873	1 " 1874
Wagga Wagga	E. C. Pearson	40,000	5,000	20 0 0	2 11 2½		35,000			19 July, 1875	1 " 1876
Wakool Creek	The Australian Mortgage Land and Finance Company.	16,750	13,170	41 0 0	1 19 10		3,580			8 July, 1878	1 " "
Walbundry	R. Goldsbrough and H. Parker	25,600	9,560	30 0 0	2 0 2		16,040			19 Nov., 1878	1 " "
Wallandule	John Blyth	51,200	39,750	93 0 0	1 9 11½		11,450			19 " 1878	1 " "
Walla Walla	J. H. and C. H. Douglas	77,410	2,516	10 0 0	2 10 10½		74,894			31 Jan., 1878	1 " "
Wangamong Plains	John Creed	17,600	15,004	50 0 0	2 2 7½		2,596			8 July, 1875	1 " "
Wanganella, block B	R. B. Ronald and J. MacBain	44,870	22,136	76 10 0	2 4 2½		22,734			12 Sept., 1877	1 " "
" " D		45,300	11,845	37 0 0	1 19 11½		33,455			17 Aug., 1875	1 " "
" " South	G. F. and G. H. Peppin	45,000	16,342	51 0 0	1 19 11½		28,658			17 " 1878	1 " "
Wangaradyny	T. Armstrong	106,400	27,520	107 0 0	2 9 9		78,880			28 Nov., 1876	1 " "
Wannock	H. Ricketson	32,000	19,624	84 0 0	2 14 9½		12,376			18 May, 1875	1 " "
Waoock	J. Cochran	3,600	758	10 0 0	8 8 10½		2,842			18 July, 1878	1 " 1879
Warbracum	M. Shanahan, P. A. Jennings, and Mary Ann Jennings	89,920	4,920	22 10 0	2 18 6		85,000			15 June, 1878	1 " 1876
Wargoora	The Trust and Agency Company of Australasia (Limited).	24,800	21,240	76 0 0	2 5 9½		3,560			17 Aug., 1875	1 " "
Warmatta	Henry Godfrey	16,000	2,980	10 0 0	2 2 11½		13,020			28 Nov., 1876	1 " "
Warangobogra	J. and H. Osborne	24,000	24,000	56 0 0	1 9 10½					18 July, 1878	1 " 1879
Weejasper	W., J., and A. H. M'Bean	29,000	29,000	30 0 0	0 13 3					2 Jan., 1874	1 " 1874
Welaregang, North	J. and C. Crowe	8,200	7,420	11 10 0	0 19 10		780			26 July, 1875	1 " 1876
Werai	H. Gwynne	51,200	49,600	190 0 0	2 9 0½		1,600			8 " 1878	1 " "
West Agintoothbong	The Oriental Bank	32,000	32,000	50 0 0	1 0 0		No report			Not yet appraised.	1 " "
" Blowering	Charlotte Brown	15,000	6,280	10 0 0	1 0 4½		8,720			26 July, 1875	1 " "
" Burrumbuttock	The Bank of Victoria	12,800	3,390	10 0 0	1 17 9		9,410			5 Sept., 1873	1 " 1874
Westcombe	T. Brown and Alexander Macfarlan	38,000	29,584	69 0 0	1 9 10		8,416			13 May, 1875	1 " 1876
West Moonbria	J. Blackwood, J. J. Clarke, and H. B. Paterson.	35,193	13,407	63 0 0	3 0 1½		21,786			2 Sept., 1878	1 " 1879
" Penbayan	The Bank of Victoria	30,000	30,000	30 0 0	0 12 9½					Not appraised	1 " 1876
West-half of Ugobbit, block A	John Peter	45,200	11,699	55 0 0	3 0 2		33,501			18 July, 1878	1 " 1879
Widgiewa	James Cochran	87,000	23,586	92 0 0	2 9 11		63,414			19 April, 1877	1 " 1876
Willakool	S. H. Officer	50,000	20,600	65 0 0	2 0 4½		29,400			8 July, 1875	1 " "
Willie Plumah	The Bank of New South Wales	26,240	6,747	12 0 0	1 2 9		19,493			26 " 1878	1 " "
Windomal	J. F. Maguire and E. Cohen	5,800	5,480	10 0 0	1 3 4½		320			17 Aug., 1878	1 " "
Windouran	Lachlan M'Bean	70,400	14,064	66 0 0	3 0 0½		56,336			12 Sept., 1877	1 " "
" block A	The Trust and Agency Company of Australasia (Limited).	44,000	36,322	112 10 0	1 19 7½		7,678			13 Aug., 1878	1 " 1879
" " B	"	33,930	33,930	75 0 0	1 8 3½					13 June, 1874	1 " 1875
" " C	Lachlan M'Bean	12,800	1,926	10 0 0	3 6 5½		10,874			1 Aug., 1878	1 " 1879
Winter Run	G. A. and P. Mein	24,450	4,830	20 0 0	2 13 0		19,620			8 June, 1878	1 " 1876
Werkenbergal A	W. Lang	32,000	6,705	22 0 0	2 1 11½		25,295			17 Aug., 1875	1 " "
" " B	W. Lang and W. F. Cape	39,000	10,948	34 0 0	1 19 9		28,052			17 " 1878	1 " "
Wogangobiramby	James Rudd	24,300	18,290	30 0 0	1 1 0		6,010			19 July, 1878	1 " "
Wonamurra	W. Peterson and F. T. Sargood	9,600	3,693	12 0 0	2 1 7		5,907			26 Nov., 1876	1 " "
Woomargama	T. Mitchell	29,138	7,285	20 0 0	1 15 1½		21,853			19 July, 1875	1 " "
Woorooma	L. M'Bean	68,480	7,140	30 0 0	2 13 9		61,340			8 " 1878	1 " "
Yab Tree	R. F. Horsley	45,000	13,129	32 0 0	1 11 2½		31,871			19 " 1878	1 " "
Yanco	F. Jenkins	40,320	16,780	66 0 0	2 10 4		23,540			15 Oct., 1878	1 " "
" block A	J. Lamb, W. Kiddle, jun., & Fred. Dale	48,750	48,750	190 0 0	2 9 10½					15 " 1878	1 " "
" " B	Samuel M'Caughey	45,768	3,798	14 0 0	2 7 2		41,970			20 Mar., 1877	1 " "
" " C	"	40,128	1,877	10 0 0	3 8 3½		38,251			20 " 1878	1 " "
" " D	"	36,000	5,331	20 0 0	2 8 0½		30,669			8 June, 1878	1 " 1877

" " E	T. H. Mate	31,800	31,640	125 0 0	2 10 6 $\frac{1}{2}$	160	" " "	15 Dec., 1875	1 " 1876
" " F (western portion)	John Peter	30,000	2,192	10 0 0	2 18 4 $\frac{1}{2}$	27,808	" " "	19 April, 1877	1 " 1875
" " G	The New Zealand and Australian Land Company of Glasgow (Limited).	38,780	1,692	10 0 0	3 16 7 $\frac{1}{2}$	37,088	" " "	20 Aug., 1878	1 " 1879
" " H	The " Trust and Agency Company of Australasia (Limited).	24,500	958	10 0 0	6 13 7 $\frac{1}{2}$	23,542	" " "	12 " "	1 " "
Yanga	Samuel Wilson	216,000	172,484	645 0 0	2 7 10 $\frac{1}{2}$	43,516	" " "	4 July, 1876	1 " 1876
Yanko	A. D. Strachan	110,000	73,280	158 0 0	1 7 7	36,720	" " "	15 Oct., 1875	1 " "
Yarara	H. Creswick and Colonel W. F. Hutton	15,292	14,872	20 0 0	0 17 2 $\frac{1}{2}$	420	" " "	19 July, "	1 " "
Yaree	A. Robertson, D. Robertson, jun., and D. S. Robertson.	24,000	24,000	83 0 0	2 4 3	"	" " "	8 " "	1 " "
Yarrabee	The Bank of New South Wales	42,240	10,000	50 0 0	3 4 0	32,240	" " "	8 Nov., 1877	1 " "
Yarrangobilly	James Gibb	47,000	47,000	20 0 0	0 5 5 $\frac{1}{2}$	"	" " "	26 July, 1875	1 " "
" North	J. and T. Wilkinson	20,000	19,525	31 0 0	1 0 3 $\frac{1}{2}$	475	" " "	20 " "	1 " "
Yellowin	William Officer	17,000	16,320	30 0 0	1 3 6 $\frac{1}{2}$	680	" " "	26 " "	1 " "
Zara	R. J. Gilman	53,049	10,720	34 0 0	2 0 7	42,329	" " "	17 Aug., "	1 " "
Coolman East	James Gibb	9,600	9,600	10 0 0	0 13 4	"	" " "	Not appraised	1 " "
Talbingo South	S. M. Swift	38,000	38,000	10 0 0	0 3 4 $\frac{1}{2}$	"	" " "	"	1 " 1874
Tooma Falls		16,000	16,000	25 0 0	1 0 0	"	" " "	15 Jan., 1878	1 " 1878
Totals		14,657,334	7,672,953	20,934 3 0	1 14 11	6,963,381			

NOTE.—The new rents for the year 1879 have been entered, in this district, in all cases where the appraisements have been received.

NEW ENGLAND DISTRICT.

Aberbaldie	John Scott	22,400	12,437	30 0 0	1 10 10 $\frac{1}{2}$	4,007	5,956	" " "	27 Dec., 1877	1 Jan., 1876
Aberfoil	J. and F. White	115,200	111,510	220 0 0	1 5 3	1,640	2,050	" " "	4 Jan., 1876	1 " "
Abington	W. H. and G. P. Morse	49,920	44,525	105 0 0	1 10 2 $\frac{1}{2}$	2,295	3,100	" " "	6 Mar., "	1 " "
Aitkins Flat	W., R., A., E., and A. Bowman	30,700	15,540	45 0 0	1 17 0 $\frac{1}{2}$	"	15,160	" " "	26 Oct., 1875	1 " "
Annandale	Edward Irby	16,000	16,000	25 0 0	1 0 0	"	"	" " "	20 " "	1 " "
Arthur's Seat	Charles and John Codrington	20,480	20,300	25 10 0	0 16 1	180	"	" " "	29 Sept., "	1 " "
Auburn Vale	Anne Murray	35,000	15,490	26 10 0	1 1 10 $\frac{1}{2}$	17,510	2,000	" " "	28 " "	1 " "
Balala	Morse and Tourle	96,000	86,457	225 0 0	1 13 3 $\frac{1}{2}$	4,013	5,530	" " "	12 Feb., 1876	1 " "
Balblain	W. A. B. Greaves	28,800	23,120	52 0 0	1 8 9 $\frac{1}{2}$	1,300	4,380	" " "	4 Jan., "	1 " "
Bannockburn	The Commercial Banking Company	30,720	13,447	39 0 0	1 17 1 $\frac{1}{2}$	12,793	4,480	" " "	20 Oct., 1875	1 " "
Barney Downs	J. G. and J. W. Dickson	48,000	33,028	50 0 0	0 19 4 $\frac{1}{2}$	10,052	4,920	" " "	17 Nov., 1877	1 " "
Barry's Station	The Commercial Banking Company	64,000	64,000	45 0 0	0 9 0	"	"	" " "	17 Aug., 1874	1 " 1875
Bendemeer	T. A. Perry	16,000	6,541	25 0 0	2 8 11	1,616	7,843	" " "	12 Feb., 1876	1 " 1876
Bergen-op-Zoom	E. B. Boulton	29,440	2,839	12 0 0	2 14 1 $\frac{1}{2}$	11,490	15,111	" " "	13 Mar., 1877	1 " 1875
Beverley	T. Cooper	46,080	41,450	105 0 0	1 12 5	790	3,840	" " "	29 " "	1 " 1877
Blair Hill	C. Legh	25,600	19,682	48 0 0	1 11 2 $\frac{1}{2}$	1,938	3,980	" " "	15 Sept., 1875	1 " 1876
Black Swamp	A. Bowman	19,200	19,200	12 10 0	0 8 4	"	"	" " "	1 " "	1 " 1877
Bolivia	E. Irby	64,000	51,721	110 0 0	1 7 2 $\frac{1}{2}$	3,453	8,826	" " "	17 Nov., 1877	1 " 1876
Bonshaw	The Commercial Banking Company	96,000	94,070	120 0 0	0 16 3 $\frac{1}{2}$	870	1,060	" " "	11 Oct., 1875	1 " "
Bourah Bourah Creek	Thomas Walker	19,200	19,152	20 0 0	0 13 4 $\frac{1}{2}$	48	"	" " "	20 Sept., "	1 " "
Bouralong	M. H. Marsh	128,000	122,900	250 0 0	1 6 0 $\frac{1}{2}$	3,730	1,280	" " "	4 Jan., 1876	1 " "
Branga Park	R. A. and A. Wauch	17,920	16,392	52 0 0	2 0 7 $\frac{1}{2}$	1,528	"	" " "	21 " "	1 " "
" Plains	J. Fletcher	38,400	38,080	75 0 0	1 5 2 $\frac{1}{2}$	320	"	" " "	21 Mar., "	1 " "
Bukkulla	A. Dodds and B. Lee	20,000	8,160	13 15 0	1 1 6 $\frac{1}{2}$	4,280	7,560	" " "	28 Sept., 1875	1 " "
Byron Plains	C. A. Fraser and P. W. Anderson	61,440	1,920	10 0 0	3 6 8	16,392	43,128	" " "	20 Oct., "	1 " "
Calligan Swamps	Joseph Pearse	38,400	37,480	75 0 0	1 5 7 $\frac{1}{2}$	920	"	" " "	21 Jan., 1876	1 " "
Clarevaux	F. A. Stratford	29,120	10,941	28 0 0	1 12 9 $\frac{1}{2}$	8,419	9,760	" " "	14 Sept., 1875	1 " "
Clerkness	The Bank of New South Wales	54,400	39,236	80 0 0	1 6 1 $\frac{1}{2}$	2,940	12,224	" " "	6 Mar., 1876	1 " "
Clifton	J. B. Watt and W. O. Gilchrist	59,000	57,231	122 10 0	1 7 4 $\frac{1}{2}$	1,379	390	" " "	20 Sept., 1875	1 " "
Congo	A. Nevison	16,000	15,680	38 0 0	1 10 11 $\frac{1}{2}$	160	160	" " "	21 Mar., 1876	1 " "
Coniac	G. Gorton and Son	6,400	6,400	10 0 0	1 0 0	"	"	" " "	27 Dec., 1877	1 " 1878
Cooplacurripa	J. K. Mackay	16,000	13,500	25 0 0	1 3 8 $\frac{1}{2}$	2,500	"	" " "	17 Aug., 1874	1 " 1875
Cope's Creek	E. G. Swinton	12,800	11,560	18 0 0	0 19 11 $\frac{1}{2}$	1,240	"	" " "	28 Sept., 1875	1 " 1876
Cowar	J. MacLennan	25,600	25,560	18 0 0	0 9 0 $\frac{1}{2}$	40	"	" " "	13 Mar., 1877	1 " 1877
Cunderay	Elizabeth Crawford	96,000	95,960	60 0 0	0 8 0	40	"	" " "	27 Dec., "	1 " 1878
Curraaback	A. Hooke	35,200	34,860	75 0 0	1 7 6 $\frac{1}{2}$	340	"	" " "	17 Aug., 1874	1 " 1875
Curraabundi	J. Mackey	16,000	15,919	35 0 0	1 8 1 $\frac{1}{2}$	81	"	" " "	17 " "	1 " "
Deepwater	J. Windeyer and J. D. Macanish	46,080	36,625	90 0 0	1 11 5 $\frac{1}{2}$	5,915	3,540	" " "	14 Sept., 1875	1 " 1876

Area pre-leased, reserved, and otherwise withdrawn from the Pastoral Leasehold.

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisalment.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
NEW ENGLAND DISTRICT—continued.											
				£ s. d.	£ s. d.						
Dewit Creek	A. Hooke	16,000	15,600	18 0 0	0 14 9½	400		Not ascer-	Not ascer-	27 Dec., 1877	1 Jan., 1878
Dinton Vale	M. C. Machardy	10,000	Nil	10 0 0		6,220	3,780	tainable...	tainable...	29 Sept., 1875	1 " 1876
Dundee	O. Bloxsome	32,080	11,075	10 0 0	0 11 6½	7,902	13,103	"	"	15 " "	1 " "
Dunmore	John Mitchell	16,000	16,000	25 0 0	1 0 0			"	"	4 Jan., 1876	1 " "
East Yarrowitch	A. Nevison	40,320	35,136	38 0 0	0 13 10	2,256	2,928	"	"	29 July, 1874	1 " 1875
Edgerton	J. A. Keys and F. White	46,080	44,250	90 0 0	1 6 0½	1,230	600	"	"	28 Sept., 1875	1 " 1876
Elmsmore	Catherine Campbell	38,000	25,331	30 0 0	0 15 1½	6,972	5,697	"	"	30 " "	1 " "
Emu Creek	G. R. Gill	38,400	17,284	14 0 0	0 10 4½	6,719	14,397	"	"	21 Jan., 1876	1 " "
Enmore	Eliza Crawford	35,200	33,600	55 0 0	1 0 11½	1,150	450	"	"	21 " "	1 " "
Europambella North	C. D. Fenwick	28,800	20,824	57 0 0	1 15 0½	7,976		"	"	29 July, 1874	1 " 1875
" South	"	12,800	6,187	10 0 0	1 0 8½	6,613		"	"	4 Jan., 1876	1 " 1876
Eversleigh	A. H. Belfield and Rev. S. Hungerford	16,640	6,851	20 0 0	1 17 4½	7,969	1,820	"	"	12 Feb., "	1 " "
Falconer West	The Bank of New South Wales	17,920	16,228	42 0 0	1 13 1½	412	1,280	"	"	28 Sept., 1875	1 " "
Frazer's Creek	"	57,600	54,963	105 0 0	1 4 5½	1,357	1,280	"	"	4 Jan., 1878	1 " "
Gara	D. & S. Cohen & L. W. Levy	51,200	23,700	21 0 0	0 11 4	16,216	11,284	"	"	21 " 1876	1 " "
Giro	J. K. Mackay and A. Cobb	16,000	15,168	30 0 0	1 5 3½	192	640	"	"	10 Aug., "	1 " 1877
Glen Barnett	A. Robson	10,220	10,220	15 0 0	0 18 9½			"	"	16 Sept., 1875	1 " 1876
Glen Elgin	The Bank of New South Wales	42,240	42,080	90 0 0	1 7 4½	160		"	"	27 Dec., 1877	1 " "
Glen Morrison	Agnes D. Connal	25,600	17,339	45 0 0	1 13 2½	2,781	5,480	"	"	21 Jan., 1876	1 " "
Glenrock	A., J., J. Campbell and R. Simpson	40,320	40,230	70 0 0	1 2 3½	90		"	"	28 " "	1 " "
Gostwyck	H. Dangar	49,920	2,930	16 0 0	3 9 10½	37,150	9,840	"	"	15 Sept., 1875	1 " "
Graham's Valley	The English, Scottish, and Australian Chartered Bank.	12,000	12,000	45 0 0	2 8 0			"	"	28 " "	1 " "
Gunyan	M. S. M'Dougall	22,400	18,560	60 0 0	2 1 4½	960	2,880	"	"	28 " "	1 " "
Guy Faux	John Browne	25,600	25,230	45 0 0	1 2 10	50	320	"	"	21 Jan., 1876	1 " "
Guyra East	John Smith	7,500	4,320	14 0 0	2 1 5½	1,200	1,980	"	"	27 Dec., 1877	1 " "
Guyra West	William Millis	12,800	11,100	20 0 0	1 3 0½	1,060	640	"	"	4 Jan., 1876	1 " "
North Gyra	D. S. Anderson and C. Legh	46,720	8,686	25 0 0	1 16 10	13,947	24,087	"	"	12 Feb., "	1 " "
Thalgarah	H. E. Bigg	14,720	Nil	10 0 0		9,320	12,640	"	"	31 Dec., 1877	1 " 1877
Hanging Rock	J. P., W., and P. A. Prisk	12,800	9,703	15 0 0	0 19 9½	220	2,877	"	"	17 Aug., 1874	1 " 1875
Hanning	Robert Murray	11,520	9,200	23 0 0	1 12 0	400	1,920	"	"	12 Feb., 1876	1 " 1876
Hernani	Edward Hargrave	19,200	18,220	45 0 0	1 11 7½	180	800	"	"	4 Jan., "	1 " "
Hillgrove	R. Hargrave	20,480	18,045	45 0 0	1 11 11	2,435		"	"	4 " "	1 " "
Ingalba	John and Agnes D. Connal	19,200	17,836	52 0 0	1 17 3½	1,364		"	"	21 " "	1 " "
Inverell	Catherine Campbell	42,240	10,374	10 0 0	0 12 4	25,866	6,000	"	"	30 Sept., 1875	1 " "
Jeogola	David Bell	28,800	28,580	60 0 0	1 6 10½	220		"	"	28 Jan., 1876	1 " "
Kangaroo Flat	R. and A. T. Laurie	54,400	54,400	43 0 0	0 10 1½			"	"	29 July, 1874	1 " 1875
" Hills	W. Coventry	38,400	38,210	32 0 0	0 10 8½	190		"	"	4 Jan., 1876	1 " 1876
Karoola North	E. S. Wyndham and P. P. Wright	7,680	4,902	10 0 0	1 6 1½	1,866	912	"	"	10 Nov., 1877	1 " "
" South	"	17,280	11,663	20 0 0	1 1 11½	1,773	3,844	"	"	10 " "	1 " "
Kentucky	J. Fletcher	28,800	15,786	25 0 0	1 0 3½	9,637	3,377	"	"	21 Jan., 1876	1 " "
Kingsgate	Edward Flood	61,440	60,480	40 0 0	0 8 5½	960		"	"	14 Sept., 1875	1 " "
King's Plains	The Australian Joint Stock Bank	32,000	1,855	16 0 0	5 10 4½	15,585	14,560	"	"	15 " "	1 " "
Kulki	M. C. Machardy	14,000	12,570	13 10 0	0 13 9	1,430		"	"	3 June, 1878	1 " "
Kuthi	John Williams	11,520	10,983	35 0 0	2 0 9½	537		"	"	17 Aug., 1874	1 " 1875
Laura	The Australian Joint Stock Bank	32,000	26,090	50 0 0	1 4 6½	2,630	3,280	"	"	6 Mar., 1876	1 " 1876
Lindsay	A. H. Belfield and Revd. S. Hungerford	19,200	10,398	30 0 0	1 17 0	5,556	3,246	"	"	4 Jan., "	1 " "
Llangothlin East	The Bank of New South Wales	22,400	21,840	60 0 0	1 15 2	560		"	"	12 Feb., "	1 " "
" West	"	25,600	25,020	60 0 0	1 10 8½	580		"	"	12 " "	1 " "
Loanga	David Bell	33,280	32,340	65 0 0	1 5 7½	940		"	"	28 Jan., "	1 " "
Long Flat	Mary Ann Cochrane	56,960	56,960	40 0 0	0 8 11½			"	"	27 Dec., 1877	1 " 1878
Longford	G. L. Gibson	38,400	30,255	75 0 0	1 11 8½	685	7,460	"	"	12 Feb., 1876	1 " 1876
Longreach	A. J. Darby	16,000	14,780	30 0 0	1 5 11½	120	1,100	"	"	28 Mar., "	1 " 1877
Lower Nowendock	J. K. Mackay	12,800	12,444	15 0 0	0 15 5½	356		"	"	7 Aug., "	1 " "
Lower Styx	T., W., B., and P. Britton	6,400	6,400	10 0 0	1 0 0			"	"	7 " "	1 " "

Maidenhead	W., R., A., and E. Bowman	46,080	28,370	85	0	0	1	18	41	1,330	16,380	26 Oct., 1875	1	1876
Mandowey Creek	The Commercial Banking Company	51,200	51,200	65	0	0	0	16	3			28 Sept.,	1	"
Marengo	Jacob Brown	19,200	19,200	40	0	0	1	6	8			4 Jan., 1876	1	"
Maroowan	F. M'Innes	10,880	8,935	16	0	0	1	2	11	1,625	320	14 Sept.,	1	"
Mengoola	R. Logan	34,560	34,560	100	0	0	1	17	01			20 "	1	"
Mih Creek North	F. R. White	12,800	2,697	10	0	0	2	7	51	4,566	5,537	28 Feb.,	1	"
South		28,800	5,451	10	0	0	1	3	51	8,449	14,900	28 "	1	"
Mole River	J. F. M'Mullen	71,000	59,020	80	0	0	0	17	41		11,980	20 Oct.,	1	"
Moona Plains	Elizabeth Crawford	16,000	15,840	40	0	0	1	12	4	160		21 Jan., 1876	1	"
Mooraback	The Bank of New South Wales	16,000	15,780	16	0	0	0	12	111	220		19 Sept., 1874	1	1875
Moredun	A. Wauchope	70,400	60,910	65	0	0	0	13	8	4,200	5,290	4 Jan., 1876	1	1876
Morven	The Bank of New South Wales	16,000	16,000	35	0	0	1	8	0			1 Sept.,	1	1877
Mount Mitchell	The City Bank	53,760	53,720	110	0	0	1	6	21	40		14 "	1	1876
"	John Barker	17,920	15,640	60	0	0	2	9	11	40	2,240	14 "	1	"
Mullamanna	A. Dodds and B. Lee	30,000	21,250	27	10	0	0	16	61	8,750		28 "	1	"
Muluerindi	David Bell	17,920	15,200	18	0	0	0	15	2	1,280	1,440	29 Dec., 1876	1	1875
Mumble Water	J. K. Mackay	12,800	12,642	20	0	0	1	0	3	158		7 Aug.,	1	1877
Newstead	Mary S. Anderson	62,720	15,810	25	0	0	1	0	3	16,137	30,773	28 Sept., 1875	1	1876
New Valley	E. G. Swinton	15,000	15,000	30	0	0	1	5	71			19 July, 1873	1	1874
No. 2 River	J. K. Mackay	9,600	9,560	12	0	0	0	16	01	40		7 Aug., 1876	1	1877
Nowendoc	Thomas Laurie	38,400	36,452	85	0	0	1	9	101	1,308	640	15 "	1	1875
Nuandle	Charles Blaxland	64,000	53,774	117	0	0	1	7	101	3,054	7,172	6 Mar., 1876	1	1876
Oakwood	A. and R. Amos	25,600	24,800	40	0	0	1	0	71	200	600	15 Sept., 1875	1	"
Oban	C. and J. Coventry	19,200	17,880	55	0	0	1	19	41	480	840	4 Jan., 1876	1	"
Ollera	G. J. and E. Everett	64,000	48,895	90	0	0	1	3	61	6,345	8,760	4 "	1	"
Orrabar	John Jurd	32,000	31,750	70	0	0	1	8	21	250		29 Mar.,	1	"
Ourandumbly Heads	R. A. and A. Wauch	9,600	9,600	26	5	0	1	15	0			17 Aug., 1874	1	1875
Paddy's Land	Newby and Sons	16,000	16,000	35	0	0	1	8	0			19 Sept.,	1	"
Paradise Creek	W. J., H. C., F. H., and A. A. Dangar	60,000	41,038	90	0	0	1	8	01	6,128	12,834	2 Oct., 1875	1	1876
Pindari	P. C. Campbell and J. J. R. Gibson	40,000	31,663	40	0	0	0	16	2	3,117	5,220	7 Dec., 1877	1	"
Rampsbeck	H. H. Thomas	14,080	13,960	40	0	0	1	16	8	120		4 Jan., 1876	1	"
Ranger's Valley	O. Bloxsome	70,000	44,301	46	0	0	0	13	31	11,754	13,945	5 June, 1878	1	"
Retreat	H. B. Tomkins	40,960	37,119	65	0	0	1	2	5	2,798	1,043	12 Feb., 1876	1	"
Rimbanda	David Bell	44,800	39,834	65	0	0	1	0	101	3,046	1,920	28 Jan.,	1	"
Rock Vale	John Gill	19,000	10,960	20	0	0	1	3	41	5,280	2,760	27 Dec., 1877	1	"
Rocky Creek	H. Gordon	44,800	32,372	65	0	0	1	5	81	3,900	8,528	26 June, 1875	1	"
Salisbury	M. H. Marsh	25,600	7,638	30	0	0	2	10	31	10,092	7,870	4 Jan., 1876	1	"
Serpentine River	T. W., B., and P. Britton	22,400	22,400	35	0	0	1	0	0			4 "	1	"
Shannon Vale	The Bank of New South Wales	46,000	41,560	75	0	0	1	3	11	2,820	1,620	1 Sept.,	1	1877
Spring Mount	James Ryan	10,240	6,709	18	0	0	1	14	4	1,982	1,549	12 Feb.,	1	1876
St. Leonards	R. A. and A. Wauch	25,600	24,640	60	0	0	1	11	2	320	640	21 Jan.,	1	"
Stonehenge	English, Scottish, & Australian Chartered Bank	16,000	5,470	20	0	0	2	6	91	3,848	6,682	14 Sept., 1875	1	"
Stoney Batter	A. W. Blaxland, A. E. and S. S. Hays	70,400	51,607	145	0	0	1	15	111	6,643	12,150	20 Mar., 1878	1	"
Stony Creek	M. Kelly	19,200	17,440	35	0	0	1	5	81	80	1,680	6 "	1	"
Strathbogie	H. Gordon	71,680	47,744	78	0	0	1	0	11	11,936	12,000	26 June, 1875	1	"
Surveyor's Creek	James Scott	61,440	53,179	80	0	0	0	19	3	7,172	1,089	27 Dec., 1877	1	"
Swamp Oak	The Australian Joint Stock Bank	44,800	44,800	38	0	0	0	10	101			18 Sept.,	1	"
Tara	R. Scholes	19,200	16,080	45	0	0	1	15	91	1,520	1,600	12 Feb., 1876	1	"
Tenterden	G., J., and E. Everett	64,000	56,340	120	0	0	1	7	31	2,385	5,275	4 Jan.,	1	"
Tenterfield	Thomas Walker	119,000	69,726	164	0	0	1	10	11	19,074	30,200	2 Oct., 1875	1	"
Terrabrunalah	J. K. Mackay	38,400	38,300	40	0	0	0	13	41	100		7 Aug., 1876	1	1877
Terrible Vale	W. T. Taylor	26,880	Nil	10	0	0				15,691	17,943	27 Dec., 1877	1	1876
Texas	R. A. A. Morehead and M. Young	45,000	45,000	85	0	0	1	4	21			28 Sept., 1875	1	"
The Peak	John Gill	29,000	13,713	30	0	0	1	8	0	6,947	8,340	27 Dec., 1877	1	"
Tiara	Edward Norton	25,600	17,721	40	0	0	1	8	101	4,359	3,520	27 "	1	1875
Tia River	R. H. Denne	60,160	58,280	135	0	0	1	9	71	1,880		17 Aug., 1874	1	"
Tiengah	S. H. Darby	67,200	47,476	145	0	0	1	19	1	1,090	18,634	6 Mar., 1876	1	1876
Tilbuster	George Cross	51,200	14,506	20	0	0	0	17	71	13,094	23,600	4 Jan.,	1	"
Toggolo	A., J., and J. Campbell, & R. Simpson	70,400	70,320	35	0	0	0	6	41	80		17 Aug., 1874	1	187
Tomalla	"	70,400	70,320	130	0	0	1	3	8	80		17 "	1	"
Toryburn	Charles Blaxland	28,800	7,287	20	0	0	1	15	11	6,849	14,664	27 Dec., 1877	1	1876
Upper Barnard	J. K. Mackay and A. Cobb	22,400	22,053	40	0	0	1	3	21	347		21 Jan., 1876	1	"
Upper Cooplacurrapa	J. K. Mackay	16,000	15,780	25	0	0	1	0	31	220		7 Aug.,	1	1877
Upper Mumble	"	16,000	16,000	24	0	0	0	19	21			7 "	1	"

Run	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area released, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisal.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
NEW ENGLAND DISTRICT—continued.											
Upper Tia	John Brown	12,800	12,640	£ 35 0 0	£ 1 15 5½	160	.....	Not ascer- tainable...	Not ascer- tainable...	21 Jan., 1876	1 Jan., 1876
Walcha	John Fletcher	41,600	35,897	60 0 0	1 1 4½	4,573	1,130	.....	.....	29 July, 1874	1 " 1875
Walamumby	"	96,000	74,226	70 0 0	0 12 0½	12,037	9,737	.....	.....	27 Dec., 1877	1 " 1876
Wanscombe	The Commercial Banking Company	22,400	20,760	50 0 0	1 10 10	1,000	640	.....	.....	6 Mar., 1876	1 " "
Ward's Mistake	W. Nowland	76,800	76,160	100 0 0	0 16 9½	640	.....	.....	.....	4 Jan., "	1 " "
Waterloo	The Commercial Banking Company	23,040	10,722	18 0 0	1 1 5½	5,918	6,360, 40	.....	.....	21 Dec., "	1 " 1875
"	Rev. D. K. McIntyre	45,000	1,920	10 0 0	3 6 8	10,800	32,280	.....	.....	14 Sept., 1875	1 " 1876
Wellingrove	P. C. Campbell and J. J. R. Gibson	50,000	37,790	15 0 0	0 5 1	2,740	9,470	.....	.....	14 Nov., 1877	1 " "
Wellington Vale	R. R. C. Robertson	80,640	25,493	58 0 0	1 9 1½	9,896	45,251	.....	.....	18 Sept., "	1 " "
Western Yarrowitch	Abraham Nevison	34,560	30,168	30 0 0	0 12 8½	1,098	3,294	.....	.....	29 July, 1874	1 " 1875
Westholm	M. C. Machardy	7,000	262	10 0 0	24 8 6½	4,498	2,240	.....	.....	29 Sept., 1875	1 " 1876
Whitmore	O. Bloxsome	13,940	3,240	10 0 0	1 19 6	5,032	5,668	.....	.....	18 Dec., 1876	1 " 1877
Wild Cattle Creek	Mackay and Cobb	28,800	28,800	20 0 0	0 8 10½	.....	.....	.....	.....	18 Sept., 1873	1 " 1874
Winterbourne	G. R. Gill	32,000	31,840	60 0 0	1 4 1½	160	.....	.....	.....	21 Jan., 1876	1 " 1876
Yarrow Creek	Edward Flood	64,000	64,000	130 0 0	1 6 0	.....	.....	.....	.....	14 Sept., 1875	1 " "
Yarrowitch	Henry Dangar	83,200	81,180	190 0 0	1 9 11½	1,060	960	.....	.....	28 Jan., 1876	1 " "
Kingstown	J. and R. King	16,000	16,000	10 0 0	0 8 0	.....	.....	.....	.....	20 Mar., 1878	1 " "
Alfreda	John Coventry	12,800	12,800	20 0 0	1 0 0	.....	.....	.....	.....	4 Jan., 1876	1 " "
Total		6,194,040	4,826,399	8,797 0 0	1 3 4	611,606	770,028				
WARREGO DISTRICT.											
Amphitheatre Range	John Cox	64,000	64,000	20 0 0	0 4 0	.....	.....	.....	.....	— June, 1875	1 Jan., 1876
Aripilis	Hon. John O'Shanassy	10,400	10,400	26 0 0	1 12 0	.....	.....	.....	.....	11 Nov., 1876	1 " 1877
Back Aripilis	Sir Samuel Wilson	19,000	19,000	15 0 0	0 10 1	.....	.....	.....	.....	11 " "	1 " "
" Billybungbone	Patrick Sullivan	16,000	16,000	23 0 0	0 18 4½	.....	.....	.....	.....	28 " "	1 " "
" Booroomugga	D. J. O'Neill	64,000	64,000	20 0 0	0 4 0	.....	.....	.....	.....	.....	1 " 1878
" " No. 1 East	R. Goldsbrough and H. Parker	64,000	64,000	20 0 0	0 4 0	.....	.....	.....	.....	— June, 1875	1 " 1876
" " " 2	Patrick Cox	64,000	64,000	20 0 0	0 4 0	.....	.....	.....	.....	11 Nov., "	1 " 1875
" " " 1 West	D. J. O'Neill	64,000	64,000	15 0 0	0 3 0	.....	.....	.....	.....	— June, "	1 " "
" " " 2	"	64,000	64,000	15 0 0	0 3 0	.....	.....	.....	.....	11 Nov., 1876	1 " 1877
" Boyong	The Hon. John O'Shanassy	40,200	40,200	30 0 0	0 9 1½	.....	.....	.....	.....	11 " "	1 " "
" of Campadore	Andrew Tobin	30,400	30,400	25 0 0	0 10 6½	.....	.....	.....	.....	11 " "	1 " "
" Coronga Peak East	J. F. Best	45,000	45,000	10 0 0	0 2 10½	.....	.....	.....	.....	Not appraised.	1 July, 1873
" " West	John Cox	64,000	64,000	25 0 0	0 5 0	.....	.....	.....	.....	21 Aug., 1877	1 " 1878
" Dunlop's Range	Andrew Tobin	45,000	45,000	16 0 0	0 4 6	.....	.....	.....	.....	11 Nov., 1876	1 " 1877
" Giggen	Walter Douglas	16,000	16,000	15 0 0	0 12 0	.....	.....	.....	.....	12 Sept., "	1 " "
" Gumball	J. T. Smith	64,000	64,000	25 0 0	0 5 0	.....	.....	.....	.....	9 Nov., "	1 " "
" Gundabooka A	D. J. O'Neill	64,000	64,000	20 0 0	0 4 0	.....	.....	.....	.....	31 July, 1877	1 " 1878
" " B	R. Goldsbrough and H. Parker	57,600	57,600	25 0 0	0 5 6½	.....	.....	.....	.....	31 " "	1 " "
" Imbergie	W. J. Forrester	14,000	14,000	15 0 0	0 13 8½	.....	.....	.....	.....	18 Nov., 1874	1 " 1875
" Jandra	George Armytage	34,500	34,500	30 0 0	0 11 1½	.....	.....	.....	.....	31 July, 1877	1 " 1878
" Kigwigil	G. A. and P. Mein	52,000	52,000	30 0 0	0 7 4½	.....	.....	.....	.....	31 Oct., 1873	1 " 1874
" Langboyde, No. 2	John Wooller	52,000	52,000	42 0 0	0 10 4	.....	.....	.....	.....	12 Sept., 1876	1 " 1877
" Manwanga	George Armytage	37,500	37,500	26 0 0	0 8 10½	.....	.....	.....	.....	11 Nov., "	1 " "
" Moodana	The Commercial Banking Company	32,000	32,000	20 0 0	0 8 0	.....	.....	.....	.....	17 Jan., 1877	1 " "
" Morella	"	27,000	27,000	16 0 0	0 7 7	.....	.....	.....	.....	18 Nov., 1874	1 " 1875
" Pera	The Honorable John O'Shanassy	50,340	50,280	30 0 0	0 4 1	60	.....	.....	.....	3 April, 1877	1 " 1877
" Polo	"	14,000	14,000	17 0 0	0 15 6½	.....	.....	.....	.....	11 Nov., 1876	1 " "
" Talaa and Bonny	G. C. Hawker	51,000	51,000	28 0 0	0 7 0½	.....	.....	.....	.....	10 April, 1877	1 " "
" Teriabola	The Commercial Bank	3,840	3,840	10 0 0	1 13 4	.....	.....	.....	.....	12 Sept., 1876	1 " "
" Turee	G. C. Hawker	59,000	59,000	37 0 0	0 8 0½	.....	.....	.....	.....	21 Oct., "	1 " "
" Wheelereen	M'Kay and Cobb	16,000	16,000	21 0 0	0 16 9½	.....	.....	.....	.....	24 " "	1 " "

of Winbar	Andrew Tobin	29,400	29,400	28 0 0	0 12 21				11 Nov.,	1	"	"
Woolla Woolla	J. T. Smith	64,000	64,000	16 0 0	0 3 21				9 "	1	"	"
Wyerie	Walter Douglas	16,000	16,000	15 0 0	0 12 0				12 Sept.,	1	"	"
Yerambah	The Australian Joint Stock Bank	64,000	64,000	80 0 0	0 16 0				18 " 1876	1	Jan.,	1877
Back of back Booroomugga	D. J. O'Neill	64,000	64,000	25 0 0	0 5 0				31 July, 1877	1	"	1878
" " East	J. B., P., and C. O'Leary	40,000	40,000	15 0 0	0 4 9 1/2				31 "	1	"	"
" " No. 1, West	D. J. O'Neill	75,000	75,000	15 0 0	0 2 6 3/4				11 Nov., 1874	1	"	1875
" " 2		80,000	80,000	15 0 0	0 2 4 1/2				11 "	1	"	"
" " Dunlop's Range	A. Moffat and R. Brown	54,000	53,640	15 0 0	0 3 6 3/4	40	320		7 June, 1875	1	"	1876
" " Gumhall	James Bevan	60,000	60,000	15 0 0	0 3 2 1/2				Not appraised	1	"	1874
" " Moodana	The Commercial Banking Company	64,000	63,840	25 0 0	0 5 0	160			9 Nov., 1876	1	"	1877
" " Woolla Woolla	J. T. Smith	75,000	75,000	18 0 0	0 3 0 3/4				9 "	1	"	"
Balbinbinyid	The Australian Joint Stock Bank	15,000	14,360	35 0 0	1 11 3		640		26 July, 1875	1	"	1876
Ballanbillian	The Commercial Banking Company	17,000	17,000	38 0 0	1 8 7 1/2				30 Sept., 1876	1	"	1877
" " back		10,000	10,000	15 0 0	0 19 2 1/2				30 "	1	"	"
Banga	George Armytage	27,500	27,180	70 0 0	1 12 11 1/2	320			1 June, 1874	1	"	1875
Bankeet	W. J. Forrester	16,000	16,000	40 0 0	1 12 0				19 Sept., 1876	1	"	1877
Bannockburn	A. D. Macleay and W. Beaumont	32,000	32,000	80 0 0	1 12 0				24 Oct., "	1	"	"
Barnbah	C. Baldwin and W. Crowley	15,100	15,100	42 0 0	1 15 7				19 Sept., "	1	"	"
Barungell	O. Bloxome	54,000	54,000	26 5 0	0 6 2 1/2				19 "	1	"	"
Belalie	R. Scott	26,000	26,000	47 0 0	1 3 1 1/2				21 Oct., "	1	"	"
Bend	A. D. Macleay and W. Beaumont	14,000	13,960	22 0 0	1 0 2	40			18 Nov., 1874	1	"	1875
Big Bend	John F. Doyle	11,000	11,000	35 0 0	2 0 8 1/2				13 Sept., 1876	1	"	1877
Birben	The Commercial Banking Company	64,000	64,000	83 0 0	0 16 7				18 "	1	"	"
Birie East, No. 1	J. F. M'Mullen	18,000	18,000	37 0 0	1 6 3 3/4				24 Oct., "	1	"	"
" " 2	J. B. Watt	18,000	18,000	31 0 0	1 2 0 1/2				12 Sept., "	1	"	"
Block B	" and W. O. Gilchrist	52,000	52,000	70 0 0	0 17 2 1/2				21 Dec., "	1	"	"
" " A, Bogeira	Samuel Clift	16,000	16,000	37 10 0	1 10 0				2 Oct., 1877	1	"	1878
" " B, "	The Commercial Bank	18,000	18,000	40 0 0	1 8 5 1/2				3 "	1	"	"
" " C, "	Samuel Clift	16,000	16,000	36 0 0	1 8 9 1/2				24 " 1876	1	"	1877
" " A, or Cockellireena	The Commercial Bank	19,500	19,500	41 0 0	1 6 10 1/2				9 Nov., "	1	"	"
" " C, or Looden	G. C. Hawker	36,000	36,000	35 0 0	0 12 5 1/2				7 Oct., 1873	1	"	1874
Bogeira Back	A. D. Macleay and W. Taylor	48,000	48,000	67 10 0	0 18 0				13 Sept., 1876	1	"	1877
" " East	A. D. Macleay, W. Taylor, and H. W. Hammond	7,000	7,000	12 0 0	1 1 11 1/2				13 "	1	"	"
" " A	W. Taylor and A. D. Macleay	21,000	21,000	33 0 0	1 0 1 1/2				31 Oct., 1873	1	"	1874
" " B	"	13,000	12,960	33 0 0	1 12 7	40			31 "	1	"	"
Bomangabah, South	G. A. and P. Mein	16,000	16,000	25 0 0	1 0 0				24 " 1876	1	"	1877
Bomba	Catherine M'Kenzie	15,000	15,000	32 0 0	1 7 3 3/4				12 Sept., "	1	"	"
Booda	The Commercial Bank	20,000	20,000	20 0 0	0 12 9 1/2				20 Aug., 1877	1	"	1878
Boogendera, East	H. J. Adams	16,640	16,640	40 0 0	0 10 9				13 Sept. 1876	1	"	1877
" " West	"	7,150	7,150	23 0 0	2 1 2				13 "	1	"	"
Boogira	G. A. and P. Mein	16,000	16,000	45 0 0	1 16 0				28 Nov., "	1	"	"
Boorara	John Brown	19,200	19,200	38 0 0	1 5 4				21 Sept., "	1	"	"
Boranibirra	Catherine M'Kenzie	15,000	15,000	32 0 0	1 7 3 3/4				12 "	1	"	"
" " West	"	17,000	17,000	35 0 0	1 6 4 1/2				11 Nov., "	1	"	"
Boorondara	Joseph Becker	64,000	64,000	20 0 0	0 4 0				11 "	1	"	"
Booroomma	G. A. and P. Mein	82,000	82,000	225 0 0	1 15 1 1/2				27 July, 1875	1	"	1876
" " Back	"	16,000	16,000	25 0 0	1 0 0				12 Jan., 1874	1	"	1874
" " No. 2	"	20,000	20,000	30 0 0	0 19 2 1/2				27 July, 1875	1	"	1876
" " North	"	31,000	31,000	62 0 0	1 5 7				19 Sept., 1876	1	"	1877
Booroomugga	D. J. O'Neill	64,000	64,000	25 0 0	0 5 0				31 July, 1877	1	"	1878
" " North	"	64,000	64,000	25 0 0	0 5 0				31 "	1	"	"
" " No. 1, East	R. Goldsbrough and H. Parker	64,000	64,000	20 0 0	0 4 0				— June, 1875	1	"	1876
" " 2, "	Patrick Cox	64,000	64,000	20 0 0	0 4 0				— "	1	"	"
" " 1, West	D. J. O'Neill	64,000	64,000	25 0 0	0 5 0				31 July, 1877	1	"	1878
" " 2, "	John Cox	61,160	61,160	12 10 0	0 2 7 1/2	2,520	320		31 "	1	"	1876
Boorondara, East	The Bank of New South Wales	60,000	60,000	25 0 0	0 5 4				31 July, 1877	1	"	1878
" " Back	D. J. O'Neill	60,000	60,000	20 0 0	0 4 3				31 "	1	"	"
" " South	Thomas Matthews	32,000	32,000	15 0 0	0 6 0				31 "	1	"	"
Boree	M'Kay and Cobb	26,000	26,000	70 0 0	1 14 5 1/2				14 June, 1875	1	"	1876
Border Run	Robert Scott	20,000	19,780	50 0 0	1 12 4 1/2	220			19 Oct., 1877	1	"	1878
Boura	Hon. John O'Shanassy	19,000	19,000	41 0 0	1 7 7 1/2				11 Nov., 1876	1	"	1877
Boyong	"	17,600	17,600	37 0 0	1 6 10 3/4				11 "	1	"	"

Run.	Lessec.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisal.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
WARREGO DISTRICT—continued.											
Brenda	H. J. Adams	10,000	10,000	£ s. d.	£ s. d.						
Buckwaroon	Timothy Starr	64,000	63,960	25 0 0	0 5 0	40		Not ascer-	Not ascer-	13 Sept., 1876	1 Jan., 1877
" East	D. J. O'Neill	57,600	57,600	20 0 0	0 4 5½			tainable	tainable	31 July, 1877	1 " 1878
" South	F. R. Hume, jun.	44,000	44,000	20 0 0	0 5 9½			"	"	"	1 " "
" Back, No. 1	John Cox	57,000	57,000	12 10 0	0 2 9½			"	"	31 " "	1 " "
" " 2	F. R. Hume, junr.	80,000	80,000	20 0 0	0 3 2½			"	"	— June, 1875	1 " 1876
Bagindear Plains	The Commercial Bank	45,000	45,000	54 0 0	0 15 4½			"	"	11 Nov., 1874	1 " 1875
Bukkulla	T. Elliott, D. Fraser, and J. Fraser	24,073	24,033	25 0 0	0 13 3½	40		"	"	24 Oct., 1876	1 " 1877
Bumbleberria	The Bank of New South Wales	15,000	15,000	28 0 0	1 3 10½			"	"	27 Sept., 1877	1 " 1878
Bundabulla Back	R. Cape, Mrs. T. Orr, W. Sawers, and W. A. Wilson.	23,000	23,000	23 0 0	0 19 7½			"	"	12 " 1876	1 " 1877
" " No. 2	"	10,000	10,000	17 0 0	1 1 9			"	"	12 " "	1 " "
" East, block No. 1	The Commercial Bank	16,000	16,000	31 15 0	1 5 4½			"	"	11 Nov., 1874	1 " 1875
" " " 2	"	23,000	22,360	25 0 0	0 14 3½	640		"	"	24 Oct., 1876	1 " 1877
" " " 3	R. Cape, Mrs. T. Orr, W. Sawers, and W. A. Wilson.	17,000	17,000	29 0 0	1 1 10			"	"	24 " "	1 " "
" " " 4	"	16,000	16,000	29 0 0	1 3 2½			"	"	12 Sept., "	1 " "
" West, " 1	"	12,000	12,000	30 0 0	1 12 0			"	"	12 " "	1 " "
" " " 2	"	10,500	10,500	26 0 0	1 11 8½			"	"	12 " "	1 " "
" " " 3	"	14,000	14,000	30 0 0	1 7 5			"	"	12 " "	1 " "
" " " 4	"	16,000	16,000	35 0 0	1 8 0			"	"	12 " "	1 " "
Bundinbarrina	John Campbell	58,000	58,000	90 0 0	0 19 10½			"	"	12 " "	1 " "
Bunna Bunna	The Commercial Bank	16,000	16,000	40 0 0	1 12 0			"	"	27 July, 1875	1 " 1876
" West	Henry John Adams	90,000	90,000	20 0 0	0 2 10			"	"	12 Sept., 1876	1 " 1877
Bunnawanna	J. F. M'Mullen	18,000	18,000	42 0 0	1 9 10½			"	"	13 " "	1 " "
Barbar	The Australian Joint Stock Bank	64,000	64,000	85 0 0	0 17 0			"	"	12 Dec., 1874	1 " 1875
Burran Burran	J. Eckford	56,320	56,320	80 0 0	0 18 2			"	"	18 Sept., 1876	1 " 1877
Burrandown	John M'Donald	27,000	27,000	42 0 0	0 19 10½			"	"	26 July, 1875	1 " 1876
Burrawoodool	R. S. Medlicot	58,000	57,741	60 0 0	0 13 3½	259		"	"	21 Dec., "	1 " "
Burie	J. F. M'Mullen	15,000	15,000	27 0 0	1 3 0½			"	"	18 Sept., 1876	1 " 1877
Bye	The Australian Joint Stock Bank	16,000	16,000	12 10 0	0 10 0			"	"	24 Oct., "	1 " "
Byerawering Back	The Bank of New South Wales	20,000	20,000	30 0 0	0 19 2½			"	"	31 July, 1877	1 " 1878
" North	"	16,000	16,000	35 0 0	1 8 0			"	"	24 Oct., 1876	1 " 1877
" South	"	16,000	16,000	30 0 0	1 4 0			"	"	12 Sept., "	1 " "
Cambo Cambo	John C. Bagot	50,000	50,000	90 0 0	1 3 0½			"	"	12 " "	1 " "
Carrabillina, No. 1	T. Elliott, D. Fraser, and J. Fraser	20,300	20,300	25 0 0	0 15 9			"	"	27 July, 1875	1 " 1876
" " 2	"	17,600	17,600	30 0 0	1 1 9½			"	"	20 Sept., 1876	1 " 1877
Cartland	A. D. Macleay and W. Beaumont	16,000	16,000	32 0 0	1 5 7			"	"	20 " "	1 " "
Cawwell	The Bank of New South Wales	16,000	16,000	36 0 0	1 8 9½			"	"	24 Oct., "	1 " "
" Back	"	8,000	8,000	12 10 0	1 0 0			"	"	12 Sept., "	1 " "
" West	"	17,000	17,000	30 0 0	1 2 7			"	"	24 Oct., "	1 " "
Central Block A.	Allen Campbell	64,000	64,000	15 0 0	0 3 0			"	"	20 " 1873	1 " 1874
Cobran	The Bank of New South Wales	15,000	15,000	32 0 0	1 7 3½			"	"	11 Nov., 1874	1 " 1875
" Back	Thomas Hungerford	8,000	8,000	10 0 0	0 16 0			"	"	12 Sept., 1876	1 " 1877
Cockellireena Back	The Commercial Bank	41,000	41,000	30 0 0	0 9 4½			"	"	Not appraised.	1 " 1874
Collareenbie	John Campbell	35,000	35,000	48 0 0	0 17 6½			"	"	9 Nov., 1876	1 " 1877
Collygo	G. A. and P. Mein	16,000	16,000	35 0 0	1 8 0			"	"	26 July, 1875	1 " 1876
Collywarry	B. Richards	26,000	26,000	70 0 0	1 14 5½			"	"	24 Oct., 1876	1 " 1877
" Back Run	"	50,000	50,000	40 0 0	0 10 3			"	"	14 June, 1875	1 " 1876
Combaderry Back	T. K. Scott	12,500	12,500	10 0 0	0 10 3			"	"	31 Oct., 1873	1 " 1874
Coobeinda	H. J. Adams	23,000	23,000	55 0 0	1 10 7½			"	"	31 " "	1 " "
Coobung	The Commercial Banking Company	18,000	18,000	43 0 0	1 10 6½			"	"	13 Sept., 1876	1 " 1877
Coonghan	The Australian Joint Stock Bank	15,000	14,680	47 0 0	2 0 11½	320		"	"	12 " "	1 " "
Corner Run	T. R. Hume, jun.	90,000	90,000	15 0 0	0 2 1½			"	"	18 " "	1 " "
								"	"	11 Nov., 1874	1 " 1875

Town Reserve area not given.

Coronga	W. Medway, jun.	16,000	16,000	12 10 0	0 10 0				31 July, 1877	1	1878
" Peak	James Gormly	64,000	64,000	25 0 0	0 5 0				31 "	1	"
" " Back	John Cox	64,000	64,000	25 0 0	0 5 0				21 Aug., "	1	"
" " East	J. Gormly, D. Cox, and J. Cox	52,000	52,000	25 0 0	0 6 2				31 July, "	1	"
Cowga	The Commercial Bank	18,000	16,720	40 0 0	1 10 7½	1,280			12 Sept., 1876	1	1877
Cumbaderry	T. K. Scott	40,000	40,000	90 0 0	1 8 9½				27 July, 1875	1	1876
Cumbadore	A. Tobin	27,200	27,000	70 0 0	1 13 2	200			10 Sept., 1874	1	1875
Cumlecubinbah	W. J. Forrester	25,000	25,000	34 0 0	0 17 4½				30 " 1876	1	1877
Cumbarah Springs	W. O. Gilchrist	16,000	16,000	37 10 0	1 10 0				19 "	1	"
Curraweena	The Australian Joint Stock Bank	64,000	63,960	20 0 0	0 4 0	40			31 July, 1877	1	1878
" " Back	"	64,000	64,000	25 0 0	0 5 0				31 "	1	"
" " East	"	64,000	64,000	25 0 0	0 5 0				31 "	1	"
" " Back	"	64,000	64,000	25 0 0	0 5 0				31 "	1	"
Darling, No. 1, or Bonny	G. C. Hawker	17,000	17,000	45 0 0	1 13 10½				21 Oct., 1876	1	1877
" " 2, Talaa	"	14,500	14,460	38 0 0	1 13 7½	40			10 April, 1877	1	"
Denman	The Commercial Bank	14,000	14,000	30 0 0	1 7 5				12 Sept., 1876	1	"
Diemunga	A. D. Macleay and W. Beaumont	20,000	20,000	16 0 0	0 10 3				2 Dec., 1873	1	1874
Doradilla	J. W. Vincent	60,000	60,000	25 0 0	0 5 4				20 Aug., 1877	1	1878
Drumdelang	J. B. Watt and W. O. Gilchrist	19,000	19,000	40 0 0	1 6 11½				12 Sept., 1876	1	1877
Dungalar	Henry Rourke	60,000	60,000	137 0 0	1 9 2½				27 July, 1875	1	1876
Dungalar Back block No. 1	"	36,000	36,000	62 10 0	1 2 2½				19 Sept., 1876	1	1877
" " " 2	"	33,000	33,000	62 10 0	1 4 2½				19 "	1	"
" " " 3	"	36,700	36,700	62 10 0	1 1 9½				19 "	1	"
" " " 4	"	34,000	34,000	62 10 0	1 3 6½				19 "	1	"
Dural	Patrick Comerford	16,000	16,000	40 0 0	1 12 0				14 June, 1875	1	1876
East Bogan No. 10	W. and T. Richardson	17,000	17,000	55 0 0	2 1 5				12 Sept., 1877	1	1878
" " 11	"	18,000	17,920	50 0 0	1 15 8½	80			12 "	1	"
" " 12	"	21,000	21,000	33 0 0	1 0 1½				11 Nov., 1874	1	1875
" " 13	"	22,500	22,500	55 0 0	1 11 3½				12 Sept., 1877	1	1878
" " 14	Robert Tradgett	24,000	24,000	50 0 0	1 6 8				12 "	1	"
" " 15	The Australian Joint Stock Bank	43,000	43,000	52 0 0	0 15 5½				6 Oct., 1873	1	1874
" " 16	Patrick Sullivan	31,000	30,960	56 0 0	1 3 1½	40			12 Sept., 1877	1	1878
" " 17	"	14,000	14,000	37 0 0	1 13 9½				12 "	1	"
" " 20	The London Chartered Bank	43,000	43,000	40 0 0	0 11 10½				12 "	1	"
" " 23	George Hope	39,500	39,500	60 0 0	0 19 5½				2 Aug., "	1	"
" " 24	"	12,800	12,800	25 0 0	1 5 0				12 Sept., "	1	"
" " 25	"	10,880	10,880	25 0 0	1 9 4½				12 Nov., 1874	1	1875
" " 26	"	19,000	18,880	46 0 0	1 11 2½	120			2 Aug., 1877	1	1878
" " 29	"	19,500	19,460	46 0 0	1 10 3	40			2 "	1	"
" " 30	"	27,000	27,000	70 0 0	1 13 2				2 "	1	"
" " Back block	Walter Douglas	40,000	40,000	30 0 0	0 9 7				12 Sept., 1876	1	1877
East Imbergee	W. J. Forrester	32,000	32,000	75 0 0	1 10 0				27 " 1877	1	1878
Enterprise	J. B. Watt	16,000	16,000	16 0 0	0 12 9½				27 July, 1875	1	1876
Extremity Back No. 1	T. K. Scott	21,000	21,000	25 0 0	0 15 2½				31 Oct., 1873	1	1874
Frederick's Land	Catherine M'Kenzie	8,000	8,000	10 0 0	0 16 0				16 "	1	"
Georgy	G. C. Hawker	11,500	11,500	40 0 0	2 4 6½				19 " 1877	1	1878
Gidgier	Robert Logan	16,000	16,000	37 10 0	1 10 0				12 Sept., 1876	1	1877
Gillgi	G. A. and P. Mein	63,000	63,000	55 0 0	0 11 2				28 Nov., "	1	"
Gingi	T. K. Scott	25,000	23,480	70 0 0	1 1 9½	240	1,280		20 Sept., 1875	1	1876
Giggen	Walter Douglas	16,000	16,000	35 0 0	1 8 0				12 " 1876	1	1877
Glenariff, block D	Auber G. Jones	64,000	64,000	25 0 0	0 5 0				21 Aug., 1877	1	1878
" " E	"	64,000	64,000	25 0 0	0 5 0				21 "	1	"
" " F	"	56,000	56,000	25 0 0	0 5 8½				21 "	1	"
" " G	"	56,000	56,000	25 0 0	0 5 8½				21 "	1	"
" " H	"	56,000	56,000	25 0 0	0 5 8½				21 "	1	"
" " Mid Run	John King	53,000	53,000	20 0 0	0 4 9½				— June, 1875	1	1876
Go Gurrilley	W. J. Forrester	18,000	17,960	48 0 0	1 14 2½	40			9 Sept., 1876	1	1877
Gongolgen, No. 1	The London Chartered Bank	19,500	19,500	62 0 0	2 0 8½				12 " 1877	1	1878
" " 2	"	40,000	39,680	62 0 0	1 0 0	320			12 "	1	"
Goonoo Back Run	J. F. M'Mullen	21,000	21,000	35 0 0	1 1 4				24 Oct., 1876	1	1877
" " North or Brewarreena	"	25,000	23,080	66 0 0	1 16 4		1,920		14 June, 1875	1	1876
" " South	"	42,400	42,400	70 0 0	1 1 1½				14 "	1	"
Gooraway	Henry Rourke	16,000	16,000	31 0 0	1 4 9½				19 Sept., 1876	1	1877
Grawin Addendum	W. O. Gilchrist	25,500	25,500	25 0 0	0 12 6½				31 Oct., 1873	1	1874

Reserve for travelling stock ½ mile each side of road.

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisalment.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
WARREGO DISTRICT—continued.											
Grawin Back	W. J. Forrester	27,000	27,000	£ s. d.	£ s. d.						
" South	Langlosh Parker	25,000	25,000	42 0 0	0 19 10½			Not ascer-	Not ascer-	19 Sept., 1876	1 Jan., 1877
Gumanaldy	S. Clift	25,600	25,360	20 0 0	0 12 9½			tainable...	tainable...	22 " 1875	1 " 1876
Gumhall	J. T. Smith	38,000	35,800	30 0 0	0 15 1½	240				1 " 1877	1 " 1878
" Back Run	"	32,000	32,000	45 0 0	0 16 1	2,200				9 Nov., 1876	1 " 1877
Guriwara	Caroline and Arthur Colless	16,000	15,840	35 0 0	0 14 0					2 Aug., 1877	1 " 1878
" Back	"	15,700	15,700	37 0 0	1 9 10½	160				11 Nov., 1876	1 " 1877
Haradon	George Hope	17,600	17,600	25 0 0	1 0 4½					11 " "	1 " "
Hermaden	Richard Ridge	16,000	16,000	44 0 0	1 12 0					12 Sept., "	1 " "
Hermitage West	Thomas Cornish	16,000	14,400	42 0 0	1 13 7					12 " "	1 " "
Holmwood	A. D. Macleay and W. Beaumont	30,000	30,000	36 0 0	1 12 0		1,600			11 Nov., 1874	1 " 1875
Humumba	Henry Rourke	25,000	20,750	45 0 0	0 19 2½					24 Oct., 1876	1 " 1877
Imbergee	W. J. Forrester	19,000	19,000	75 0 0	2 5 1½	1,050	3,200			26 July, 1875	1 " 1876
Jandra	George Armytage	35,000	34,875	45 0 0	1 10 3½					26 " "	1 " "
Keirangundah	A. Moffatt and R. Brown	36,000	36,000	64 0 0	1 3 5½	125				31 " 1877	1 " 1878
Kerie	Andrew Tobin	36,500	36,500	13 0 0	0 4 7½					7 June, 1875	1 " 1876
" Back Run, No. 1	"	33,600	33,600	71 0 0	1 4 10½					11 Sept., 1874	1 " 1875
Kiengal	Catherine M'Kenzie	16,000	16,000	25 0 0	0 9 6½					11 Nov., 1876	1 " 1877
" Back	"	35,000	35,000	32 0 0	1 5 7					12 Sept., "	1 " "
Kigwigil	G. A. and P. Mein	16,000	12,800	35 0 0	0 12 9½					12 " "	1 " "
" East	"	16,000	16,000	45 0 0	2 5 0		3,200			26 July, 1875	1 " 1876
" North	"	16,000	16,000	25 0 0	1 0 0					24 Oct., 1876	1 " 1877
" West	"	16,000	16,000	30 0 0	1 4 0					24 " "	1 " "
Kunreeberee	The Commercial Bank	14,800	14,800	43 0 0	1 17 2½					28 Nov., "	1 " "
" Back	"	15,000	15,000	31 5 0	1 6 8					9 Oct., "	1 " "
" East	J. F. M'Mullen	15,000	15,000	20 0 0	0 17 8½					9 " "	1 " "
" Back	"	16,000	16,000	35 0 0	1 8 0					24 " "	1 " "
Lamington	J. B. Watt and W. O. Gilchrist	16,000	16,000	14 0 0	0 11 2½					24 " "	1 " "
Langboyde	John Wooller	16,000	16,000	32 0 0	1 5 7					12 Sept., "	1 " "
Linchiden	A. D. Macleay and W. Beaumont	32,000	32,000	37 10 0	1 10 0					12 " "	1 " "
Llanmilo	W. O. Gilchrist	80,000	80,000	80 0 0	1 12 0					24 Oct., "	1 " "
Loondy	J. B. Watt and W. O. Gilchrist	24,500	24,500	45 10 0	0 7 3½					18 Sept., "	1 " "
Lower Bogeira	J. F. M'Mullen	21,500	21,500	30 0 0	0 15 8					12 " "	1 " "
" Charlton	The London Chartered Bank	57,500	57,500	45 0 0	1 6 9½					2 Oct., 1877	1 " 1878
" Dunlop's Range	Andrew Tobin	37,120	36,320	60 0 0	0 13 4½					12 Sept., "	1 " "
" Gingi Back	T. K. Scott	30,000	30,000	50 0 0	0 17 7½	800				12 Nov., 1874	1 " 1875
" Weeli West	Robert Trudgett	16,000	16,000	58 0 0	1 4 8½					19 Sept., 1876	1 " 1877
Manwanga	George Armytage	36,500	36,180	50 0 0	2 0 0					14 June, 1875	1 " 1876
Maroonia	"	55,300	55,300	90 0 0	1 11 10	320				1 " 1874	1 " 1875
Maryland, No. 1	Robert Scott	22,800	20,200	15 0 0	0 3 5½					2 Dec., 1873	1 " 1874
" 2	"	27,000	27,000	21 0 0	0 13 3½	40	2,560			21 Oct., 1876	1 " 1877
Marwarre	Joseph Becker	36,480	36,160	37 0 0	0 17 6½					21 " "	1 " "
Melbourne	Hon. John O'Shanassy	40,000	40,000	15 0 0	0 5 3½		320			11 Nov., "	1 " "
Merrere	The English, Scottish, and Australian Chartered Bank.	32,000	32,000	25 0 0	0 8 0					20 Aug., 1877	1 " 1878
" Back East	"	64,000	64,000	12 10 0	0 5 0					2 " "	1 " "
Mialora	The Commercial Bank	60,000	59,800	25 0 0	0 5 0					2 " "	1 " "
Mildool	The Australian Joint Stock Bank	15,000	15,000	31 0 0	0 6 7½	200				20 " "	1 " "
Millincowba	R. S. Medicott	30,000	30,000	30 0 0	1 5 7					19 Sept., 1876	1 " 1877
Milrea	C. S. Capp	48,000	47,960	30 0 0	0 12 9½					18 " "	1 " "
" Minor	"	23,000	23,000	122 0 0	1 12 6½	40	Reserve.			26 July, 1875	1 " 1876
Milroy	J. B. Watt and W. O. Gilchrist	16,000	16,000	35 0 0	0 19 5½					27 Sept., 1877	1 " 1878
" North	"	16,000	16,000	30 0 0	1 4 0					12 " 1876	1 " 1877
" South	"	22,000	22,000	33 0 0	1 6 4½					12 " "	1 " "
" West	"	20,100	20,100	27 0 0	0 15 8½					12 " "	1 " "
	"			18 0 0	0 11 5½					20 Dec., "	1 " "

Minna	Henry John Adams	10,000	10,000	21 0 0	1 1 10 $\frac{1}{2}$				13 Sept., 1873	1	"	1874
" Back block	The Bank of New South Wales	22,500	22,500	13 10 0	0 7 8 $\frac{1}{2}$				20 Oct., 1873	1	"	1877
Moco Barunga No. 1	Robert Scott	15,200	15,200	18 0 0	0 15 1 $\frac{1}{2}$				21 " 1876	1	"	1877
" 2	"	15,200	15,200	21 0 0	0 17 8				21 " "	1	"	"
" 3	"	19,500	19,500	30 0 0	0 19 8 $\frac{1}{2}$				21 " "	1	"	"
" 4	"	17,400	17,400	25 0 0	0 18 4 $\frac{1}{2}$				21 " "	1	"	"
" 5	"	17,300	17,300	25 0 0	0 18 5 $\frac{1}{2}$				21 " "	1	"	"
" 6	"	7,500	7,500	25 0 0	2 2 8				19 " 1877	1	"	1878
Mogil Mogil	Robert Walker	22,000	21,500	27 0 0	0 16 0 $\frac{1}{2}$	440			27 July, 1875	1	"	1876
Mohenia	J. F. M'Mullen	33,500	33,500	85 0 0	1 12 5 $\frac{1}{2}$				14 June, "	1	"	"
Mongerloo	John C. Bagot	36,000	36,000	50 0 0	0 17 9 $\frac{1}{2}$				21 Sept., 1876	1	"	1877
Moodana	The Commercial Bank	38,000	38,000	57 10 0	0 19 1 $\frac{1}{2}$				17 Jan., 1877	1	"	"
" Back Run	"	32,000	32,000	25 0 0	0 10 0				18 Nov., 1876	1	"	"
Moongoonoola	"	15,000	15,000	43 0 0	1 16 8 $\frac{1}{2}$				27 July, 1875	1	"	1876
" Back	"	19,500	19,500	28 0 0	0 18 4 $\frac{1}{2}$				30 Sept., 1876	1	"	1877
Moongulla West	P. Brennan and G. Maiden	40,000	40,000	55 0 0	0 17 7				21 " "	1	"	"
Moquilamba	The English, Scottish, and Australian Chartered Bank	64,000	64,000	18 0 0	0 3 7				2 Aug., 1877	1	"	1878
" South	"	64,000	64,000	25 0 0	0 5 0				2 " "	1	"	"
" " No. 1	D. J. O'Neill	45,000	45,000	20 0 0	0 5 8 $\frac{1}{2}$				31 July, "	1	"	"
Morella	The Commercial Bank	33,000	33,000	30 0 0	0 11 7 $\frac{1}{2}$				24 Oct., 1876	1	"	1877
Morven	J. B. Watt and W. O. Gilchrist	23,000	23,000	53 0 0	1 9 5 $\frac{1}{2}$				2 " 1877	1	"	1878
Mount Derinna	A. Tobin and C. Henderson	57,000	57,000	20 0 0	0 4 6				3 Nov., 1873	1	"	1874
Mount Grenfell No. 2	Matthew Bevan	50,000	50,000	20 0 0	0 5 1 $\frac{1}{2}$				Not appraised	1	"	"
Muckerawea	The Commercial Bank	17,648	17,648	40 0 0	1 9 0				13 Sept., 1876	1	"	1877
" Back	J. F. and A. J. Doyle	22,500	22,500	15 10 0	0 8 9 $\frac{1}{2}$				Not appraised	1	"	1874
" South	The Commercial Bank	14,325	14,325	35 0 0	1 11 3 $\frac{1}{2}$				30 Sept., 1876	1	"	1877
Muggarie	"	41,000	41,000	77 0 0	1 4 0 $\frac{1}{2}$				27 July, 1875	1	"	1876
" Back B	Oswald Bloxsome	77,000	77,000	47 10 0	0 7 10 $\frac{1}{2}$				19 Sept., 1876	1	"	1877
" block	The Commercial Bank	66,000	66,000	90 0 0	0 17 5 $\frac{1}{2}$				18 " "	1	"	"
Mulga No. 1	J. V. and R. C. Cooper	60,000	60,000	20 0 0	0 4 3				Not appraised	1	"	1 July, 1874
" 2	A. G. Finlay	70,000	70,000	20 0 0	0 3 8				" Jan., "	1	"	"
" 3	F. Byrne and P. Clancy	84,000	84,000	20 0 0	0 3 0 $\frac{1}{2}$				" "	1	"	"
" 4	William Riley	55,000	55,000	20 0 0	0 4 7 $\frac{1}{2}$				" "	1	"	"
" 5	F. Byrne and P. Clancy	64,000	64,000	20 0 0	0 4 0				" "	1	"	"
" 6	The Australian Joint Stock Bank	50,000	50,000	20 0 0	0 5 1 $\frac{1}{2}$				" "	1	"	"
Multagoona, Left	Robert Scott	15,200	15,200	15 0 0	0 12 7 $\frac{1}{2}$				21 Oct., 1876	1	"	1877
Mundabah	J. F. M'Mullen	6,400	6,400	18 0 0	1 16 0				2 Dec., 1873	1	"	1874
Mureabun	G. A. and P. Mein	16,000	16,000	35 0 0	1 8 0				24 Oct., 1876	1	"	1877
Murruman	Patrick Comerford	16,500	16,500	40 0 0	1 11 0 $\frac{1}{2}$				14 June, 1875	1	"	1876
Namoon	Catherine M'Kenzie	34,000	34,000	20 0 0	0 7 6 $\frac{1}{2}$				11 Nov., 1876	1	"	1877
Narran, No. 6	G. A. and P. Mein	10,500	10,500	20 0 0	1 4 4 $\frac{1}{2}$				26 July, 1875	1	"	1876
" Back, East	"	63,000	63,000	35 0 0	0 12 9 $\frac{1}{2}$				24 Oct., 1876	1	"	1877
" West	"	45,000	45,000	45 0 0	0 12 9 $\frac{1}{2}$				28 Nov., "	1	"	"
Narranwater	"	16,000	16,000	30 0 0	1 4 0				24 Oct., "	1	"	"
Navena	R. Cape and Mrs. T. Orr	64,000	59,320	110 0 0	1 3 8 $\frac{1}{2}$	40	24,640		14 June, 1875	1	"	1876
Neo, East	Catherine M'Kenzie	15,000	15,000	30 0 0	1 5 7				11 Nov., 1876	1	"	1877
" West	"	16,000	16,000	30 0 0	1 4 0				11 " "	1	"	"
Ninnecate	G. A. and P. Mein	16,000	16,000	35 0 0	1 8 0				24 Oct., "	1	"	"
North Darling Back Run, No. 1	Robert Scott	52,000	52,000	25 0 0	0 6 1 $\frac{1}{2}$				Not appraised	1	"	1 Apl., 1873
" 2	"	46,400	46,400	25 0 0	0 6 10 $\frac{1}{2}$				" "	1	"	"
" 3	A. and A. C. Wilson	69,000	69,000	15 0 0	0 2 9 $\frac{1}{2}$				19 Oct., 1876	1	"	1877
" 4	"	84,600	83,960	12 0 0	0 1 10	640			19 " "	1	"	"
" 5	A. C. Wilson	77,500	74,300	25 0 0	0 4 3 $\frac{1}{2}$		3,200		13 " 1877	1	"	1878
" 6	A. and A. C. Wilson	94,300	94,300	15 0 0	0 2 0 $\frac{1}{2}$				20 Dec., 1876	1	"	1877
" 7	The Hon. John O'Shanassy	69,400	69,400	17 0 0	0 3 1 $\frac{1}{2}$				11 Nov., "	1	"	"
" 8	"	38,400	38,400	14 0 0	0 4 8				11 " "	1	"	"
" 9	Alex. Wilson	63,000	63,000	25 0 0	0 5 0 $\frac{1}{2}$				19 Oct., 1877	1	"	1878
" 10	"	63,000	63,000	25 0 0	0 5 0 $\frac{1}{2}$				19 " "	1	"	"
" 11	"	50,000	50,000	20 0 0	0 5 1				19 " "	1	"	"
" 12	E. J. Bloxham	22,000	22,000	12 0 0	0 6 11 $\frac{1}{2}$				13 Nov., 1876	1	"	1877
" 13	Alexr. Wilson	64,000	64,000	35 0 0	0 7 0				19 Oct., 1877	1	"	1878
" 14	"	64,000	64,000	17 0 0	0 3 4 $\frac{1}{2}$				14 June, 1875	1	"	1876
" 15	The New Zealand Loan and Mercantile Agency Company (Limited).											

* Town Reserve Mogil.

† $\frac{1}{2}$ mile each side of road reserved.

† And reserve $\frac{1}{2}$ mile each side of road.

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisalment.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
WARREGO DISTRICT—continued.											
North Darling Back Run, No. 17	Catherine M'Kenzie	64,000	64,000	£ s. d. 10 0 0	£ s. d. 0 2 0			Not ascer-	Not ascer-	10 Oct., 1873	1 April, 1874
" " 18	"	80,000	80,000	10 0 0	0 1 7½			tainable	tainable	16 " "	1 " "
" " 20	A. Wilson	64,000	63,960	18 0 0	0 3 7	40		"	"	19 " 1877	1 " "
" " 21	Alex. Wilson	64,000	64,000	18 0 0	0 3 7			"	"	13 " "	1 " 1878
" " 22	Catherine M'Kenzie	60,000	60,000	10 0 0	0 2 1½			"	"	16 " 1873	1 Jan., "
" " 24	Alex. Wilson	64,000	63,960	22 0 0	0 4 4½	40		"	"	19 " 1877	1 " "
" " 25	"	64,000	63,920	22 0 0	0 4 4½	80		"	"	19 " "	1 " "
" " 26	"	30,000	30,000	15 0 0	0 6 4½			"	"	19 " "	1 " "
" " 28	R. Goldsbrough and H. Parker	32,000	32,000	13 0 0	0 5 2½			"	"	19 " "	1 " "
" " 29	The Commercial Bank	64,000	61,440	30 0 0	0 6 3		2,560	"	"	14 June, 1875	1 " 1876
" " 30	"	36,000	36,000	25 0 0	0 8 10½			"	"	14 " "	1 " "
" " 32	G. C. Hawker	60,180	59,860	18 0 0	0 3 10		320	"	"	21 Oct., 1876	1 " 1877
" " 33	"	64,000	62,080	28 0 0	0 5 9½		1,920	"	"	21 " "	1 " "
" " 34	"	49,500	49,500	18 0 0	0 4 7½			"	"	21 " "	1 " "
North Dootheboy	Andrew Tobin	23,000	23,000	12 0 0	0 6 8			"	"	11 Nov., "	1 " "
Old Boundary	The Commercial Bank	60,000	60,000	20 0 0	0 4 3			"	"	31 July, 1877	1 " 1878
Outer Glenariff, block A	John Cox	50,000	50,000	17 10 0	0 4 5½			"	"	— June, 1875	1 " 1876
" " B	"	64,000	64,000	20 0 0	0 4 0			"	"	"	1 " "
Papperton	A. D. Macleay and W. Beaumont	17,500	17,500	40 0 0	1 9 3			"	"	24 Oct., 1876	1 " 1877
" Back	Robert Logan	14,500	14,500	12 10 0	0 11 0½			"	"	20 " 1873	1 " 1874
Payera	J. B. Watt and W. O. Gilchrist	27,500	27,500	18 0 0	0 8 4½			"	"	20 Dec., 1876	1 " 1877
Peika	The Hon. John O'Shannassy	16,000	16,000	35 0 0	1 8 0			"	"	11 Nov., "	1 " "
Pinegobla	J. W. Duff	20,000	20,000	30 0 0	0 19 2½			"	"	11 " 1874	1 " 1875
Plumbolah No. 1	T. K. Scott	13,500	13,500	42 0 0	1 19 9½			"	"	18 Sept., 1876	1 " 1877
" " 2	"	16,000	16,000	40 0 0	1 12 0			"	"	19 " "	1 " "
" " 5	W. O. Gilchrist	13,000	13,000	14 0 0	0 13 9½			"	"	31 Oct., 1873	1 " 1874
" " 6	"	13,000	13,000	10 0 0	0 9 10½			"	"	31 " "	1 " "
" " 7	"	14,000	14,000	11 0 0	0 10 0½			"	"	31 " "	1 " "
Polo	The Hon. John O'Shannassy	23,400	23,400	44 0 0	1 4 0½			"	"	11 Nov., 1876	1 " 1877
Quantambone	J. F. M'Mullen	67,000	66,960	120 0 0	1 2 11½	40		"	"	14 June, 1875	1 " 1876
Rainetagabah	"	16,000	16,000	35 0 0	1 8 0			"	"	24 Oct., 1876	1 " 1877
" Back	"	32,000	32,000	28 0 0	0 11 2½			"	"	24 " "	1 " "
Rankin's Hill, No. 2, block B	Andrew Tobin	22,800	22,800	15 0 0	0 8 5			"	"	31 July, 1877	1 " 1878
" " C	T. J. Naakivell, G. C. Loughnan, & W. Fanning	24,000	24,000	15 0 0	0 8 0			"	"	31 " "	1 " "
" " D	Andrew Tobin	60,000	60,000	25 0 0	0 5 4			"	"	31 " "	1 " "
" " E	T. J. Naakivell, G. C. Loughnan, & W. Fanning	59,000	59,000	20 0 0	0 4 4			"	"	31 " "	1 " "
" " 3, A	Alexr. Stevenson	64,000	64,000	25 0 0	0 5 0			"	"	31 " "	1 " "
" " B	"	64,000	64,000	25 0 0	0 5 0			"	"	31 " "	1 " "
" " C	John E. Kelly	64,000	64,000	10 0 0	0 2 0			"	"	3 " 1873	1 " 1874
" East, No. 4, block E	W. L. Morton	64,000	64,000	25 0 0	0 5 0			"	"	20 Aug., 1877	1 " 1878
Robertson	James M'Intyre	22,000	22,000	20 0 0	0 11 7½			"	"	22 Sept., 1875	1 " 1876
South Dootheboy	Andrew Tobin	30,000	30,000	12 0 0	0 5 1½			"	"	11 Nov., 1876	1 " 1877
Staffa	J. B. Watt and W. O. Gilchrist	30,500	30,500	15 0 0	0 6 3½			"	"	20 Dec., "	1 " "
Stonehenge	George Hope	14,720	14,720	38 0 0	1 13 0½			"	"	12 Sept., "	1 " "
Tatala	C. B. Fisher	17,000	17,000	40 0 0	1 10 1½			"	"	24 Oct., "	1 " "
Terewah Swamp	G. A. and P. Mein	13,000	13,000	27 0 0	1 6 7			"	"	27 July, 1875	1 " 1876
Teriabola	The Commercial Bank	20,000	20,000	40 0 0	1 5 7			"	"	12 Sept., 1876	1 " 1877
Terra Walka	R. Cape, Mrs. T. Orr, W. Sawers, and W. A. Wilson.	52,000	52,000	28 0 0	0 6 10½			"	"	6 Oct., 1873	1 " 1874
The Grawin	W. O. Gilchrist	30,000	30,000	71 0 0	1 10 3½			"	"	19 Sept., 1876	1 " 1877
The Hospital	J. F. M'Mullen	12,500	12,500	30 0 0	1 10 8½			"	"	24 Oct., "	1 " "
Thully Spring	Caroline and Arthur Colless	13,000	13,000	10 0 0	0 9 10½			"	"	Not appraised	1 April, 1873
Thunara West	The Bank of New South Wales	14,800	14,760	40 0 0	1 14 8½	40		"	"	24 Oct., 1876	1 Jan., 1877
Tindayrey or Merrere Back	English, Scottish, and Australian Chartered Bank.	64,000	63,960	20 0 0	0 4 0	40		"	"	31 July, 1877	1 " 1878

Toorale	Sir Samuel Wilson	94,500	94,500	148 0 0	1 0 0½			11 Nov., 1876	1	1877
Torwood	J. B. Watt and W. O. Gilchrist	15,000	15,000	25 0 0	1 1 4			12 Sept.,	1	1876
Towndy	John C. Bagot	65,000	64,360	80 0 0	0 15 11	640		27 July, 1875	1	1876
Towry	A. D. Macleay and W. Beaumont	16,000	16,000	22 10 0	0 18 0			24 Oct., 1876	1	1877
Towtownra	The Bank of New South Wales	16,000	16,000	35 15 0	1 8 7			12 Sept.,	1	1876
Turree	G. C. Hawker	16,000	16,000	40 0 0	1 12 0			21 Oct.,	1	1876
Ulah	C. Baldwin and W. Crowley	28,000	28,000	67 0 0	1 10 7½			26 July, 1875	1	1876
Ulah Back Run	"	15,200	15,200	23 0 0	0 19 4½			31 Oct., 1873	1	1874
Umumbah West	Henry Rourke	11,250	11,250	25 0 0	1 8 5½			2 Dec.,	1	1877
Upper Bankeet	The Commercial Bank	18,000	18,000	50 0 0	1 15 6½			18 Sept., 1876	1	1877
" Bukharah	J. B. Watt	21,000	21,000	38 0 0	1 3 2			12 "	1	1877
" Bundabulla East	Joseph M'Kenzie	21,000	21,000	53 0 0	1 12 3½			24 Oct.,	1	1878
" Charlton	The London Chartered Bank	42,700	42,700	68 0 0	1 0 4½			12 Sept., 1877	1	1877
" Dunlop's Range	Andrew Tobin	43,200	43,200	50 0 0	0 14 9½			11 Nov., 1876	1	1877
" Gingi Back	T. K. Scott	17,920	17,920	35 0 0	1 5 0			19 Sept.,	1	1876
" Turree	G. C. Hawker	14,000	14,000	40 0 0	1 16 6½			21 Oct.,	1	1876
" Weeli West	A. Cruickshank, T. Cornish	16,000	16,000	50 0 0	2 0 0			26 July, 1875	1	1877
Wallah, No. 1	John Campbell	21,000	21,000	40 0 0	1 4 4½			21 Sept., 1876	1	1877
" " 2	"	19,500	19,500	37 0 0	1 4 3½			21 "	1	1877
" " 3	"	18,500	18,500	16 0 0	0 11 0½			21 "	1	1877
" " 4	"	18,500	18,500	32 0 0	1 2 1½			19 "	1	1877
Wamell	O. Bloxsome	62,000	62,000	41 0 0	0 8 5½			13 "	1	1878
Warrambool	John F. Doyle	16,000	16,000	37 0 0	1 9 7			19 Oct., 1877	1	1877
Warrego, No. 4	Sir Samuel Wilson	10,800	10,800	25 0 0	1 9 7½			19 "	1	1877
" " 5	"	16,000	16,000	30 0 0	1 4 0			19 "	1	1877
" " 6	"	15,000	15,000	32 0 0	1 7 3½			19 "	1	1877
" " 7	"	17,600	17,600	21 0 0	0 15 3½			11 Nov., 1876	1	1877
" " 8	"	15,500	15,500	20 0 0	0 16 6			11 "	1	1877
" " 9	"	15,500	15,500	20 0 0	0 16 6			11 "	1	1877
" " 10	"	18,500	18,460	20 0 0	0 12 5½	40		20 Dec.,	1	1877
" " 11	A. and A. C. Wilson	15,500	15,500	18 0 0	0 14 10½			20 "	1	1877
" " 12	"	15,000	14,960	18 0 0	0 15 4½	40		19 Oct.,	1	1877
" " 13	"	10,000	10,000	15 0 0	0 19 2½			19 "	1	1877
" " 14	"	16,000	16,000	18 0 0	0 14 4½			19 "	1	1877
" " 15	"	16,000	16,000	18 0 0	0 14 4½			19 "	1	1877
" " 16	"	12,000	12,000	18 0 0	0 19 2½			31 "	1	1874
Wee Warra	W. O. Gilchrist	20,500	20,500	17 0 0	0 10 7½			19 Sept., 1876	1	1877
Weelwally	C. Baldwin and W. Crowley	14,000	14,000	38 0 0	1 14 8½			19 "	1	1877
" East	"	18,300	18,300	46 0 0	1 12 2			10 April, 1877	1	1876
Wellington Extremity Back	J. B. Watt	23,000	23,000	38 0 0	1 1 1½			24 Oct., 1876	1	1876
West Bend	W. Beaumont	12,000	12,000	30 0 0	1 12 0			14 June, 1875	1	1875
" Bogan, No. 10	The Australian Joint Stock Bank	48,500	48,500	50 0 0	0 13 2½			14 "	1	1875
" " 11	W. and T. Richardson	48,500	48,500	50 0 0	0 13 2½			18 "	1	1875
" " 12	"	43,500	43,500	20 0 0	0 5 10½			27 July, 1875	1	1876
" " 13	William Kite	43,000	43,000	41 0 0	0 12 2½			18 Nov., 1874	1	1875
" " 14	"	44,500	44,500	65 0 0	0 18 8½			12 Sept., 1877	1	1875
" " 15	"	45,500	45,500	65 0 0	0 18 3½			18 Nov., 1874	1	1875
" " 16	"	39,500	39,500	56 0 0	0 18 1½			6 Oct., 1873	1	1874
" " 17	"	44,500	44,500	75 0 0	1 1 6½			12 Sept., 1877	1	1878
" " 18	"	35,000	34,569	36 0 0	0 13 4	431		12 "	1	1878
" " 19	F. H. Randell	24,500	24,180	45 0 0	1 3 9½	320		2 Aug., 1877	1	1875
" " 20	"	32,000	32,000	45 0 0	0 18 0			2 "	1	1875
" " 21	"	33,000	33,000	50 0 0	0 19 4½			2 "	1	1875
" " 22	"	35,000	34,910	56 0 0	1 0 6½	90		12 Nov., 1874	1	1875
" " 23	George Hope	41,500	41,340	60 0 0	0 18 6½	160		12 "	1	1875
" " 24	"	51,000	51,000	70 0 0	0 17 6½			7 June, 1875	1	1876
" " 25	"	45,500	45,010	65 0 0	0 18 5½	490		20 Aug., 1877	1	1878
" " 26	"	43,000	42,920	60 0 0	0 17 10½	80		7 Oct., 1873	1	1874
" " 27	"	54,000	54,000	60 0 0	0 14 2½			19 Sept., 1876	1	1877
" " 28	"	13,400	13,400	25 0 0	1 3 10½					
" " 29	The Commercial Bank	39,000	39,000	56 0 0	0 18 4½					
" " 30	"	45,000	44,320	75 0 0	1 1 8	680				
Bunnawanna	G. C. Hawker	17,000	17,000	35 0 0	1 6 4½					
Grawin	W. J. Forrester	24,000	24,000	37 0 0	0 19 8½					

* Reserve of ½ a mile on each side of road for travelling stock.

† ½ a mile on each side of road reserved for travelling stock

‡ ½ a mile on each side of road reserved.

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile, now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisalment.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
WARREGO DISTRICT—continued.											
Westmead	W. O. Gilchrist	7,000	7,000	£ s. d.	£ s. d.						
West Warrego, No. 10	A. and A. C. Wilson	52,000	52,000	10 0 0	0 18 3½			Not ascer-	Not ascer-	18 Sept., 1876	1 Jan., 1877
" " 11		21,000	21,000	17 0 0	0 4 2½			tainable...	tainable...	6 Oct., 1873	1 " 1874
" " 12	Robert Scott	29,500	29,500	16 0 0	0 9 9			"	"	6 " "	1 " "
" " 13	"	44,000	44,000	52 0 0	1 2 6¾			"	"	19 " 1877	1 " 1878
" " 14	"	50,500	50,500	25 0 0	0 7 3½			"	"	2 Dec., 1873	1 " 1874
" " 15	"	34,000	34,000	26 0 0	0 6 7			"	"	2 " "	1 " "
" " 16	"	17,600	17,600	27 0 0	0 10 2			"	"	2 " "	1 " "
Wheelerreen	M'Kay and Cobb	16,000	16,000	26 0 0	0 18 11			"	"	2 " "	1 " "
Wilby Wilby Back block	W. J. Forrester	15,000	15,000	40 0 0	1 12 0			"	"	14 June, 1875	1 " 1876
Wilkie Plains	J. and C. Mackay	33,280	33,280	15 10 0	0 13 2½			"	"	31 Oct., 1873	1 " 1874
" West	G. A. and P. Mein	21,500	21,500	52 0 0	1 0 0			"	"	19 Sept., 1876	1 " 1877
Willabilla	O. Bloxsome	45,000	40,816	35 0 0	1 0 10			"	"	27 July, 1875	1 " 1876
" Back block	"	13,900	13,800	65 0 0	1 0 4½		4,184	"	"		
Willary West	The Bank of New South Wales	14,500	14,500	16 0 0	0 14 10	100		"	"	29 Sept., 1877	1 " 1878
Will Bill Bill	W. J. Forrester	11,000	11,000	40 0 0	1 15 3½			"	"	24 Oct., 1876	1 " 1877
Willabilla	The Bank of New South Wales	14,000	14,000	28 0 0	1 12 7			"	"	28 Nov., "	1 " "
Willybingbone	Patrick Sullivan	16,000	16,000	30 0 0	1 7 5			"	"	12 Sept., "	1 " "
Winbar	Andrew Tobin	31,000	31,000	40 0 0	1 12 0			"	"	28 Nov., "	1 " "
Windara Left	Robert Scott	16,000	16,000	77 0 0	1 11 9½			"	"	11 Sept., 1874	1 " 1875
Wirra Warra	John McElhone	16,000	16,000	18 0 0	0 14 4½			"	"	21 Oct., 1876	1 " 1877
Woolla Woolla	J. T. Smith	30,000	30,000	40 0 0	1 12 0			"	"	12 Sept., "	1 " "
" Back Run	"	32,000	32,000	47 0 0	1 0 0½			"	"	9 Nov., "	1 " "
Woroma	A. D. Macleay and W. Beaumont	12,700	12,700	30 0 0	0 12 0			"	"	20 Aug., 1877	1 " 1878
Wyerle	Walter Douglas	16,000	16,000	25 0 0	1 5 2½			"	"	24 Oct., 1876	1 " 1877
Yamboor	The Bank of New South Wales	11,520	11,520	35 0 0	1 8 0			"	"	12 Sept., "	1 " "
Yamby Run, block No. 1	Catherine M'Kenzie	22,000	22,000	24 0 0	1 6 8			"	"	24 Oct., "	1 " "
" West	"	32,000	32,000	30 0 0	0 17 5½			"	"	11 Nov., "	1 " "
Yarranbah North	The Australian Joint Stock Bank	14,500	14,180	32 0 0	0 12 9½			"	"	11 " "	1 " "
" West	"	24,000	24,000	42 0 0	1 17 10½	320		"	"	18 Sept., "	1 " "
Yarrangal West	Catherine M'Kenzie	18,000	18,000	60 0 0	1 12 0			"	"	18 " "	1 " "
Yeranbah	The Australian Joint Stock Bank	17,000	16,040	37 10 0	1 6 8			"	"	11 Nov., "	1 " "
Nelly's Springs	A. and A. C. Wilson	32,000	31,360	35 0 0	1 7 11½	320	640	"	"	26 July, 1875	1 " 1876
				13 0 0	0 5 3½	640		"	"	13 Oct., 1877	1 " 1878
Totals		15,883,886	15,832,997	16,674 10 0	0 13 5½	17,425	33,464				
WELLINGTON DISTRICT.											
Adjoining Tabratong	The New Zealand Loan and Mercantile Agency Company (Limited).	16,000	16,000	50 0 0	2 0 0			"	"	29 Oct., 1875	1 Jan., 1876
Airedale	R. Goldsbrough and H. Parker	64,000	63,840	25 0 0	0 7 0½	160		"	"	21 Nov., 1876	1 " 1877
Albert Waterhole	The Australian Joint Stock Bank	16,000	16,000	25 0 0	1 0 0			"	"	22 Sept., 1873	1 " 1874
Bathernile Creek	R. Goldsbrough and H. Parker	20,000	19,480	25 0 0	0 16 5½	520		"	"	19 July, 1876	1 " 1877
Babinda	"	76,800	76,800	20 0 0	0 3 4			"	"	22 Sept., 1873	1 " 1874
" North	W. and J. Moodie, J. Donaldson, R. Ramsay, and G. N. Turner.	45,000	45,000	15 0 0	0 4 3½			"	"	23 Oct., 1877	1 " 1878
Back Blowclear	Horsley and Sherwin	18,000	18,000	21 0 0	0 14 11½			"	"	31 Aug., 1875	1 " 1876
" Boomagril	J. Brown	14,500	14,180	26 0 0	1 3 5½	320		"	"	29 Oct., "	1 " "
" Cagildry East	The Commercial Banking Company	24,000	24,000	30 0 0	0 16 0			"	"	30 " 1876	1 " 1877
" Condobolin	H. Ricketson	44,800	44,800	60 0 0	0 17 10½			"	"	19 July, "	1 " "
" Cookandoon	Ryrie and Alexander	15,500	15,460	37 10 0	1 11 0½	40		"	"	29 May, 1874	1 " 1875
" Daroualgie	J. J., D. T., and B. Newell	21,400	21,140	30 0 0	0 18 2	260		"	"	22 June, 1876	1 " 1877
" Derribong	A. T. Kerr	16,000	16,000	32 10 0	1 6 0			"	"	30 May, 1874	1 " 1875
" Gaugarry North	W. and T. C. Dickson	12,900	12,900	17 10 0	0 17 4½			"	"	1 Dec., 1876	1 " 1877
" Ginge	The City Bank	16,000	16,000	30 0 0	1 4 0			"	"	15 Sept., 1873	1 " 1874

" Gobabla	Ryrie and Alexander	16,000	16,000	30 0 0	1 4 0	.....	.....	.....	9 Nov., 1876	1	1877
" Grawhey	A. Cruickshank	23,000	23,000	55 0 0	1 10 7½	.....	.....	.....	29 Oct., 1875	1	1876
" Hermitage East	R. Ridge	22,700	22,700	45 0 0	1 5 4½	.....	.....	.....	15 Sept., 1873	1	1874
" Lower Muddall	J. Brown	16,000	16,000	15 0 0	0 12 0	.....	.....	.....	28 Oct., 1875	1	1876
" Mullah	The Commercial Banking Company	12,000	12,000	20 0 0	1 1 4	.....	.....	.....	19 Sept., 1874	1	1875
" Myall Camp North	J. Moore	16,000	16,000	15 0 0	0 12 0	.....	.....	.....	11 Oct., 1875	1	1876
" Nyngan	J. Brown	16,000	16,000	17 0 0	0 13 7½	.....	.....	.....	5 " 1874	1	1875
" of Adjoining Tabratong	The New Zealand Loan and Mercantile Agency Company (Limited).	16,000	16,000	35 0 0	1 8 0	.....	.....	.....	19 July, 1876	1	1877
" of Dandaloo	F. Martell	15,500	15,500	25 0 0	1 0 7½	.....	.....	.....	22 Sept., 1873	1	1874
" of Ellengerah	J. A. Gardiner	16,000	16,000	21 0 0	0 16 9½	.....	.....	.....	13 Nov., 1875	1	1876
" of Garule Garule	Thos. Baird	16,000	16,000	30 0 0	1 4 0	.....	.....	.....	9 " 1876	1	1877
" of Lower Muddall West	J. Brown	32,000	32,000	35 0 0	0 14 0	.....	.....	.....	9 " "	1	"
" of Mumblebone	A. Cruickshank	20,500	20,500	33 0 0	1 0 7½	.....	.....	.....	7 Dec., " "	1	"
" of Nevertire Plains	T. Baird	25,000	25,000	30 0 0	0 15 4½	.....	.....	.....	9 Nov., " "	1	"
" of Tabratong	The New Zealand Loan and Mercantile Agency Company (Limited).	15,000	15,000	35 0 0	1 9 10½	.....	.....	.....	19 July, " "	1	"
" of Terangan	R. Hill " "	16,000	16,000	30 0 0	1 4 0	.....	.....	.....	21 Aug., 1873	1	1874
Back Run of Ballabon	J. A. Gardiner	16,000	16,000	25 0 0	1 0 0	.....	.....	.....	7 Dec., 1876	1	1877
" Canalgan	J. Brown	18,000	18,000	24 0 0	0 17 0½	.....	.....	.....	21 Nov., " "	1	"
" Upper Muddall South	J. Balfe	20,000	20,000	25 0 0	0 16 0	.....	.....	.....	28 Oct., 1875	1	1876
Back Tabratong West	The Commercial Banking Company	17,500	17,500	20 0 0	0 14 7½	.....	.....	.....	26 " 1874	1	1875
" Trundle East North	J. Kilpatrick and A. Crain	45,000	45,000	30 0 0	0 8 6½	.....	.....	.....	22 Sept., 1873	1	1874
" Tyrie	F. Martell	16,000	16,000	25 0 0	1 0 0	.....	.....	.....	19 July, 1876	1	1877
" Ulourie	The City Bank	11,500	11,500	30 0 0	1 13 4½	.....	.....	.....	22 Sept., 1873	1	1874
" Willoi	J. C. Ryrie	32,000	32,000	40 0 0	0 16 0	.....	.....	.....	15 " "	1	"
" Willydah and Temoin	J. Brown	16,000	16,000	32 15 0	1 6 2½	.....	.....	.....	15 " "	1	"
" Woorebugha Cowell	J. Newell, J. Newell, junior, D. T., and M. B. Newell.	16,000	15,960	23 0 0	0 18 5½	40	.....	.....	9 Nov., 1876	1	1877
" Yamma	Honorable J. G. Francis	28,000	26,480	110 0 0	2 13 2	1,520	.....	.....	30 Aug., 1875	1	1876
Badjerribong	D. A. and A. W. B. Ferguson	15,000	12,215	10 0 0	0 10 5½	2,785	.....	.....	22 Nov., " "	1	"
Baker's Swamp	J. Smith	12,800	3,737	10 0 0	1 14 3	9,063	.....	.....	11 Oct., " "	1	"
Bald Hills or Mondadgery	G. Woods	27,000	27,000	35 0 0	0 16 7	.....	.....	.....	22 Sept., " "	1	"
Ballaree	W. S. Chapman	32,000	31,800	70 0 0	1 8 2	200	.....	.....	26 Jan., 1877	1	1877
Ban Ban	J. A. Gardiner	18,000	13,120	35 0 0	1 14 1½	4,880	.....	.....	13 Nov., " "	1	1876
" or Gunnalga	D. J. O'Neill	12,800	12,800	20 0 0	1 0 0	.....	.....	.....	29 Dec., " "	1	"
Bangaroo	R. Dowling and W. Martin	13,500	13,500	12 10 0	0 11 1½	.....	.....	.....	Not appraised	1	July, 1874
Barrabadeen	F. Lord	35,000	35,000	65 0 0	1 3 9½	.....	.....	.....	1 Dec., 1877	1	Jan., 1878
Burrawong	T. Tom	32,000	31,283	35 0 0	0 14 3½	717	.....	.....	22 Nov., 1875	1	1876
Bartley's Creek	J. Brown	12,800	12,800	20 0 0	1 0 0	.....	.....	.....	30 Aug., " "	1	"
Belar Cowell	T. Baird	28,000	27,360	96 0 0	2 4 11	640	.....	.....	28 Oct., " "	1	"
Belleringla or (Garule Garule)	John Grant, junior	6,400	4,960	19 0 0	2 9 0½	1,440	.....	.....	27 " "	1	"
Belubula	R. Strahorn, J. Strahorn, junior, H. and W. Strahorn.	16,000	16,000	35 0 0	1 8 0	.....	.....	.....	22 Sept., " "	1	"
Berchen Lagoons	Honorable J. G. Francis	16,500	16,500	60 0 0	2 6 6½	.....	.....	.....	19 July, 1876	1	1877
Berewombenia	J. Ratherford, W. B. Bradley, W. F. Whitney, and W. R. Hall.	1,440	1,440	10 0 0	4 8 10½	.....	.....	.....	22 Nov., 1875	1	1876
Beriarh	B. Buchanan and H. Mort	12,000	11,420	20 0 0	1 2 5	580	.....	.....	28 Oct., " "	1	"
Bilabung	W. Forlonge	61,000	61,000	20 0 0	0 4 2½	.....	.....	.....	30 Aug., " "	1	"
Billabong East	The Commercial Banking Company	39,000	39,000	15 0 0	0 4 11	.....	.....	.....	11 Oct., " "	1	"
" West	T. A. Hindmarsh	19,200	19,200	25 0 0	0 16 8	.....	.....	.....	Not appraised	1	"
Bloodsworth Plain	R. G. Treweek	18,000	660	10 0 0	9 13 11½	5,220	12,120	.....	30 Oct., 1876	1	1877
Blowclear	The New Zealand Loan and Mercantile Agency Company (Limited).	27,000	19,950	37 10 0	1 5 0½	50	.....	.....	13 " 1877	1	1876
" West	John Brown	20,000	20,000	37 10 0	1 4 0	.....	.....	.....	30 Aug., 1875	1	"
Bogie Plains North	R. Goldsbrough and H. Parker	10,500	10,500	30 0 0	1 16 6½	.....	.....	.....	9 Nov., 1876	1	1877
" South	Henry Brown	64,000	78,000	25 0 0	0 4 1	.....	.....	.....	9 " "	1	"
Boomagrill	W. Forlonge	78,000	38,400	27 0 0	0 9 0	.....	.....	.....	24 Oct., 1873	1	1874
Boona East	J. Keenan	38,400	16,000	30 0 0	1 4 0	.....	.....	.....	21 Nov., 1876	1	1877
" West	The Trust and Agency Company of Australasia, (Limited).	16,000	16,000	85 0 0	3 8 0	1,500	.....	.....	22 " 1875	1	1876
Booralor or Ten-mile Creek		17,500	16,000						13 " "	1	"
Booree Bogan									16 Oct., 1876	1	1877
Borambill									22 Nov., 1875	1	1876

* Reserve ½ a mile on each side of road for travelling stock.

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area proleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisalment.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
WELLINGTON DISTRICT—continued.											
Bore Cabonne	John Smith	10,000	3,660	£ s. d.	£ s. d.						
" Nyrang	"	39,617	29,247	10 0 0	1 14 11½	6,340		Not ascer-	Not ascer-	22 Sept., 1875	1 Jan., 1876
"	Ryrie and Alexander	16,000	16,000	30 0 0	1 4 0	10,370		tainable	tainable	22 "	1 "
Brogan Plains	J. Rawsthorne	20,000	20,000	55 0 0	1 10 2½			"	"	9 Nov., 1876	1 " 1877
" Back Run	R. F. Horsley and — Sherwin	19,200	18,950	30 0 0	1 0 3¼	250		"	"	31 Aug., 1875	1 " 1876
Brotherton's Plains	J. Brown	16,000	16,000	30 0 0	1 4 0			"	"	30 "	1 "
Brymedura and Memildra	The Trust and Agency Company of Australasia, (Limited).	81,800	37,369	30 0 0	0 10 3½	24,129	20,302	"	"	9 Nov., 1876	1 " 1877
"								"	"	25 May, 1877	1 " 1876
Buckinbah	Thos. M'Culloch	19,000	18,650	52 10 0	1 16 0½	350		"	"	22 Sept., 1875	1 " "
Buckinguy	E. A. Smith	18,000	18,000	35 0 0	1 4 10½			"	"	21 Nov., 1876	1 " 1877
Bugubada	The Commercial Banking Company	18,000	17,680	28 0 0	1 0 3½	320		"	"	27 Oct., 1875	1 " 1876
Bugabogil	J. Thomas, J. L. Whitmill, and T. L. Morris.	48,740	4,960	10 0 0	1 5 9½	23,540	20,240	"	"	13 " 1877	1 " "
Bulderudgera	M. C. Machardy	51,200	50,300	32 10 0	0 8 3½	900		"	"	13 Nov., 1875	1 " "
Bulgandramine	J. N. Gilmour	43,000	42,430	120 0 0	1 16 2½	573		"	"	11 Oct., "	1 " "
Bullock Creek	R., J., H., and W. Strahorn	16,000	16,000	30 0 0	1 4 0			"	"	22 Nov., "	1 " "
Bumba	J. A. Gardiner	11,700	11,700	30 0 0	1 12 9½			"	"	21 Aug., 1873	1 " 1874
Bunglegumby	M. C. Machardy	16,000	16,000	10 0 0	0 8 0	Nearly all alienated.		"	"	13 Nov., 1875	1 " 1876
Burdenda	G. T., T. B., G. H., and T. Hunt	16,000	15,700	40 0 0	1 12 7½	300		"	"	23 Oct., 1877	1 " 1878
Barrowong	Hon. J. G. Francis	40,000	34,245	130 0 0	2 8 7	5,475	280	"	"	12 " 1875	1 " 1876
Byong	"	16,000	16,000	38 0 0	1 10 4½			"	"	19 July, 1876	1 " 1877
" Hills	"	27,000	27,000	45 0 0	1 1 4			"	"	29 Sept., 1873	1 " 1874
Brue Plains	W. Forlonge	11,000	11,000	15 0 0	0 17 5½			"	"	16 Aug., 1877	1 " 1878
Camboogle Cambang	The Commercial Banking Company	30,000	18,332	17 0 0	0 11 10½	2,082	9,586	"	"	11 Oct., 1875	1 " 1876
Camp Hole	R. Goldsbrough and H. Parker	16,000	15,800	25 0 0	1 0 3	200		"	"	22 Sept., 1873	1 " 1874
Canomadine or Woolshed	The Mercantile Bank	33,000	28,810	45 0 0	1 0 0	4,190		"	"	22 " 1875	1 " 1876
Cardington	J. M'Niven	22,400	18,120	26 0 0	0 18 4½	4,280		"	"	22 " "	1 " "
Carlisle	The Australian Joint Stock Bank	29,000	29,000	30 0 0	0 13 3			"	"	23 Oct., 1877	1 " 1878
Carlson	J. C. M'Lachlan and W. Ross	1,000	1,000	10 0 0	6 8 0			"	"	21 Aug., 1873	1 " 1874
Carrawobity	James Rawsthorne	16,000	16,000	12 0 0	0 9 7½			"	"	1 Dec., 1877	1 " 1876
Cathundrill	J. C. Ryrie and J. Alexander	16,000	16,000	30 0 0	1 4 0			"	"	13 Nov., 1875	1 " "
" No. 2	J. C. Ryrie	32,000	32,000	35 0 0	0 14 0			"	"	11 " "	1 " "
Cattle Waterhole South	The Commercial Banking Company	23,000	23,000	45 0 0	1 5 0½			"	"	24 June, 1874	1 " 1875
Centrebit	J. C. Ryrie and J. Alexander	12,800	12,800	30 0 0	1 10 0			"	"	16 Aug., 1877	1 " 1878
Chain of Ponds	G. T., T. B., G. H., and T. Hunt	4,500	4,500	10 0 0	1 8 5½			"	"	22 Sept., 1875	1 " 1876
Charley's Yard	Hon. J. G. Francis	20,000	20,000	40 0 0	1 5 7½			"	"	29 " 1873	1 " 1874
Cheeseman's Creek	James Keenan	8,950	8,080	10 0 0	0 15 10	870		"	"	22 " 1875	1 " 1876
Cobong	The Australian Joint Stock Bank	38,000	37,680	48 0 0	0 16 3½	320		"	"	31 Aug., "	1 " "
Codumbe Range	G. and J. Bruce	10,200	10,160	18 0 0	1 2 8½	40		"	"	11 Oct., "	1 " "
Colonel	W. W. and T. L. Richardson	9,800	9,800	27 0 0	1 15 3½			"	"	29 " "	1 " "
Condobolin	H. Ricketson	22,000	17,665	50 0 0	1 16 2½	2,335	2,000	"	"	22 Nov., "	1 " "
Cookandoon	Ryrie and Alexander	22,600	22,600	80 0 0	2 5 3½			"	"	29 Oct., "	1 " "
Cookermuggerin	"	7,000	7,000	40 0 0	3 13 1½			"	"	29 May, 1874	1 " 1875
Coolee or Beardina	A. Cruickshank	15,000	15,000	58 0 0	2 9 6			"	"	28 Oct., 1875	1 " 1876
Coper	R. Ridge	28,000	28,000	50 0 0	1 2 10½			"	"	21 Nov., 1876	1 " 1877
Coradgery	G. and J. Palmer	25,000	25,000	90 0 0	2 6 1			"	"	22 " 1875	1 " 1876
Corse's Courle	Robert Strahorn	11,000	11,000	15 0 0	0 17 5½			"	"	23 Oct., 1877	1 " 1878
Cowell	Susannah Phillips	18,500	18,180	37 10 0	1 6 4½	320		"	"	24 Jan., "	1 " 1877
Cowell Maryan	Ryrie and Alexander	16,000	16,000	30 0 0	1 4 0			"	"	9 Nov., 1876	1 " "
Cremona	Thomas Baird	12,500	12,500	25 0 0	1 5 7½			"	"	30 May, 1874	1 " 1875
" No. 2	"	12,500	12,500	25 0 0	1 5 7½			"	"	30 " "	1 " "
Cuddaldary	G. T., T. B., G. H., and T. Hunt	16,000	15,900	40 0 0	1 12 2½	100		"	"	23 Oct., 1877	1 " 1878
Cuddell	J. A. Gardiner and H. Kater	3,000	3,000	10 0 0	2 2 8			"	"	27 " 1875	1 " 1876
Cullemburawang	E. H. Lane	17,000	17,000	30 0 0	1 2 7			"	"	11 " "	1 " "
Curra	S. E. J. Close	16,000	16,000	16 0 0	0 12 9½			"	"	13 " 1877	1 " 1878

Creek	Thomas M'Calloch	7,680	7,640	21 0 0	1 15 2 $\frac{1}{2}$	40			22 Sept., 1875	1	1876
Dandaloo	F. Martel	15,500	14,560	30 0 0	1 6 4 $\frac{1}{2}$	440	500		19 Jan., 1876	1	1877
Darobel	Ryrie and Alexander	13,000	12,960	50 0 0	2 9 4 $\frac{1}{2}$	40			27 Oct., 1875	1	1876
Darouble East	J. Brown	14,000	14,000	37 0 0	1 13 10				27 " "	1	1876
" " Back	"	14,000	14,000	25 0 0	1 2 10 $\frac{1}{2}$				23 " "	1	1878
" " West	"	16,000	16,000	40 0 0	1 12 0				29 " "	1	1876
Davy's Plains	The Commercial Banking Company	60,000	51,940	40 0 0	0 9 10 $\frac{1}{2}$	8,060			22 Sept., "	1	"
Delga	J. C. M'Lachlan and W. Ross	19,200	19,200	30 0 0	1 0 0				22 " "	1	"
Derri Derri	J. A. Gardiner	32,000	32,000	50 0 0	1 0 0				4 June, 1874	1	1875
Derriwong	Hon. J. G. Francis	16,000	16,000	15 0 0	0 12 0				19 July, 1876	1	1877
Doonside	A. T. Kerr	16,000	16,000	35 0 0	1 8 0				19 " "	1	"
Dooran	Ryrie and Alexander	12,500	12,210	45 0 0	2 7 2	290			29 Oct., 1875	1	1876
Dragy	R. J. H., and W. Strahorn	14,000	13,360	40 0 0	1 18 4	640			11 " "	1	"
Duck Creek	The Bank of New South Wales	16,000	16,000	50 0 0	2 0 0				" " "	1	1874
" " No. 12	W. W. and T. L. Richardson	18,000	18,000	50 0 0	1 15 6 $\frac{1}{2}$				21 Nov., 1876	1	1877
" " " 16	"	16,000	16,000	45 0 0	1 16 0				21 " "	1	"
" " " 17	"	15,000	15,000	50 0 0	2 2 8				" " "	1	1874
Dulkunt Plains	Hon. J. G. Francis	16,000	16,000	50 0 0	2 0 0				30 Aug., 1875	1	1876
Dundallamal	T. Baird	26,000	9,000	20 0 0	1 8 5 $\frac{1}{2}$	10,000	7,000		13 Nov., "	1	"
Dinner Gilgies	J. N. Gilmour	25,000	25,000	25 0 0	0 12 9 $\frac{1}{2}$				29 Oct., 1877	1	1878
East Bogan No. 1	J. Brown	19,000	19,000	50 0 0	1 13 8				15 Sept., 1873	1	1874
" " " 2	W. and T. Richardson	33,000	33,000	75 0 0	1 9 1				5 Oct., 1874	1	1875
" " " 9	W. W. and T. L. Richardson	18,000	18,000	35 0 0	1 4 10 $\frac{1}{2}$				16 Aug., 1877	1	1878
East Draggy	R. J. H., and W. Strahorn	15,000	15,000	35 0 0	1 9 10 $\frac{1}{2}$				19 July, 1876	1	1877
East Gunningbland	R. F. Horsly and — Sherwin	16,500	16,500	35 0 0	1 7 1 $\frac{1}{2}$				21 Aug., 1873	1	1874
Eenaweena	Ryrie and Alexander	19,500	19,340	68 0 0	2 5 0	160			27 Oct., 1875	1	1876
Ellengerah	J. A. Gardiner	12,800	12,800	25 0 0	1 5 0				29 Dec., 1877	1	"
Emu Plains or Murdaa	Henry Ricketson	26,000	26,000	31 10 0	0 15 6				1 Oct., "	1	1878
Enmore	The Commercial Banking Company	43,400	43,400	50 0 0	0 14 9				9 Nov., 1876	1	1877
Esperance	Jane Wild, Martha Kateen, and George Wood	12,000	12,000	50 0 0	2 13 4				29 " "	1	1876
Eugeldry	John Corse	12,000	12,000	32 0 0	1 14 1 $\frac{1}{2}$				27 Oct., "	1	"
Esperance Back	Martha Caton	16,000	16,000	25 0 0	1 0 0				24 Jan., 1877	1	1877
Eulagilma, formerly East Bogan No. 7	W. W. Richardson and T. L. Richardson	27,000	27,000	65 0 0	1 10 9 $\frac{1}{2}$				16 Aug., "	1	1878
Eurimbala	Edward Lord	24,000	18,680	30 0 0	1 0 6 $\frac{1}{2}$	4,720	600		22 Sept., 1875	1	1876
Fifteen-mile Waterhole	G. and J. Palmer	20,000	20,000	30 0 0	0 19 2 $\frac{1}{2}$				22 " "	1	"
Flanagan's Swamp East	The Commercial Banking Company	49,000	49,000	20 0 0	0 5 2 $\frac{1}{2}$				24 Jan., 1877	1	1877
Galwary	Charles Icely	6,000	6,000	10 0 0	1 1 4				22 Sept., 1875	1	1876
Gamboola	John Smith	19,000	17,600	10 0 0	0 7 3 $\frac{1}{2}$	1,400			22 " "	1	"
Ganggary	The Commercial Banking Company	18,700	18,700	35 0 0	1 3 11 $\frac{1}{2}$				29 Oct., "	1	"
Genanigi	J. N. Gilmour	80,000	80,000	125 0 0	1 0 0				— Sept., "	1	"
Gennarin	"	16,000	16,000	35 0 0	1 8 0				25 Nov., "	1	"
Geweroo	J. and T. Dalton	64,000	64,000	12 10 0	0 2 6				30 Oct., 1876	1	1877
Gillenbine and Gobondry	Hon. J. G. Francis	16,000	16,000	30 0 0	1 4 0	4 conditional purchases			29 Sept., 1873	1	1874
Ginge	The City Bank	16,000	16,000	32 0 0	1 5 7 $\frac{1}{2}$				15 " "	1	"
Glenariff block A	W. Buist	64,000	64,000	30 0 0	0 6 0				21 Dec., 1877	1	1878
" " B	"	64,000	64,000	30 0 0	0 6 0				21 " "	1	"
" " C	Oliver Poplin	44,000	44,000	25 0 0	0 7 3 $\frac{1}{2}$				Not appraised	1	1873
Glencoe	James Keenan	16,000	16,000	27 0 0	1 1 7 $\frac{1}{2}$				30 Oct., 1876	1	1877
Goimbla	Charles Icely	16,000	15,540	25 0 0	1 0 7	460			4 Sept., 1875	1	1876
Gonco	F. Lord	30,000	29,560	60 0 0	1 5 11 $\frac{1}{2}$	440			12 Oct., "	1	"
Goolagoola	J. Rutherford, W. B. Bradley, W. F. Whitney, and W. R. Hall	16,000	16,000	42 0 0	1 13 7 $\frac{1}{2}$				29 " "	1	"
Gradell	A. C. and A. Strahorn	25,600	25,280	84 0 0	2 2 6 $\frac{1}{2}$	320			22 Nov., "	1	"
Grahway	J. Rutherford, W. B. Bradley, W. F. Whitney, and W. R. Hall	16,400	15,080	62 0 0	2 12 7 $\frac{1}{2}$	360	960		29 Oct., "	1	"
Greenock	R. Goldsbrough and H. Parker	46,000	46,000	25 0 0	0 6 11 $\frac{1}{2}$				23 " "	1	1878
Grudgery	Hon. J. G. Francis	23,000	19,360	65 0 0	2 2 11 $\frac{1}{2}$	3,640			22 Nov., 1875	1	1876
Gulgo	The Commercial Banking Company	19,200	19,175	60 0 0	2 0 0 $\frac{1}{2}$	25			22 " "	1	"
Gum Swamp	The New Zealand Loan and Mercantile Agency Company (Limited).	16,000	16,000	31 0 0	1 4 9 $\frac{1}{2}$				9 " "	1	1877
Gundy	Hon. Francis Lord	2,000		10 0 0		Nearly all	selected		12 Oct., 1875	1	1876
Gunegaldra	The Commercial Banking Company	16,000	16,000	50 0 0	2 0 0				29 " "	1	"
Gunning	Hon. J. G. Francis	17,500	17,500	70 0 0	2 11 2 $\frac{1}{2}$				22 Nov., "	1	"
" " East	J. Rawsthorne	14,000	7,840	12 0 0	0 19 7	1,700	4,460		31 Mar., 1877	1	1874

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisal.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
WELLINGTON DISTRICT—continued.											
Gunningbar New Station	The Commercial Banking Company	13,500	13,500	£ s. d. 30 0 0	£ s. d. 1 8 5½					29 Oct., 1875	1 Jan., 1876
" (Wallah Wallah)	Ryrie and Alexander	11,000	11,000	40 0 0	2 6 6½			Not ascertainable	Not ascertainable	27 " "	1 " "
" (Merryanbone)	R. Hill	18,000	18,000	64 0 0	2 5 6½					29 " "	1 " "
Gunningbland	Hon. J. G. Francis	17,000	16,880	50 0 0	1 17 11	120				22 Nov., "	1 " "
" Back Station	"	16,000	16,000	30 0 0	1 4 0					31 May, 1877	1 " 1878
Haddonriggs	The New Zealand Loan and Mercantile Agency Company (Limited).	14,000	14,000	30 0 0	1 7 5½					9 Nov., 1876	1 " 1877
Half-moon Plain	Thomas Brown	6,560	6,560	22 0 0	2 2 7½					16 Aug., 1877	1 " 1878
Hermitage East	R. Ridge	20,000	20,000	45 0 0	1 8 9					21 Nov., 1876	1 " 1876
Hermitage Plains, block A1	R. Goldsbrough and H. Parker	64,000	64,000	15 0 0	0 3 0					27 Oct., 1875	1 " "
" " A2	J. Clements	59,000	59,000	40 0 0	0 8 8½					1 Dec., 1877	1 " 1878
" " G	Oliver Poplin	28,800	28,800	25 0 0	0 11 1½					Not appraised	1 April, 1873
" " H	F. R. Hume, junr.	39,000	39,000	25 0 0	0 8 2½					" "	1 " "
" " I	"	48,000	48,000	30 0 0	0 8 0					23 Oct., 1877	1 Jan., 1878
" " J	"	64,000	64,000	40 0 0	0 8 0					23 " "	1 " "
" " K	"	53,000	53,000	35 0 0	0 8 5½					22 " "	1 " "
" " L	John and John S. Sands	64,000	64,000	40 0 0	0 8 0					23 " "	1 " "
" " M	The Bank of New South Wales	32,000	32,000	25 0 0	0 10 0					21 Dec., "	1 " "
" " S	The Commercial Banking Company	75,000	75,000	15 0 0	0 2 6½					30 Oct., 1876	1 " 1877
" " T	"	30,000	30,000	18 0 0	0 7 8½					23 " 1877	1 " 1878
" " U	John Brown	56,000	56,000	23 0 0	0 5 3					29 " 1875	1 " 1876
" " V	"	62,000	62,000	30 0 0	0 6 2½					23 " 1877	1 " 1878
" " X	The Commercial Banking Company	32,000	32,000	25 0 0	0 10 0					23 " "	1 " "
" " Y	John O'Mahoney	62,000	62,000	20 0 0	0 4 1½					23 " "	1 " "
" " Z	R. Goldsbrough and H. Parker	75,000	75,000	10 0 0	0 1 8½					29 " 1875	1 " 1876
Jumble Plains, block A	The Commercial Banking Company	93,500	93,500	60 0 0	0 8 2½					25 May, 1874	1 " 1875
" " F	"	65,000	65,000	50 0 0	0 9 10½					25 " "	1 " "
" " C	Andrew Kerr	54,000	54,000	30 0 0	0 7 1½					22 Sept., 1873	1 " 1874
" " H	B. J. Fink and F. Levein	65,000	64,920	10 0 0	0 1 11½	80				22 Nov., 1875	1 " 1876
Keenan's Corner	The Commercial Banking Company	20,000	20,000	22 10 0	0 14 4½					24 June, 1874	1 " 1875
Kurajong Hill	The Hon. J. G. Francis	16,000	16,000	30 0 0	1 4 0					29 Sept., 1873	1 " 1874
Kyargathur	The Commercial Banking Company	25,000	24,850	125 0 0	3 4 4½	150				22 Nov., 1875	1 " 1876
Lankey's Plains or Duck Holes	"	17,000	17,000	35 0 0	1 6 4½					24 June, 1874	1 " 1875
Limestone Plains	G. and J. Palmer	20,000	19,840	40 0 0	1 5 9½	160				24 " "	1 " "
Little River	M. C. Machardy	25,200	24,400	25 0 0	0 13 1½	800				13 Nov., 1875	1 " 1876
Lombah	G. and J. Bruce	12,800	12,720	22 0 0	1 2 1½	80				11 Oct., "	1 " "
Lower Canonba	J. Ashcroft	13,000	12,220	60 0 0	3 2 10½	780				29 " "	1 " "
" West	J. Brown	16,000	16,000	50 0 0	2 0 0					15 Sept., 1873	1 " 1874
Lower Cudgeldrie	The Commercial Banking Company	14,500	14,500	25 0 0	1 2 0½					5 Oct., 1874	1 " 1875
" Daroobalgie	Mary Hibbertson, Henry A. Maynard, and J. Nicholl.	8,000	1,888	15 0 0	5 1 8½	1,528	4,584			30 Aug., 1875	1 " 1876
" Mudall West	John Brown	20,000	20,000	49 0 0	1 11 4½					29 Oct., "	1 " "
" Mulgutherie	The Hon. J. G. Francis	17,500	17,500	25 0 0	0 18 3½					19 July, 1876	1 " 1877
" Peelgowarna	J. A. Gardiner	16,000	16,000	56 0 0	2 4 9½					29 Oct., 1875	1 " 1876
" Tabratong	Charles Perks	16,000	15,960	35 0 0	1 8 0½	40				19 July, 1876	1 " 1877
" Willi East	The City Bank	18,000	18,000	47 0 0	1 13 5					29 Oct., 1875	1 " 1876
Manwanga	The Hon. J. G. Francis	25,000	23,840	125 0 0	3 7 1½	1,160				22 Nov., "	1 " "
Mara Creek—on the	J. Rutherford, W. B. Bradley, W. F. Whitney, and W. R. Hall.	39,000	39,000	98 0 0	1 12 2					29 Oct., "	1 " "
Meadows	J. Rorke	38,400	38,360	38 0 0	0 12 8½	40				11 " "	1 " "
Melrose	R. Goldsbrough and H. Parker	64,000	63,680	30 0 0	0 6 0½	320				21 Nov., 1876	1 " 1877
" Plains, block D	The Oriental Bank Corporation	64,000	64,000	18 0 0	0 3 7½					22 " 1875	1 " 1876
" South	R. Goldsbrough and H. Parker	60,000	60,000	20 0 0	0 4 3½					21 " 1876	1 " 1877
Miamely	"	64,000	63,880	40 0 0	0 8 0½	120				21 " "	1 " "
" North	"	64,000	64,000	35 0 0	0 7 0					21 " "	1 " "

Mickybill	The Commercial Banking Company	27,000	25,390	120 0 0	3 0 6	1,610				26 "	1875	1 "	1876
Middle Field	"	15,000	15,000	35 0 0	1 9 2½					21 "	1876	1 "	1877
Milpose	R. F. Horsley and — Sherwin	21,000	21,000	40 0 0	1 4 4½					21 Aug.,	1873	1 "	1874
Minore	W. Dugan	20,000	19,230	22 0 0	0 14 1½	770				15 Oct.,	1874	1 April,	1873
Mogille Plain	R. Goldsbrough and H. Parker	64,000	63,860	35 0 0	0 7 0½	140				21 Nov.,	1876	1 Jan.,	1877
Mogong	E. Coady	12,000	2,184	15 0 0	4 7 11	2,454	7,362			22 Sept.,	1875	1 "	1876
"	S. E. Close	11,000	11,000	12 10 0	0 14 6½					24 Jan.,	1877	1 "	1877
Molong Nyrang	S. and J. Alexander	4,000	3,350	12 0 0	2 5 10½	650				22 Sept.,	1875	1 "	1876
Mombill	The Bank of New South Wales	45,000	44,960	30 0 0	0 8 6½	40				18 Nov.,	1876	1 "	1877
Momdado	R. Ridge	13,000	13,000	30 0 0	1 9 6½					21 "	"	1 "	"
Monomic Plain	The Hon. J. G. Francis	22,000	22,000	40 0 0	1 3 3½					19 July,	"	1 "	"
Morbella	J. Rutherford, W. B. Bradley, W. F. Whitney, and W. R. Hall	17,600	17,600	47 0 0	1 14 2½					29 "	"	1 "	"
" West	"	16,000	16,000	35 0 0	1 8 0					15 Sept.,	1873	1 "	1874
Mountain Run	The Hon. J. G. Francis	17,000	17,000	50 0 0	1 17 7½					31 May,	1877	1 "	1878
Mount Foster	The Commercial Banking Company	25,300	25,300	70 0 0	1 15 5					29 Oct.,	1875	1 "	1876
" Park, Euromedah	Ryrie and Alexander	56,000	55,200	40 0 0	0 9 3½	800				11 Nov.,	"	1 "	"
Mowablaa	The Oriental Bank Corporation	64,000	64,000	40 0 0	0 8 0					23 Oct.,	1877	1 "	1878
Mudall	J. Brown	13,000	13,000	45 0 0	2 4 3½					9 Nov.,	1876	1 "	1877
Mulgathary	Hon. J. G. Francis	24,000	12,990	45 0 0	2 4 4	7,860	3,150			9 April,	1878	1 "	1876
Mulla Mulla	J. Brown	16,000	16,000	20 0 0	0 16 0					5 Oct.,	1874	1 "	1875
Mullah	The Commercial Banking Company	16,000	15,640	45 0 0	1 16 10	360				13 Nov.,	1875	1 "	1876
Mullingudgery	D. A. and A. W. B. Ferguson	17,500	16,860	58 0 0	2 4 0½	640				29 Oct.,	"	1 "	"
" South	"	12,000	12,000	30 0 0	1 12 0					2 June,	1874	1 "	1875
Mumblebone	A. Cruickshank	22,500	22,460	80 0 0	2 5 7½	40				29 Oct.,	1875	1 "	1876
Mumbrumbah, block No. 2	The Commercial Banking Company	16,000	16,000	30 0 0	1 4 0					30 May,	1874	1 "	1875
Mundadoo East	R. Ridge	14,400	14,400	35 0 0	1 11 1½					21 Nov.,	1876	1 "	1877
Mungaree East	J. N. Gilmour	34,000	34,000	67 10 0	1 5 5					11 Oct.,	1875	1 "	1876
" West	R., J. jun., H., and W. Strahorn	25,600	24,916	80 0 0	2 1 1½	684				22 Nov.,	"	1 "	"
Murraga	Mary Keenan	14,000	14,000	37 10 0	1 14 3½					5 Oct.,	1874	1 "	1875
Murrinderry	C. M'Phillamy	20,000	19,300	40 0 0	1 6 6½	700				22 Sept.,	1875	1 "	1876
Murrumboogie	Alfred Stokes	46,000	46,000	35 0 0	0 9 8½					13 Oct.,	1877	1 "	1878
Myall Camp, North	J. N. Gilmour	12,000	12,000	30 0 0	1 12 0					11 "	1875	1 "	1876
" South	"	15,000	15,000	30 0 0	1 5 7½					11 "	"	1 "	"
Myall Cowell	J. Balfe	21,000	21,000	32 10 0	0 10 9½					24 June,	1874	1 "	1875
Nanima	J. S. Campbell	12,800	11,960	22 0 0	1 3 6½	840				22 Sept.,	1875	1 "	1876
Narradandarry	"	10,240	9,390	20 0 0	1 7 3½	850				22 "	"	1 "	"
Narramine	The New Zealand Loan and Mercantile Agency Company (Limited)	57,600	57,600	120 0 0						19 Nov.,	"	1 "	"
Narroogal	John Smith	12,000	10,000	20 0 0	1 5 7½	2,000				12 Oct.,	"	1 "	"
Nelson	R., J., H., and W. Strahorn	16,000	16,000	30 0 0	1 4 0					28 Sept.,	1874	1 "	1875
Never-tire	Ryrie and Alexander	16,000	16,000	32 0 0	1 5 7½					9 Nov.,	1876	1 "	1877
New Babinda	G. N. Turner	45,000	45,000	17 10 0	0 4 11½					23 Oct.,	1877	1 "	1878
" Bumbaldry	The City Bank	46,000	46,000	15 0 0	0 4 2					22 Nov.,	1875	1 "	1876
" Bundebarra	The Hon. J. G. Francis	64,000	63,920	40 0 0	0 8 0	80				19 July,	1876	1 "	1877
" Gunningbah, block No. 1.	The Commercial Banking Company	16,000	16,000	30 0 0	1 4 0					30 May,	1874	1 "	1875
" Meryanbone	R. Hill	15,000	15,000	25 0 0	1 1 4					7 Dec.,	1876	1 "	1877
" Mount Foster	"	16,000	16,000	30 0 0	1 4 0					7 "	"	1 "	"
" Mumdrabah	The Commercial Banking Company	20,000	20,000	30 0 0	0 19 2½					30 May,	1874	1 "	1875
Nine-mile Waterhole	F. Martel	12,500	12,500	28 0 0	1 8 8					27 Oct.,	1875	1 "	1876
Noary	R. M'Phillamy	16,000	2,000	10 0 0	3 4 0	14,000				12 "	"	1 "	"
North Barra Barra	The Commercial Banking Company	40,000	40,000	45 0 0	0 14 4½					19 July,	1876	1 "	1877
" Kyargathur	"	17,000	17,000	13 0 0	0 9 9½					1 Sept.,	1875	1 "	1876
" Mickybill	"	15,000	15,000	13 0 0	0 11 1					1 "	"	1 "	"
Nyingan East	C. M'Phillamy	16,000	16,000	44 0 0	1 15 2½					27 Oct.,	"	1 "	"
" West	The Commercial Banking Company	14,000	14,000	32 0 0	1 9 3					29 "	"	1 "	"
Obella	G. T., T. B., G. H., and T. Hunt	28,000	26,500	65 0 0	1 11 4½	1,500				22 Sept.,	"	1 "	"
Old Gunningbar	The Commercial Banking Company	16,000	16,000	52 0 0	2 1 7½					29 Oct.,	"	1 "	"
Opposite Derrybong	"	15,000	15,000	40 0 0	1 14 1½					29 "	"	1 "	"
Outer Back Mullingudgery	D. A. and A. W. B. Ferguson	10,000	10,000	22 10 0	1 8 9½					21 Nov.,	1876	1 "	1877
" Mullah	The Commercial Banking Company	8,000	8,000	17 10 0	1 8 0					19 Sept.,	1874	1 "	1875
Outlet	R., J., H., and W. Strahorn	10,500	10,500	30 0 0	1 16 6½					19 July,	1876	1 "	1877
Palishan, No. 2	J. Conley	112,000	112,000	50 0 0	0 5 8½					1 Dec.,	1877	1 "	1878
Pange North	J. Brown	75,000	75,000	15 0 0	0 2 6½					20 Oct.,	1875	1 "	1876

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area released, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisalment.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
WELLINGTON DISTRICT—continued.											
Pentagon	The Bank of New South Wales	25,000	25,000	£ s. d.	£ s. d.					— Sept., 1873	1 Jan., 1874
Reedy Waterhole	J. N. Gilmour	16,000	16,000	60 0 0	1 10 8½			Not ascer-	Not ascer-	"	"
Ruby	J. Brown	16,000	16,000	25 0 0	1 0 0			tainable	tainable	5 Oct., 1874	1 " 1875
Salisbury Plains, block D	W. and T. C. Dickson	15,980	15,980	15 0 0	0 12 0			"	"	1 Dec., 1876	1 " 1877
Sebastopol	The Hon. J. G. Francis	16,000	16,000	25 0 0	1 0 0½			"	"	29 Sept., 1873	1 " 1874
South Blowclear	The Commercial Banking Company	12,500	12,340	30 0 0	1 4 0			"	"	22 June, 1876	1 " 1877
South Burra Burra	"	90,000	90,000	32 10 0	1 13 8½	160		"	"	19 July, " "	1 " 1874
South Byong	The Hon. J. G. Francis	17,500	17,500	45 0 0	0 6 4½			"	"	11 Oct., 1873	1 " 1876
Springs	D. D. Baird	25,000	24,320	32 0 0	1 3 4½	680		"	"	29 " "	1 " "
Tabratong	The New Zealand Loan and Mercantile Agency Company (Limited).	15,000	15,000	38 0 0	1 0 0			"	"	21 Nov., 1876	1 " 1877
" West	G. T., T. B., G. H., and T. Hunt	9,500	9,500	50 0 0	2 2 8			"	"	29 Oct., 1875	1 " 1876
Tarrangan East	James Lee	16,000	16,000	22 10 0	1 10 3½			"	"	9 Nov., 1876	1 " 1877
Temoin	J. C. Rylie	16,000	16,000	42 0 0	1 13 7½			"	"	11 Oct., 1875	1 " 1876
The Oaks	R., J., H., and W. Strahorn	18,000	18,000	25 0 0	1 0 0			"	"	22 Nov., 1875	1 " "
The Plains	J. Keenan	19,500	19,500	45 0 0	1 12 0			"	"	17 " "	1 " 1877
The Trofts	T. R. Watt	100,000	100,000	44 0 0	1 8 1½			"	"	22 Sept., 1875	1 " 1876
Thuara	The Bank of New South Wales	16,000	16,000	60 0 0	0 7 8½			"	"	24 June, 1874	1 " 1875
Tilga	E. Coady	12,800	2,680	35 0 0	1 8 0	2,530	7,590	"	"	24 " "	1 " "
Timburabungin Back Run No. 1	D. M'Killop	20,000	20,000	15 0 0	3 11 7½			"	"	13 Nov., 1875	1 " 1876
" " 2	"	20,000	20,000	30 0 0	0 19 2½			"	"	22 Sept., " "	1 " "
Timberly Bungan	"	52,000	50,820	30 0 0	0 19 2½	1,180		"	"	30 Oct., 1876	1 " 1877
Timnee or Gorothers Run	Thos. M'Culloch	19,200	18,630	135 0 0	1 14 0	570		"	"	30 May, 1874	1 " 1875
Tinda	R. Goldsbrough and H. Parker	60,000	60,000	20 0 0	0 4 3½			"	"	11 Oct., 1875	1 " 1876
Tolma	J. N. Gilmour	16,000	16,000	22 10 0	0 18 0			"	"	19 July, 1876	1 " 1877
Tomingley	"	26,000	25,960	25 0 0	0 12 4	40		"	"	25 May, 1877	1 " 1878
" North	"	19,000	19,000	25 0 0	0 16 10			"	"	22 Sept., 1875	1 " 1876
Toogong	Fergus Jago Smith	60,000	7,367	11 0 0	0 19 1½	33,861	18,772	"	"	17 " "	1 " 1877
Trajaree	J. S. Campbell	16,000	14,390	40 0 0	1 15 7	1,610		"	"	3 Oct., 1874	1 " 1875
Trangi and Gowan	J. C. Rylie	32,000	32,000	70 0 0	1 8 0			"	"	30 " "	1 " "
Trialgara	Jane Wild	17,000	17,000	27 10 0	1 0 8½			"	"	29 Sept., 1873	1 " 1874
Triangle	A. Cruickshank	6,700	6,700	15 0 0	1 8 8			"	"	3 May, 1877	1 " 1878
"	J. Brown	12,000	12,000	37 10 0	2 0 0			"	"	31 " "	1 " "
" A	J. Ashcroft	6,150	6,150	30 0 0	3 2 5½			"	"	28 Oct., 1873	1 " 1874
Trundle	The Hon. J. G. Francis	16,000	16,000	35 0 0	1 8 0			"	"	29 " "	1 " "
" East	"	16,000	16,000	30 0 0	1 4 0			"	"	15 " "	1 " "
" South	"	16,000	16,000	30 0 0	1 4 0			"	"	29 Oct., 1875	1 " 1876
" Lagoon, Back Run North	G. and J. Palmer	16,000	16,000	30 0 0	1 4 0			"	"	29 " "	1 " "
Turribung	A. T. Kerr	50,000	49,680	132 0 0	1 14 0½	320		"	"	31 Aug., " "	1 " "
Tyrie	F. Martel	18,000	18,000	30 0 0	1 1 4			"	"	19 July, 1876	1 " 1877
Ulourie	The City Bank	16,000	16,000	32 0 0	1 5 7½			"	"	30 Aug., 1875	1 " 1876
Upper Bugabudda	J. Balfe	14,000	14,000	35 0 0	1 12 0			"	"	29 " "	1 " "
Upper Canonba, East	J. Ashcroft	18,000	14,625	60 0 0	2 12 6½	400	2,975	"	"	29 Oct., 1875	1 " 1876
" West	J. Brown	18,000	15,960	64 0 0	2 11 4	1,040	1,000	"	"	29 " "	1 " "
" Daroualgie	W. Richards, jun.	7,900	3,680	10 0 0	1 14 9½	2,300	1,920	"	"	29 " "	1 " "
" Dulhanty	The Hon. J. G. Francis	19,500	19,500	40 0 0	1 6 3			"	"	31 Aug., " "	1 " "
" Back Run	R. F. Horsley and — Sherwin	18,000	8,720	20 0 0	1 9 4½	2,320	6,960	"	"	19 July, 1876	1 " 1877
" Geraway	A. Cruickshank	16,000	16,000	70 0 0	1 16 0			"	"	30 Aug., 1875	1 " 1876
" Gunningbar	The Commercial Banking Company	21,000	21,000	68 0 0	2 1 5½			"	"	29 Oct., " "	1 " "
" Mudall West	J. Balfe	16,500	16,500	38 0 0	1 9 5½			"	"	29 " "	1 " "
" Weeli East	J. A. Gardiner	16,000	16,000	40 0 0	1 12 0			"	"	28 " "	1 " "
Wagoo, or Block 2	"	25,000	25,000	30 0 0	0 15 4½			"	"	21 Nov., 1876	1 " 1877
Walaba	Edwin H. Lane	35,000	35,000	44 0 0	0 16 1			"	"	11 Oct., 1875	1 " 1876
Walker's Hill	F. R. Hume, jun.	64,000	64,000	35 0 0	0 7 0			"	"	1 Dec., 1877	1 " 1878

Wallenbiling	J. N. Gilmour	18,000	18,000	45 0 0	1 12 0				1873	1	1874
Wallenbiling	Susannah Phillips	23,000	22,680	58 0 0	1 12 8 $\frac{1}{2}$	320			29 Oct., 1875	1	1876
Wambanglang	E. H. Lane	22,400	21,600	45 0 0	1 6 8	800			11	1	
Wammerawah South	The Commercial Banking Company	12,600	12,600	35 0 0	1 15 6 $\frac{1}{2}$				31 Nov., 1876	1	1877
Wandoo Wandering	J. Strahorn	31,800	30,840	70 0 0	1 9 0 $\frac{1}{2}$	960			11 Oct., 1875	1	1876
Warge Rock	R., J., H., and W. Strahorn	12,500	12,500	20 0 0	1 0 5 $\frac{1}{2}$				28 Sept., 1874	1	1875
Warraberry and St. Giles	J. Gallagher	40,000	40,000	25 0 0	0 8 0				30 Aug., 1875	1	1876
Warren	W. S. Chapman	32,000	26,000	80 0 0	1 19 4 $\frac{1}{2}$	680	5,320		13 Nov.,	1	
Warrigal	Samuel Smith	26,000	26,000	30 0 0	0 14 9 $\frac{1}{2}$				29 Sept., 1873	1	1874
Waterholes	The Commercial Banking Company	7,000	7,000	16 0 0	1 9 3				1	1	1876
Waterloo Plains	J. N. Gilmour	14,000	14,000	35 0 0	1 12 0				19 July, 1876	1	1877
Waughgandary	J. Rutherford, W. B. Bradley, W. F. Whitney, and W. R. Hall	17,400	17,400	55 0 0	2 0 5 $\frac{1}{2}$				28 Oct., 1875	1	1876
Weatherwaugh	M. C. Machardy	7,500	7,500	15 0 0	1 5 7 $\frac{1}{2}$				13 Nov.,	1	
Weemobah	J. C. Ryrie	30,000	28,610	90 0 0	2 0 3 $\frac{1}{2}$	1,390			11	1	
Weera East	Mary Keenan	15,000	15,000	35 0 0	1 9 10 $\frac{1}{2}$				30 Oct., 1876	1	1877
Wellwood	A. T. Kerr	16,000	16,000	35 0 0	1 8 0				19 July,	1	
Weridgera	G. Palmer	16,000	16,000	25 0 0	1 0 0				1 Dec.,	1	
West Bogan No. 1	A. and D. Ferguson	47,000	47,000	45 0 0	0 12 3				23 Oct., 1877	1	1878
" " 2	The Commercial Banking Company	48,000	48,000	50 0 0	0 13 4				29	1	
" " 3		46,000	46,000	55 0 0	0 15 3 $\frac{1}{2}$				10 June, 1874	1	1875
" " 4	W. W. and T. L. Richardson	45,000	45,000	35 0 0	0 9 11 $\frac{1}{2}$				29 Oct., 1875	1	1876
" " 5		47,000	47,000	39 0 0	0 10 7 $\frac{1}{2}$				16 Aug., 1877	1	1878
" " 6	J. S. Foster	45,500	45,500	60 0 0	0 16 10 $\frac{1}{2}$				3 Oct., 1874	1	1875
" " 7	W. W. and T. L. Richardson	44,500	44,500	50 0 0	0 14 4 $\frac{1}{2}$				15 Sept., 1873	1	1874
" " 8	The Australian Joint Stock Bank	50,000	50,000	52 0 0	0 13 3 $\frac{1}{2}$				29 Oct., 1875	1	1876
" " 9	E. S. Hall	48,500	48,500	58 0 0	0 15 3 $\frac{1}{2}$				29	1	
West Cobong	The Australian Joint Stock Bank	38,000	33,280	35 0 0	0 13 5 $\frac{1}{2}$	1,180	3,540		30 Aug.,	1	
Wharfedale	J. Balfe	41,600	41,600	12 10 0	0 3 10 $\frac{1}{2}$				30 Oct., 1876	1	1877
" North	The Trust and Agency Company of Australasia (Limited).	22,400	22,400	12 10 0	0 7 1 $\frac{1}{2}$				24 Jan., 1877	1	
Wicklow, block A	John Brown	37,500	37,500	15 0 0	0 5 11 $\frac{1}{2}$				29 Oct., 1875	1	1876
" " B	John Calman	64,000	64,000	18 0 0	0 3 7 $\frac{1}{2}$				29	1	
" " C	The Commercial Banking Company	64,000	64,000	25 0 0	0 5 0				Not appraised	1	1873
" " D		42,000	42,000	20 0 0	0 6 1 $\frac{1}{2}$				9 Nov., 1876	1	1877
" " E		63,000	63,000	25 0 0	0 5 1				19 July,	1	
" " F	R. Goldsbrough and H. Parker	64,000	63,900	25 0 0	0 5 0	100			19	1	
" " G		25,000	25,000	25 0 0	0 12 9 $\frac{1}{2}$				10 Nov.,	1	
" " H	The Bank of New South Wales	13,200	13,200	40 0 0	1 18 9 $\frac{1}{2}$				29 Oct., 1875	1	1876
Willi Mara Creek	John Gardiner	23,440	16,685	20 0 0	0 15 4	1,629	5,126		10 April, 1878	1	
Willandra	The Commercial Banking Company	12,500	12,500	35 0 0	1 15 10				17 Nov., 1876	1	1877
Willary East	The Bank of New South Wales	23,500	23,500	50 0 0	1 7 2 $\frac{1}{2}$				29 Oct., 1875	1	1876
Willerie and Blowan	J. K. Mackay	16,000	16,000	45 0 0	1 16 0				28	1	
Willie	R. Ridge	15,000	15,000	40 0 0	1 14 1 $\frac{1}{2}$				29	1	
Willoi	The City Bank	25,600	21,760	40 0 0	1 3 6 $\frac{1}{2}$	3,840			22 Sept.,	1	
Willondra	C. Icely	16,000	16,000	45 0 0	1 16 0				29 Oct.,	1	
Willoree	J. K. Mackay and C. B. Mackay	16,000	16,000	25 0 0	1 0 0				13 Nov.,	1	
Willydah and Temoin	J. C. Ryrie	42,000	42,000	35 0 0	0 10 8				21	1	1877
Womboin	J. A. Gardiner	38,000	38,000	15 0 0	0 5 0 $\frac{1}{2}$				19 July,	1	
Woodlands	The City Bank	19,000	19,000	20 0 0	0 13 5 $\frac{1}{2}$				19	1	
Woodstock	Florent Martel	13,500	13,500	30 0 0	0 18 11 $\frac{1}{2}$				28 Oct., 1875	1	1876
Woolagoola	J. Rutherford, W. B. Bradley, W. F. Whitney, and W. R. Hall	16,000	16,000	35 0 0	1 8 0				15 Sept., 1873	1	1874
" West		12,800	10,870	17 0 0	1 0 0 $\frac{1}{2}$	1,930			10 April, 1878	1	1876
Woollawiquy	The Hon. J. G. Francis	30,000	30,000	97 0 0	2 1 4 $\frac{1}{2}$				29 Oct., 1875	1	
Wundabungey	J. Rutherford, W. B. Bradley, W. F. Whitney, and W. R. Hall	37,000	37,000	120 0 0	2 1 6 $\frac{1}{2}$				29	1	
Wyabray	The City Bank	19,200	16,640	30 0 0	1 3 1	640	1,920		22 Sept.,	1	
Yallinderi	C. M'Phillamy	16,000	13,360	30 0 0	1 8 9	2,640			31 Aug.,	1	
Yama	The Australian Joint Stock Bank	51,000	51,000	100 0 0	1 5 1 $\frac{1}{2}$				29 Oct.,	1	
Yamba Yamba	J. K. Mackay	16,000	16,000	25 0 0	1 0 0				19 July, 1876	1	1877
Yarrabundi	The Hon. J. G. Francis	16,000	13,700	62 0 0	2 17 11	2,300			29 Oct., 1875	1	1876
Yarralamboine	R. Hill	14,500	12,900	35 0 0	1 14 8 $\frac{1}{2}$	640	960		19 July, 1876	1	1877
Yarrandigen	F. Martel	51,200	46,198	117 10 0	1 12 6 $\frac{1}{2}$	1,502	3,500		4 Sept., 1875	1	1876
Yeugoura or Eugoura	C. and J. M'Phillamy										

[2a, 3a.]

Run.	Lessee.	Original area of Run.	Present area of Run under Pastoral Lease.	Annual Rent.	Annual Rent payable per square mile now under Pastoral Lease.	Area of purchased land attached to each Run.	Area preleased, reserved, and otherwise withdrawn from the Pastoral Leasehold.	Areas of purchased and of leasehold land respectively under cultivation on each Run.		Date of last Appraisalment.	Date of commencement of present tenure.
								Purchased.	Leasehold.		
WELLINGTON DISTRICT—continued.											
Yhabahbong	J. Brown	19,000	18,360	£ s. d.	£ s. d.						
Youningbil	A. Cruickshank	16,000	15,040	68 0 0	2 7 5	640					
All Scrub	J. Brown	10,000	10,000	70 0 0	2 19 7	960		Not ascer-	Not ascer-	29 Oct., 1875	1 Jan., 1876
Back Gangarry, South	W. and T. C. Dickson	12,900	12,900	12 10 0	0 16 0			tainable ...	tainable ...	29 " " "	1 " " "
Cookamunboin	W. W. and T. L. Richardson	25,000	25,000	17 10 0	0 17 4½			" " "	" " "	16 Aug., 1877	1 " " "
				40 0 0	1 0 5½			" " "	" " "	1 Dec., 1876	1 " " "
	Total	10,855,497	10,440,221	15,592 5 0	0 19 1½	260,549	152,727	" " "	" " "	16 Aug., 1877	1 " " "

SUMMARY.

District.	Number of Runs held under five years Pastoral Lease.	Original Area.	Present area under Pastoral Lease.	Annual Rental.	Annual Rent payable per square mile.	Area of purchased land.	Area of leased land.	Area under Cultivation.	
								Purchased.	Leased.
Albert	703	35,441,180	35,421,742	£ s. d.	£ s. d.	12,838	6,600	Not obtainable...	Not obtainable.
Bligh	384	7,068,070	6,686,746	13,139 10 0	1 5 1½	200,237	107,543	" " "	" " "
Clarence	103	3,225,120	2,585,381	3,984 0 0	0 19 8½	300,492	330,247	" " "	" " "
Darling	330	16,731,480	16,665,506	14,536 0 0	0 11 2	19,014	46,960	" " "	" " "
Gwydir	167	6,410,782	5,527,683	10,206 15 0	1 3 7½	422,359	460,740	" " "	" " "
Lachlan	616	23,023,376	19,504,454	28,098 10 0	0 18 5½	2,560,063	928,089	" " "	" " "
Liverpool Plains	274	8,934,380	6,947,432	10,834 10 0	0 19 11½	814,129	1,191,419	" " "	" " "
Macleay	24	409,040	363,651	356 0 0	0 12 6½	35,078	10,311	" " "	" " "
Monaro	218	3,965,406	2,492,721	4,198 10 0	1 1 6½	1,100,941	371,744	6,452	87
Murrumbidgee	385	14,657,334	7,672,953	20,934 3 0	1 14 11	Included in next column.	6,963,381	Not obtainable...	Not obtainable.
New England	174	6,194,040	4,826,399	8,797 0 0	1 3 4	611,606	770,028	" " "	" " "
Warrego	476	15,883,886	15,832,997	16,674 10 0	0 13 5½	17,425	33,464	" " "	" " "
Wellington	418	10,855,497	10,440,221	15,592 5 0	0 19 1½	260,549	152,727	" " "	" " "
Totals	4,272	152,799,591	134,967,886	165,947 3 0	0 15 8½	6,354,731	11,382,253	6,452	87

Occupation of Lands,
September, 1878.T. WARRE HARRIOTT,
Chief Officer.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

CROWN LANDS.

(UNDER PASTORAL LEASE AND CONDITIONAL PURCHASE.)

Ordered by the Legislative Assembly to be printed, 13 May, 1879.

RETURN (*in part*) to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 5th February, 1878, That there be laid upon the Table of this House,—

- “(1.) A Return of the Runs held under five years pastoral lease; the
“names of the lessees; the original and present areas of the runs; the
“annual rent now payable per square mile; the quantity of purchased land
“attached to each run; and the areas of purchased and of leasehold land
“respectively under cultivation on each run.
- “(2.) A Return showing the number of selections under conditional purchase
“that have been sold or transferred each year, from 1862 to 1877 inclusive;
“the areas of such selections; the districts in which they are situate; the
“names of the selectors; the dates of the applications to select; the names
“of the purchasers or transferees, and the date when each sale or transfer
“was made.”

(*Mr. Greenwood.*)

CROWN LANDS.

RETURN showing the number of Transfers received in this office up to 31st December, 1877.

From 1 Jan., 1862, to 30 June, 1868	...	...	...	...	...	2,070
" 30 June, 1868, to 31 Dec., 1868	...	...	...	...	...	764
" 1 Jan., 1869, to 31 " 1869	...	...	...	...	...	871
" 1 " 1870, to 31 " 1870	...	...	...	...	...	1,037
" 1 " 1871, to 31 " 1871	...	...	...	...	...	1,136
" 1 " 1872, to 31 " 1872	...	...	...	...	...	1,275
" 1 " 1873, to 31 " 1873	...	...	...	...	...	1,923
" 1 " 1874, to 31 " 1874	...	...	...	...	...	2,388
" 1 " 1875, to 31 " 1875	...	...	...	...	...	2,803
" 1 " 1876, to 31 " 1876	...	...	...	...	...	3,377
" 1 " 1877, to 31 " 1877	...	...	...	...	...	4,356
						22,000

N.B.—The foregoing is inclusive of the various selections embraced by each transfer. The total number of transfers of selections during the period as shown by accompanying return is 48,175.

Department of Lands, Conditional Sales Division,
13th May, 1879.

A. O. MORIARTY,
Chief Commissioner.

RETURN showing the number of the Selections of each year from 1862 to 1877 inclusive, subsequently transferred.

Year:							Number of Transfers.
1862	...	...	...	...	...	...	2,078
1863	...	...	...	...	...	...	2,298
1864	...	...	...	...	...	...	1,491
1865	...	...	...	...	...	...	1,295
1866	...	...	...	...	...	...	2,540
1867	...	...	...	...	...	...	2,010
1868	...	...	...	...	...	...	2,266
1869	...	...	...	...	...	...	2,983
1870	...	...	...	...	...	...	2,800
1871	...	...	...	...	...	...	2,930
1872	...	...	...	...	...	...	4,009
1873	...	...	...	...	...	...	5,642
1874	...	...	...	...	...	...	6,683
1875	...	...	...	...	...	...	4,761
1876	...	...	...	...	...	...	2,823
1877	...	...	...	...	...	...	1,566
Total	...	...	...	...	...	...	48,175

Department of Lands, Conditional Sales Division,
13th May, 1879.

A. O. MORIARTY,
Chief Commissioner.

1878.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

CROWN LANDS.

(SMITH'S APPLICATIONS FOR, IN COUNTY OF ASHBURNHAM.)

*Ordered by the Legislative Assembly to be printed, 22 October, 1878.**[Laid upon Table in accordance with promise made in answer to Question 11, Votes No. 21, 22 October, 1878.]*

JOHN SMITH.

APPLICATIONS to purchase in virtue of improvements in the county of Ashburnham, from 1869 upwards.

No. of Papers.	
69-6,327	On Boree Nyrang Run, 40 acres.
70-1,439	Boree Nore Run, 40 acres.
3,057	Gamboola Run, 56 acres.
71-1,452	Gamboola Run, 40 acres.
72-5,126	Boree Nyrang Run, 40 acres.
73-1,801	Boree Cabonne Run, 320 acres.
5,472	At Molong. £190 worth of improvements.
74-2,327	Boree Cabonne Run, 240 acres.
4,267	Boree Cabonne Run, 160 acres.
4,268	Boree Cabonne Run, 160 acres.
4,269	Bald Hill Run, 40 acres.
4,270	Boree Nyrang Run, 40 acres.
4,779	Gamboola Run, 80 acres.
4,780	County Ashburnham, at Boree, 100 acres.
75-1,960	Boree Cabonne Run, 66 acres.
2,114	Boree Cabonne Run, 40 acres.
76-2,168	Gamboola Run, 100 acres.
77- 589	Parish of Molong, 320 acres.
3,859	Parish Boree Nyrang, 110 acres.
78-1,491	Boree Cabonne Run, 40 acres.
1,493	Parish Cabonne Run, 320 acres.
1,730	Boree Nyrang Run, 140 acres.
1,731	Boree Nyrang Run, 200 acres.
1,530	Gamboola Run, 50 acres.
2,022	Parish Boree Nyrang, 640 acres.

1878-9.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

CROWN LANDS.
(INCOMPLETE CONDITIONAL PURCHASES.)

Ordered by the Legislative Assembly to be printed, 17 April, 1879.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 2 April, 1879, That there be laid upon the Table of this House,—

“(1.) Copies of all recommendations made by the officers of the Conditional Purchase Branch of the Lands Department, together with all Minutes or Memoranda made upon, or with reference thereto, by any Lands Minister, as to the forwarding direct to the Conditional Purchase Commissioners all or any incomplete or unverified conditional purchase cases before or without inspection or report by the Conditional Purchase Inspectors.”

“(2.) Copy of any Regulations or Instructions made or issued for the guidance of the Commissioners in dealing with the class of cases referred to in above section of this Resolution.”

“(3.) A Return showing the number of such cases so referred, if any.”

(*Mr. Garrett.*)

SCHEDULE.

NO.	PAGE.
1. Memorandum of the Chief Commissioner of Conditional Sales, respecting conditional purchase cases referred to the Commissioners for inquiry, with minute of Mr. Secretary Garrett thereon. 6 December, 1875	2
2. Memorandum of the Chief Commissioner, relative to the verification of conditions of conditional purchases. 22 May, 1877	3
3. Memorandum of the Chief Commissioner of Conditional Sales, as to the duties of the Commissioners and Inspectors of Conditional Purchases. 5 June, 1877.....	3
4. Memorandum of Mr. W. Blackman, calling attention to the state of the Central South Western and South-western Districts as regards arrears of work, and recommending the appointment of Temporary Inspectors, with minutes thereon. 24 September, 1877.....	4
5. Memorandum of the Chief Commissioner, relative to final declarations of selectors who had resided for three years on their selections and made improvements thereon. 26 November, 1877.....	4

CROWN LANDS.

No. 1.

Memorandum of The Chief Commissioner of Conditional Sales.

Inquiries before Commissioners.

THE various measures for bringing into operation some of the provisions of the "Lands Acts Amendment Act of 1875" having necessarily been hurried to completion, and their urgency not having admitted of an official record being made of the considerations which led to some of the arrangements, or of the objects which they are designed ultimately to subserve,—it may be convenient now to advert to one or two matters that still seem to require definite instructions, or as to which it is undesirable that room should be left for future misunderstanding.

The Commissioners appointed under the 25th clause of the Act have now been instructed with reference to those cases "of dispute or question" which were pending in the department; and, from the number of such cases that have been referred, it is probable that the inquiries will extend into the first quarter of 1876, and later in some instances. Beyond this, it is not probable that the cases of dispute or question—(understanding thereby those in which the Government is in possession of evidence of default on the part of conditional purchasers, sufficient *prima facie* to call for formal inquiry before a Court)—will be so numerous as to employ fully the existing machinery of the Courts, more especially as a large portion of the time of the Inspectors, upon whose activity the department must depend for information of attempted evasions of the law, will be occupied in attendance at the Commissioners' inquiries.

But the Act seems to me obviously to have contemplated a very much more comprehensive field of duty for the Commissioners than that of inquiring into allegations or complaints of default. Such cases must, under the clause quoted, and clause 17, be referred for inquiry; but the Government is also thereby empowered to refer the claims to grants of conditional purchases "*in every case*"; while the provision of the Act of 1861 which required the conditions of residence and improvement to be certified to by the Land Agent of the district or other proper officer, is included in the schedule to the repealing clause.

Unless, therefore, it can be supposed, that while providing machinery for the investigation and verification of the conditions, the Legislature contemplated that such verification, as a system, or in ordinary cases, should be discontinued, the conclusion seems inevitable that the new mode of verification must have been intended to replace the former.

The divisions of the Colony made for the purpose of these inquiries are based not merely upon the number of cases which happen at the present time to be pending owing to complaints or reports of default, but upon the numbers of conditional purchases made during the past four years, as representing the probable aggregate of present unsettled claims. On this basis each Commissioner has had allotted to him as nearly an equivalent sphere of duty as the nature of the country and facilities of communication have admitted.

So far, therefore, the arrangements that have been made are in harmony with the course now proposed.

The duty imposed upon myself, while limited as to inquiries to the metropolitan districts, embraces the preliminary examination of cases and the official arrangements connected with all such inquiries throughout the Colony; but should it be found that such a position would be inconsistent with more extended duties, I should of course be prepared for any modification that may seem advisable of that which as it concerns myself is understood to be a temporary measure.

Having during my connection with this department lost no opportunity of urging the propriety of systematic *local* supervision and verification of the conditions of selections; and the law being now in accord (except as to the construction of the Courts) with the principle of the draft clauses which I had the honor of submitting having that object in view, I trust to be excused in now representing that it will be a measure only just to those selectors who are carrying out their conditions in good faith to require proof of like compliance with the law from all. It will be a hardship only upon those who are endeavouring to evade the law, and who have hitherto but too often been enabled to do so with comparative impunity; and it can hardly be disputed that an open, formal, and searching scrutiny by a public tribunal would be the most appropriate mode of determining for the Minister's guidance the fulfilment or non-fulfilment by claimants of the conditions of their purchases of public lands.

Where no objection is lodged or doubt raised, the process of passing the claims before a Commissioner's Court would be nearly a formal one, not necessarily attended with more delay than the present system, under which the declarations accumulate in great numbers in this office, and are under great difficulties and disadvantages subjected to a scrutiny that after all affords but little security against fraud and abuse.

On the other hand, the mere adoption of the system recommended would tend to discourage such abuses, by rendering almost certain their ultimate detection, when the facts have to be deposed to openly and possibly in the presence of others as familiar with them as the deponents—in place of in the comparative secrecy of a declaration for the perusal of officials.

I would therefore respectfully recommend, that in future all declarations of conditional purchasers should, before being countersigned by the Minister, and before interest or balance of purchase money are carried to account at the Treasury, be referred to Commissioners for inquiry, pursuant to the "Lands Acts Amendment Act, 1875."—A.O.M., 6 Decr., 1875.

Submitted for the consideration of the Minister for Lands.—W.W.S., 15 Decr.

I do not think it would be advisable to have every case submitted to the Commissioner before final approval. But it should be the duty of the C.P. Inspectors to examine every C.P. immediately on receipt of declarations, which should be forwarded to Inspectors as speedily thereafter as practicable, and to report upon the value of the improvements made up to that time; and if the report should be to the effect that the improvements were not up to the legal amount, then the C.P. should be placed before the Commissioner.—T.G., 20/12/75.

No. 2.

Memorandum of The Chief Commissioner of Conditional Sales.

Conditional Sales: Verification of conditions.

In the enclosed paper, submitted to Mr. Garrett shortly after the passing of the Lands Acts Amendment Act of 1875, I urged the advisability of taking advantage of the Courts of Inquiry established under its provisions for the verification in all cases in open Court of the completion of the conditions of conditional purchases on the receipt of the final declarations of residence and improvement. It will be seen that Mr. Garrett did not see fit to adopt this suggestion, but directed that all such declarations should be remitted for report to the Inspectors,—which course has accordingly been taken; and by Mr. Garrett's desire all the declarations received during the year 1875 were included in the arrangement.

The experience of the working of this measure up to the present time has gone far to demonstrate that the expectation must be abandoned of having the conditions verified by the present staff of Inspectors (or even by a largely augmented staff) within anything like a reasonable time of the expiration of the three years from date of purchase. In addition to other cases referred to them for report, there have been remitted to the Inspectors for verification in all about 8,074 final declarations of the years 1875 and 1876, and the number reported upon up to the present is 726 only. The balance represents cases in which the selectors claim to have fulfilled all the conditions of their selections but the fact has not yet been verified to the satisfaction of the Minister for Lands. It is needless to point out to what an extent this state of things is likely to embarrass the parties in their transactions, and on the other hand how small a proportion of possible abuses are likely to meet with detection.

In addition to the verification of the conditions when finally declared to, the system of inspection was designed to ensure the prevention and detection of cases of abuse of the law during the currency of the term of three years; and with this view the cases referred to the Inspectors (including those mentioned in the last paragraph) up to a recent date amounted to 13,545, of which 3,440 cases have been reported on, leaving still in their hands 10,105. In the great bulk of these cases the attention of the department had been officially drawn by reports of surveyors or otherwise to the alleged non-compliance of the selectors with the conditions of the law.

I am sensible that (with some worthy exceptions) the existing staff may not possibly be all fully up to the requirements of the situation. The novelty of the duty and some difficulties inseparable from its performance would alone account for this. It is possible that with a fuller experience and more systematic and energetic directions, a much larger amount of duty may be accomplished; but I feel bound to state, that after making every allowance, especially considering the large increase in the number of conditional selectors during the last two years, it is apparent to me that the present arrangements must fall far short of the requirements.

In the consideration of an alternative, two courses alone appear to be open, viz.:—1st, to increase largely the number of Inspectors; or, 2nd, to reconsider my proposition that the cases should be passed through the machinery of the Courts. (I assume that even had the law not been altered so as to affirm the necessity of verification of these contracts, few reasonable persons would now be found to recommend a return to the former system of practically dispensing with verification—under which so many abuses were found to exist.)

It is plain to my mind that the latter of the above-mentioned courses would be in every way preferable to an increase in the staff. The views already submitted I am confirmed in by further experience, except that I must admit that the extent of business performed by the Courts in dealing with cases of default has been far beyond my expectation—the result probably of the institution of a system of examination which has disclosed the widely-spread operation of what is known as the “dummy” system. I am still however satisfied, that by the action of these Courts of Inquiry, all claims that are not open to question can be passed without delay or difficulty or dissatisfaction to the claimants, while the Inspectors will be enabled more effectually to trace out and deal with cases of abuse or non-compliance with the conditions of the law.

A.O.M., 22/5/77.

Commissioners and Inspectors.

ENCLOSED are Schedules showing,—

1. The names and districts of the various Commissioners.
2. The number of cases referred to them and inquired into during the past year.
3. Circular of instructions showing their duties.
- 4, 5, and 6. The like returns as to Inspectors.

The time of the several Commissioners is not fully occupied under present arrangements. But if the work of the Inspectors could be got up within a reasonable time, there would be ample work for the Commissioners Courts for a long time to come; and if the Commissioners were employed, as the late Act seems to have contemplated and I have recommended, in passing completed selections, their positions would be permanently useful, and a great saving of time and convenience would be effected for selectors who have complied with the law but are now exposed to delays in obtaining recognition of such compliance.

There is now an immense arrear of cases of declarations referred to and awaiting reports from the Inspectors. They cannot possibly overtake this arrear even were the number of Inspectors largely increased. But it takes up all their time and prevents their bringing to light for reference to the Commissioners and inquiry the numerous cases of evasion of the law which are known to exist.

The staff can hardly yet be said to be fully organized—pending the passing of the arrangements as shown in the Estimates; but all the Inspectors are actively employed, and, as far as it has been practicable heretofore to supervise them, fully.

It is not, in my humble opinion, advisable to make any reduction of the staff either of Commissioners or Inspectors, except as a feature of a reorganization of the department. Whenever the whole department, including the Occupation Branch, shall be consolidated and properly organized, there will be room for reductions in the staff; but pending such a measure a reduction would be but an invitation for return of the system of abuse which recent legislation and departmental action have aimed at repressing.

A.O.M., 5/6/77.

N.B.—I would respectfully refer to the memoranda already submitted as to employment of Commissioners and Inspectors.

No. 4.

Memorandum of Mr. Blackman.

WITH reference to the personal directions of the Secretary for Lands a short time ago, that prompt and comprehensive arrangements would have to be made in order that the reports due on all outstanding conditional purchases in the hands of Inspectors should be obtained within the shortest time—as temporary Inspectors would have to be appointed where the permanent staff was obviously insufficient—and the occasional services (where nothing else was obtainable) of the most competent Forest Rangers might be utilized, when groups of selections had to be inspected not too far from their head quarters and out of the line of the regular staff,—I now beg to draw attention to the state of Inspector Street's District (the Central South Western Division, consisting of Burrowa, Gundagai, Tumut, Young, Wagga Wagga, Narrandera, Cootamundry), and that he has now in hand 3,734 cases to report on; so that, after allowing for the help which Mr. Rawlinson (who has very recently been sent to him) can give, he must have at the very least six years' work ahead of him, even though he should not be sent another case, although this cannot happen as we are sending them on to him as fast as we can get them ready.

I also beg to call attention to Mr. MacPhillamy's (lately Mr. Smith's) district, consisting of part of the Central South Western, and a part of the South Western Divisions, and comprising Albury, Corowa, and Urana. This Inspector, who has only just left for Albury, will have 1,500 cases to commence with, that is about three years work for a first-class man, even if no others are sent, which of course cannot happen as we are sending them every week.

I now propose that four more temporary Inspectors should be sent into Mr. Street's District. One can take up the county of Monteagle and 340 cases; a second the county of Harden and 868 cases; a third the county of Clarendon and 415; and a fourth the county of Wynyard and 431 cases.

I have lately had a telegram from Inspector Street, to the effect that he has not as yet been able to touch any of the above-mentioned cases.

I further propose that another Inspector should be sent to help Mr. MacPhillamy. This would leave each a good stock to begin with—at least 700 each; and it is necessary that an Inspector should have a large number to make a profitable tour.

It is perfectly clear that whatever course is taken, the expense will be all the same; but an enormous saving of time might be (and ought to be) effected. It is the only way by which the great public inconvenience referred to by the Minister for Lands can be obviated; and I may add, that there are at least several thousand transfers in abeyance in this department, and that they cannot be acted on unless the purchases they refer to are first reported on.

I shall defer reference to any other districts until the return of the Chief Commissioner, Mr. Moriarty, who has had the whole of this matter under his consideration.

W. BLACKMAN,
24 September, 1877.

The Secretary for Lands.

Minutes on the foregoing.

In view of the facts stated in this minute, and also of the absolute necessity of making an immediate effort to overcome the arrears and deal with the current work of the inspection of conditional purchases, I approve of the appointment of five temporary C.P. Inspectors to effect above purposes in the districts named, to be remunerated at the rate of 10s. 6d. per case dealt with, but to have a travelling allowance of 25s. per day. Having regard, however, to the circumstances at present surrounding my position as the political head of this department, I refrain for the present from nominating the persons who should perform the duty; but were I in the position to do so without question on constitutional grounds, I would have no hesitation in placing the duty and work in the hands of Messrs. Spring, Noake, O'Hara, R. J. Mackenzie, and T. B. Carne.—T.G., 24/9/77.

Messrs. Spring, Noake, Mackenzie, and O'Hara have accepted the appointments on the terms stated. The necessary letters of instruction should be issued at once.—W.W.S., 8 October.

Approved.—T.G.

No. 5.

Memorandum of The Chief Commissioner of Conditional Sales.

Soon after the passing of the Lands Acts Amendment Act of 1875, I invited the attention of Mr. Garrett, then Minister for Lands, to the procedure in passing as correct the final declarations of selectors who had resided for three years upon their selections and improved them as required by law. The words of the original Act requiring a certificate from the Land Agent in every case had been repealed, and the provision which seemed to me to have been obviously designed to replace them is to be found in the 25th clause of the Amending Act, as follows:—

"The Governor in Council may appoint a Commissioner to whom shall in case of dispute or question and may in every case be referred by the Minister the claim of any conditional purchaser or his alienee to a grant under the provisions of the 18th section, &c., as also every information or complaint, &c."

Mr. Garrett did not see fit to concur in my recommendation (which was to refer every case accordingly), but directed every declaration to be referred to an Inspector for verification. The action of the Courts of Inquiry (which seemed to me to have been designed by Parliament as Courts of Claims) has consequently

consequently been limited to the cases of dispute or question and the informations or complaints. It is a natural result that their action should have been unpopular. On the other hand, a mass of duty has been thrown upon the inspecting staff which (although the number of Inspectors has been from time to time increased) they are wholly unable to overtake, and which is consequently going increasingly into arrear. I see no prospect of its being redeemed, and one of the worst results is that the hands of these officers are so full that they have little time for pursuing cases of evasion of the law with adequate energy or success.

I took an opportunity of bringing the question again under notice early in the present year, but a change of Administration prevented its receiving attention; further than that, shortly before his recent retirement, Mr. Garrett perceived the emergency to be so grave that he appointed temporarily eight additional Inspectors, although no parliamentary vote was directly available for their remuneration; and I do not hesitate to state that this measure, even if it had been fully carried out, would have been still wholly inadequate to meet the case, as may be seen from the enclosed memo. submitted to Mr. Garrett by Mr. Blackman during my recent absence on the Yanko, and from the accompanying returns of cases referred to the Inspectors, which will be largely supplemented by great numbers of cases now in course of reference, amounting to some 6,000 declarations more.

It is my deliberate belief, that if the Commissioners' Courts were used as I propose, in passing the claims in open Court, the intentions of the Legislature as expressed in the Act would be more directly followed out, and the rights of parties and of the public more effectually and expeditiously dealt with and protected, than is under present arrangements at all to be even hoped for. I believe also the measure would be found acceptable to the great body of claimants.

A.O.M., 26/11/77.

Let the recommendation herein contained be carried out.—J.S.F., 16/9/78.

[Circular.]

From

to

Sir,

Department of Lands, Conditional Sales Division, Sydney,

1879.

I have the honor to enclose the original documents relating to the claims referred to you for inquiry, pursuant to the Lands Acts Amendment Act of 1875, by notice in the *Gazette* of the 19th March last.

As the present reference contemplates a very much more extended utilization of the machinery provided for the investigation of claims than has heretofore been customary, it may be well to invite your attention to the altered position of claimants before the Court under the new arrangement, and to the modified course of action which it will be proper for yourself to pursue in dealing with their claims.

The operation of the Courts of Inquiry has, as you are aware, heretofore been in the main confined to the prosecution of inquiries into complaints of default in the fulfilment of conditions or other evasions of the law—the initiative having been with this department, and the object of the inquiry the forfeiture of the selection should the investigation substantiate the facts appearing to call for such a measure.

It is now proposed to give claimants an opportunity of appearing before the Courts, and substantiating by such evidence as may be thought sufficient the fulfilment by themselves or their predecessors of the respective conditions of purchase.

This will transfer the initiative to the claimants; and an important result of this change will be in the action to be taken on default of appearance, at any rate at the first Courts at which the claimants may have notice to appear, and which is not to be regarded, as would be proper in the case of a notice to attend an inquiry into an information of default, as an abandonment of the claim.

It is thought also that the same formality need not on the first appointment for inquiry into a claim be observed as to the service of notice, and that notice forwarded by post by registered letter will in the majority of cases prove sufficient to ensure the attendance of the claimants.

If it should appear that the prosecution of the claim by the claimant is deferred so long as to suggest a doubt of its *bona fides*, it may be proper to give more formal notice and proceed if necessary in the claimant's absence. The case would then fall into the category of those which have heretofore been more commonly dealt with.

On the appearance of the claimant and his witnesses, if any, you will proceed as usual to take such evidence as may be brought before you, and if satisfied thereby, or in the absence of any ground for questioning the claim, report your conclusions therefrom. You will have the assistance of the Inspector, and it will be his duty to bring before you any facts adverse to the claim which may come within his knowledge or observation. He should also have the opportunity of examining the claimants' witnesses, and of course it is expected that you will not recommend for approval any claim which is not supported by credible and sufficient evidence.

Should the evidence tendered in any case be insufficient, or of a character to raise doubt of the validity or *bona fides* of the claim, it will be open to you to postpone the inquiry, and to require the Inspector to examine the case prior to its resumption, or even, should it plainly appear that the conditions have not been fulfilled, to recommend the forfeiture of the selections.

It is thought that the existing arrangements for holding Courts in the most convenient localities in each Commissioner's division will be sufficient; but I am to point out that the present measure contemplates affording every possible facility to claimants and the reduction to a minimum of the expense, and that if the places already appointed for Courts are not sufficiently numerous or convenient other places should be recommended for notification under the Minister's approval.

I need not point out to you the importance of the measure thus placed in your hands, or how greatly the results must depend upon the discretion, acumen, and patience which the Commissioners bring to bear upon it.

The Minister confidently relies upon your sparing no effort to ensure its success, which is believed to be of great moment to the interests of large sections of the community.

I have, &c.,

From

to

Sir,

Conditional Sales Division, Department of Lands, Sydney,

1879.

With reference to my separate notice of this date, I am desired by the Minister to explain to you that this reference is made, not in consequence of any complaint or allegation of default in the fulfilment of conditions, but to afford you this opportunity without further unnecessary delay of establishing to his satisfaction, as required by the Crown Lands Alienation Act of 1861, that the conditions of selection have been duly fulfilled.

I have, &c.,

For Chief Commissioner.

RETURN showing the number of incomplete or unverified Conditional Purchase cases referred direct to the Commissioners before or without inspection or report by the Conditional Purchase Inspectors.

Commissioner.	Gazette.	No. of Cases.
Blythe S.....	19 March, 1879	253
Bolding H. J.....	" "	381
Burne Hy.	" "	243
Clarke G. O'M.	" "	440
Do.	9 April, "	255
Delaney Jno.	" "	122
Hawkins T. J.	" "	114
Johnson W.	" "	187
King J. G.	" "	410
Rose A. C. S.	" "	299

Sydney : Thomas Richards, Government Printer.—1879 .

[6d.]

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

CROWN LANDS.

(APPLICATION BY MESSRS. ARMSTRONG AND LAKEMAN AND ALEXANDER COUPER.)

Ordered by the Legislative Assembly to be printed, 16 May, 1879.

RETURN (*in part*) to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 29 January, 1878, That there be laid upon the Table of this House,—

“Copies of all Correspondence respecting applications by Armstrong and Lakeman to select forfeited auction lands for sale at Hay, on June 20th, 1877, and by Alexander Couper for purchase of land forfeited at Wagga Wagga during 1875, together with applications and Minutes.”

(Mr. Barbour.)

NOTE.—The Return herewith relates to the case of Alexander Couper only.

NO.	SCHEDULE.	PAGE.
1.	V. W. Giblin, Manager of the Australian Joint Stock Bank, to the Under Secretary for Lands, with minutes thereon and enclosure. 20 November, 1877.....	2
2.	Application by Alexander Couper to select Crown lands. 3 December, 1877	2
3.	V. W. Giblin, Manager of the Australian Joint Stock Bank, to the Under Secretary for Lands, with minutes thereon. 20 December, 1877	2
4.	A. A. Armstrong, agent for Alexander Couper, to the Minister for Lands. 8 January, 1878	3
5.	Minute by the Minister for Lands. 21 January, 1878	3
6.	Minute of Executive Council. 11 February, 1878	4
7.	Alexander Couper to the Minister for Lands. 12 February, 1878	4
8.	Same to same, with minute thereon. 13 February, 1878	4
9.	Under Secretary for Lands to A. Armstrong, agent for Alexander Couper. 11 March, 1878	4
10.	W. C. Edwards, <i>pro</i> Under Secretary, to Alexander Couper. 14 March, 1878	4
11.	Same to Under Secretary for Finance and Trade. 14 March, 1878	5
12.	Under Secretary for Lands to the Manager of the Australian Joint Stock Bank. 16 March, 1878	5
13.	A. A. Armstrong, agent for A. Couper, to the Minister for Lands, with minutes thereon. 1 February, 1879.....	5
14.	Under Secretary for Lands to A. Armstrong, agent for A. Couper. 31 March, 1879.....	5
15.	A. A. Armstrong, agent for A. Couper, to the Under Secretary for Lands, with minutes thereon. 3 April, 1879	6
16.	Under Secretary for Lands to A. Armstrong, agent for A. Couper. 23 April, 1879	6

CROWN LANDS.

No. 1.

General Manager, Australian Joint Stock Bank, to The Under Secretary for Lands.

Sir,

The Australian Joint Stock Bank, Sydney, 20 November, 1877.

Enclosed.

I have the honor to enclose herein a copy of a receipt of the Land Agent, at Wagga Wagga, in name of James Joseph Flood, for £40 2s. 6d., amount of deposit on 160 acres 2 roods land, lot E, situated Berrembed, county Bourke, purchased by him at auction on the 12th July, 1876. For some reasons as yet unexplained to us, the balance of the purchase money was not paid within three months from date of sale, but this was discovered in December last, and our Wagga Wagga Branch Manager, on the 12th December, 1876, acting under Mr. Flood's instructions, sent to Mr. Harry Freeman, land agent, Sydney, a draft for one hundred and twenty-one pounds seven shillings and sixpence (£121 7s. 6d.), the amount of balance of the purchase money.

Mr. Flood has it appears since been under the impression that his purchase was completed, and we now learn upon inquiry at the Lands Office, that the land is forfeited and that the amount sent Mr. Freeman has not been paid in. Mr. Flood having greatly improved the land is very anxious to complete his purchase, and I now therefore on his behalf ask, that under the special circumstances of the case, he may now be permitted to pay the balance of the purchase money into the Treasury, in order that the deed of the land may issue to him.

Mr. Freeman not having been at his office for several days past, we are unable to obtain from him any information in regard to his proceedings in the matter.

I have, &c.,

VINCENT W. GIBLIN.

Minutes on No. 1.

The sale of the land referred to has been long since forfeited and the final report gone on to Deeds Branch. It is submitted whether the balance of purchase should be received, or whether applicant should be informed that he can take up the lot as an after-auction selection.—P.F.R.

Mr. Flood having decided to take the land in question up as an after-auction selection, this paper may be put away.—P.F.R.

[Enclosure to No. 1.]

No. 40,540. Deed Fee. Police District of Wagga Wagga, 12 July, 1876.
RECEIVED from James Joseph Flood, of Wagga Wagga, the sum of forty pounds two shillings and sixpence, being the deposit money for 160 acres 2 roods of land situated at Berrembed, in the county of Bourke, which were offered for sale on the twelfth day of July, 1876, as lot E, and sold to him.

£40 2s. 6d.

EDWIN H. TOMPSON,
Agent for the Sale of Crown Lands.

No. 2.

(L.)

Application by Alexander Couper to Select Crown Lands.

Received this 5th day of December, 1877, at 4 o'clock, by me,

F. KORFF,

Acting Agent for the Sale of Crown Lands.

Sir,

3 December, 1877.

I hereby tender the sum of one hundred and twenty-one pounds seven shillings and sixpence, as the price by selection (and deed fee) of the Crown lands hereunder described:—Place of sale, Wagga Wagga; date on which last advertised, 27 May, 1876; date on which last offered for sale, 12 July, 1876; lot at last sale, E; county, Bourke; parish or place, Berrembed; extent of the lot, 160 acres 2 roods; price of the lot £160 10s., less forfeiture; fee on the deed, £1.

I am, &c.,

ALEXANDER COUPER,

The Agent for the Sale of Crown Lands at Wagga Wagga.

Sydney.

Police District of Wagga Wagga, 5 December, 1877.

RECEIVED by me, this day, from the abovenamed Alexander Couper, the sum of £121 7s. 6d., being the price by selection (and deed fee) of the Crown lands above described.

F. KORFF,

Acting Agent for the Sale of Crown Lands at Wagga Wagga.

No. 3.

General Manager, Australian Joint Stock Bank, to The Under Secretary for Lands.

Sir,

The Australian Joint Stock Bank, Sydney, 20 December, 1877.

See No. 1.

Referring to my letter of the 20th November last, on the subject of Mr. J. J. Flood's purchase, on the 12th July, 1876, of lot E, 160 acres 2 roods, land situated at Berrembed, county Bourke, which had become forfeited through non payment of balance of the purchase money, I have now the honor to state, that acting upon a suggestion from yourself that it would be best to take up the land under the 25th clause as a selection after auction, instead of endeavouring to obtain the sanction of the Minister for Lands to the receipt of the balance of the purchase money, I instructed the Wagga Wagga Branch Manager accordingly, and am now advised by him that, on putting in an application for the land, he was informed it had been taken up by a publican named Alexander Couper, of "Albert Lodge Hotel," Yurong-street, Woolloomooloo (on the 5th instant, at 4 o'clock.) Without at all entering upon the manner in which Mr. Couper obtained his information regarding the land being open for selection, the natural inference concerning which

which is that he gained it from a source not accessible to the general public, I would point out that Mr. Flood's actions show he had every desire to complete his purchase, and that had it not been for the malpractice of his agent in Sydney the matter would not now be open. He has improved the land, I am informed, by a good tank, one six-wire fence at one end, and a two-rail fence with three wires at the other.

I trust that upon looking into the case you will see such special circumstances in connection with it as will enable you to authorize the receipt now of the balance of the purchase money from Flood and the cancellation of Couper's selection. Inquiries from the Bank at the Lands Office were commenced as early as the 15th of November, and you will see that it was not until about three weeks after, and while we were still prosecuting them, that Mr. Couper obtained his information and selected the land. The case is one of peculiar hardship to Mr. Flood, and, though the circumstances mentioned do not in any way connect themselves with your Department, it is hoped they will have such weight as will permit of your granting the request made herein.

I am, &c.,

VINCENT W. GIBLIN.

Minutes on No. 3.

The facts of the case are as stated herein. It is now submitted whether the Government have the power to cancel Couper's auction selection.—W.C.E., 20/12/77.

I am afraid that the Government will not be able to help Mr. Flood in this matter, either as regards the supposed misappropriation of the money by Freeman, or the auction selection made of the land by Couper. Freeman is not an agent of the Government, but a private land agent; and whether or not he connived with Couper, the selection of the lot by the latter at the upset price (minus Flood's forfeited deposit) was in itself perfectly legal.—W.W.S., 3/1/78.

No. 4.

Mr. A. A. Armstrong (Agent for Mr. A. Couper) to The Secretary for Lands.

Sir,

Land Agency Office, 26, Bridge-street, Sydney, January 8, 1878.

I have the honor to make application for the early issue of deed of grant of auction selection of the lot noted in the margin, selected by Mr. Alexander Couper at Wagga Wagga as a forfeited auction purchase.

I have, &c.,

A. A. ARMSTRONG.

Lot E, Sale,
Wagga, 12 July,
1876.

No. 5.

Minute of The Secretary for Lands.

In this case it appears that Mr. Flood purchased at auction, on the 12th July, 1876, 160 acres 2 roods, and paid a deposit of £40 2s. 6d., that the balance of purchase money was not paid within three months, as provided in section 26, "Crown Lands Alienation Act of 1861," but that the balance aforesaid was entrusted to an agent, who did not tender it, but retained it to his own use. Now, in dealing with this case, I cannot take into consideration the defalcation of Mr. Flood's agent, as that is a matter between them. Section 26 provides, *inter alia*, "that unless the remainder of the purchase money be paid within three months thereafter, the sale and contract shall be void, and the deposit shall be forfeited." Doubtless the Government has a discretion that may be exercised according to circumstances of each particular case. In my opinion, the circumstances in this case are such that the sale and contract should be declared void, and the deposit declared forfeited. Hitherto the department has dealt with these kind of cases on the supposition that the section of the Act, *ipso facto*, voided the sale and contract, and forfeited the deposit, but such is not the case. The section does not, *ipso facto*, void the sale and contract, and forfeit the deposit—there must be some action taken by the Government before there can be a voidance and forfeiture. The Supreme Court has decided on several occasions, and more recently, that some action must be taken by the Crown before a forfeiture is complete. Where there was no declaration of forfeiture, the right the party originally had remained intact until the Crown interposes. In this case there has been no declaration of forfeiture or voidance; therefore whatever right Mr. Flood originally had remains intact until the Government interposes. The Court held "that if the Government, as the landlord of the Crown lands, does not declare a forfeiture, the land is not forfeited or the deposit is not forfeited. There must be an express declaration by the Government, that until the Government declares its will, the forfeiture does not arise; and that until the Government declares a forfeiture, there is no forfeiture." Now, what ought to be done in these cases? In my opinion, the legal mode of dealing with them is, that the sale and contract and the forfeiture of the deposit should be declared by the Executive Council.

When I consider the ambiguity of the 25th section, when it appears to provide that the Crown shall only get the upset price of the land, and shall not avail itself of the forfeiture for non-payment of the balance of the purchase money, I think it right in the public interests, in this and all similar cases, to exercise my power, under the last proviso of the 25th section, by withdrawing any such lands from auction selection simultaneously with the confirmation of the voiding of the sale and contract and the forfeiture of the deposit, and again submit them to auction.

I have now to consider the after auction selection of the land by Alexander Couper, made on the 3rd December, 1877. The question is: Could Couper legally select this land on the 3rd December, 1877? In my opinion he could not, because the sale to Flood had not, prior to the 3rd December, been legally declared void, and the deposit declared forfeited, and it was therefore not open to selection.

It appears that Couper usurps the functions of the Government by assuming that the sale and contract is void, without the Government having an opportunity of exercising any discretion. I am of opinion, therefore, that Couper's selection is void, and that the purchase money (15s. per acre) should be refunded to him. In this case, and all similar cases, a minute should be prepared for the Executive Council, declaring the sale and contract void, and the deposit forfeited; and simultaneously with the confirmation by the Executive Council, and the approval of His Excellency, the land should, under the last proviso of the 25th section, be withdrawn from after auction selection. In this case, after voidance and forfeiture, the land should be again offered at auction at the upset price.

J.S.F.,

21/1/78.

Withdrawn from selection by telegram.—12/2/78.

No. 6.

Minute of The Executive Council.

Subject:—Declaration of voidance and forfeiture of deposit money on Crown lands purchased by James Joseph Flood, at Wagga Wagga, on the 12th July, 1876.

Department of Lands, Sydney, 11 February, 1878.

In reference to the sale by auction to James Joseph Flood, at Wagga Wagga, on the 12th July, 1876, of lot E, portion 101, containing one hundred and sixty acres two roods, in the parish of Berrembed, county of Bourke, it is recommended to His Excellency the Governor and the Executive Council, that in accordance with the provisions of the 26th section of the "Crown Lands Alienation Act of 1861," such sale and contract be declared void, and the deposit money forfeited—the balance not having been paid within the time prescribed by law.

JAMES S. FARNELL.

Approved.—H.R., 11/2/78.

The Executive Council advise, in consequence of the non-payment of Mr. James Joseph Flood of the balance of the purchase money of certain land sold to him in Wagga Wagga, on the 12th July, 1876, within the prescribed time, that the sale of the said land be declared void and the deposit-money forfeited, in terms of the provisions of the 26th section of the "Crown Lands Alienation Act of 1861."

ALEX. C. BUDGE,

Clerk of the Council.

Min. 78/6., 11/2/78. Confirmed, 18/2/78.

No. 7.

Mr. A. Couper to The Secretary for Lands.

Sir,

Sydney, 12 February, 1878.

I have the honor to enter the strongest protest against cancellation of the auction selection noted in the margin, and to urge that my selection is binding upon the Crown and made in accordance with many hundreds of precedents.

I have, &c.,

ALEXANDER COUPER.

No. 8.

Mr. A. Couper to The Secretary for Lands.

Sir,

"Albert Lodge Hotel," Yurong-street, Sydney, 13 February, 1878.

I have the honor to bring under your notice the following circumstances connected with my selection referred to in the margin. I observe in the report of the proceedings of the Assembly last evening that you are reported to have said that the application of Alexander Couper for selection has been refused.

I beg respectfully to point out that the so-called applications were absolute purchases from the Crown, the purchaser being in a position to legally transfer upon the receipts for their purchase money in as full and complete a manner as they could upon grants from the Crown if issued.

I have further the honor to draw your attention to the fact that the Privy Council has very recently decided that the Government is bound by the receipt supplied by its agents, and cannot afterwards repudiate the sales which are already complete on the purchaser's part.

In view of the above circumstances of my case, I have the honor to request that the question may be submitted to the Attorney General, whether the Government has power to cancel a sale made in the manner that that referred to in the margin of this letter has been made to me.

I have, &c.

ALEXANDER COUPER.

Minute on above.

The so-called sale in this case was not cancelled, because the land was not legally open for sale. When the application was made, the Crown had not declared a forfeiture; therefore the land was not open to sale. See my decision on the case.—J.S.F., 21/2/78.

No. 9.

The Under Secretary for Lands to Mr. A. A. Armstrong (Agent for Mr. A. Couper.)

Sir,

Department of Lands, Sydney, 11 March, 1878.

In reference to your letter of the 8th of January last, requesting the issue of deed of grant to Mr. Alexander Couper for the land noted in the margin, I am directed to inform you, that as the land referred to was not open to selection after auction at the time of your client's application, your request cannot be complied with.

I have, &c.,

W. W. STEPHEN.

No. 10.

The Under Secretary for Lands to Mr. A. Couper.

Sir,

Department of Lands, Sydney, 14 March, 1878.

I am directed to inform you that the Colonial Treasurer has been authorized to refund to you, or your order, the sum of £121 7s. 6d., being the amount paid by you for lot E of sale at Wagga Wagga on the 12th July, 1876—your application being declined, as at the date it was tendered the land was not open to after-auction selection.

I am to add that when the money is ready for payment, notice to that effect will be forwarded to you from the Treasury.

I have, &c.,

W. C. EDWARDS,

pro Under Secretary.

No. 11.

1604a. Lot E.
Selected at
Wagga Wagga,
5 December,
1877.

No. 40,688.
Lot E,
Berrembed,
county of
Bourke.

For decision
See No. 5.

See No. 4.
Lot E, portion
101, parish of
Berrembed,
county of
Bourke.

No. 11.

The Under Secretary for Lands to The Under Secretary for Finance and Trade.

Sir,

Lands Department, Sydney, 14 March, 1878.

I am directed to request that you will be good enough to refund to Mr. Alexander Couper, or his order, of Yurong Street, Woolloomooloo, the sum of £121 7s. 6d., credited at the Treasury on the 12th December, 1877, being the amount paid by him for lot E of sale at Wagga Wagga on 12th July, 1876—his application being declined, as at the date it was tendered the land was not open to after-auction selection.

I have, &c.,

W. C. EDWARDS,
pro Under Secretary.

No. 12.

The Under Secretary for Lands to The Manager, Australian Joint Stock Bank.

Sir,

Department of Lands, Sydney, 16 March, 1878.

In reference to your letters of the 20th of November and 20th of December last, requesting consideration of the case of John James Flood for non-payment of the balance of purchase money for lot E, portion 101, parish of Berrembed, county of Bourke, purchased by him at a sale of Crown lands held at Wagga Wagga on the 12th July, 1876, I am directed to inform you, that in accordance with the provisions of the 26th section of the "Crown Lands Alienation Act of 1861," the sale and contract of the land referred to has been declared void, and the deposit money thereon forfeited—the balance not having been paid within the time prescribed by law. See Nos. 1 & 2.

2. I am to add that the portion in question has been withdrawn from auction selection with a view to its being submitted to sale at auction, and that the application of Mr. Alexander Couper of the 5th of December last for the land has been declared void.

I have, &c.,

W. W. STEPHEN.

No. 13.

Mr. A. A. Armstrong (Agent for Mr. A. Couper) to The Secretary for Lands.

Sir,

Land Agency Office, 26 Bridge Street, Sydney, 1 February, 1879.

I have the honor to draw your attention to the case of Mr. Alexander Couper, who selected at Wagga Wagga the lot noted in the margin, during January, 1878, which lot was shown by plan in the Survey Office to be a forfeited auction purchase, and consequently, in accordance with many precedents, open to purchase at the price of the amount of balance of purchase money, viz., 15s. per acre. Mr. Couper received clear receipt for the amount paid from the Land Agent at Wagga Wagga. Lot E. Sale at Wagga Wagga, 12 July, 1876.

Objections were lodged to the purchase, on the grounds that the Crown lessee believed that his Sydney agent had paid balance, and that he had effected considerable improvements thereon; and Mr. Couper's purchase was refused, which refusal I respectfully submit is not in accordance with the meaning and terms of the 25th and 26th clauses of Land Act of 1861.

The land has since been embraced within the conditional purchase noted in the margin, and it is now alleged that sufficient improvements have not been effected to bar the selection of the land. C. P. 78/188, J. E. Robe, Wagga Wagga, 1 August, 1878.

On behalf of Mr. Couper, I beg to protest against allowance of conditional purchase referred to, and to request that the purchase of this gentleman may be allowed and deed of grant issued.

I have, &c.,

A. A. ARMSTRONG.

Minutes on No. 13.

In submitting this case, it is only necessary for me to refer to the enclosed decision of the late Minister for Lands, in which he sets out at length his views of this matter and his reason for rejecting both Mr. Flood's original auction purchase and Couper's auction selection. For decision, see No. 5.

The principle laid down by Mr. Farnell is in part that applied in the case of Lachlan M'Bean now under reference to the Attorney General, although in a different point from that which arises in this case.—W.W.S., 12/3/79.

I observe from the long minute written by Mr. Farnell that he has given this case his careful consideration, and I fail to see anything in Mr. Armstrong's letter which would lead me to reverse the decision of my predecessor.—J.H., 15/3/1879.

Inform Mr. Armstrong.—17/3/79.

No. 14.

The Under Secretary for Lands to Mr. A. A. Armstrong (Agent for Mr. A. Couper),

Sir,

Department of Lands, Sydney, 31 March, 1879.

In reference to your letter of 1st ultimo, protesting, on behalf of Mr. Alexander Couper, against the allowance of J. E. Robe's conditional purchase of the land noted in the margin, taken up at Wagga Wagga, on the 1st August, 1878, and requesting that your client's application of the 5th December, 1877, to select after auction the land referred to, may be allowed to stand. I am directed to inform you that Mr. Hoskins is of opinion that no reason has been advanced which would warrant him in disturbing the decision of his predecessor, Mr. Farnell, and is unable to comply with your request. See No. 13. C.P. 78/188, J. E. Robe, Wagga Wagga, 1st August, 1878.

I have, &c.,

W. W. STEPHEN.

No. 15.

Mr. A. A. Armstrong (Agent for Mr. A. Couper) to The Under Secretary for Lands.

Sir,

Land Agency Office, 26, Bridge-street, Sydney, 3 April, 1879.

See No. 14.

I have the honor to acknowledge receipt of your communication of date 31 ultimo, refusing to disturb the decision of Mr. Secretary Farnell, in effect, that the land selected after auction by Alexander Couper was not open to auction selection, previous purchase of same by auction unfulfilled, not having become forfeited at the date of Couper's purchase by executive action.

I beg most respectfully to submit, that under the terms and meaning of the 26 section of the Act of 1861, and under which section Flood's purchase was made, that forfeiture does not arise, or become liable through non-completion of conditions, and that the sale and contract become actually void immediately upon balance of purchase becoming due and not paid.

I beg therefore respectfully to request that the question of the validity of Alexander Couper's purchase may be referred to the Honorable the Attorney General.

A. A. ARMSTRONG.

Minutes on No. 15.

The Minister has already confirmed Mr. Farnell's decision, and Mr. Armstrong now asks for a reference to the Attorney General.

The opinion in Mr. M'Bean's case does not affect this.—C.O., 8/4/79.

Submitted.—W.W.S., 16 April, /79.

I fail to see any necessity for remitting Couper's case for the opinion of the Attorney General, as I concur in the views upon the subject laid down by Mr. Farnell in his minute.—J.H., 18/4/79.

No. 16.

The Under Secretary for Lands to Mr. A. A. Armstrong (Agent for Mr. A. Couper).

Sir,

Department of Lands, Sydney, 23 April, 1879.

See No. 15.
See No. 14.

I have the honor to acknowledge the receipt of your letter of the 3rd proximo, referring to my letter of the 31st ultimo, wherein you were informed that the decision of Mr. Secretary Farnell—"That the after-auction selection made by Alexander Couper at Wagga Wagga, on 3rd December, 1877, was invalid"—would not be disturbed; and in reply to your request that the case may be submitted to the Attorney General for his opinion thereon,—I am directed to inform you that the Minister for Lands fails to see any necessity for that course, as he concurs in the views entertained by Mr. Secretary Farnell on the subject.

I have, &c.,

W. W. STEPHEN.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

CROWN LANDS.

(PARTICULARS OF LAND ALIENATED DURING THE YEAR 1878.)

Ordered by the Legislative Assembly to be printed, 4 June, 1879.

RETURN in reply to Question No. 129, of this date.

1878.

	Area.			Amount paid.		
	a.	r.	p.	£	s.	d.
Land sold at auction	862,988	0	0	1,086,621	0	0
„ by selection	122,051	0	0	123,405	0	0
„ by purchase under improvements	224,840	0	0	229,656	0	0
„ by conditional purchases.....	1,588,247	3	18	398,728	11	1
Selections transferred	13,733					
„ lapsed	1,811	210,014	3 18			
„ forfeited	1,075	136,508	0 0			

Department of Lands,
June 4th, 1879.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

FORMS OF CROWN GRANTS.

(UNDER CROWN LANDS ALIENATION ACT OF 1861.)

Ordered by the Legislative Assembly to be printed, 28 May, 1879.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 20 May, 1879,—That there be laid upon the Table of this House,—

“A copy of each of the various forms of Crown Grant issued since the
“passing of the Crown Lands Alienation Act of 1861.”

(*Mr. Copeland.*)

FORMS OF CROWN GRANTS.

No. 7.

NEW SOUTH WALES.

[Land Grant.]

Register Book,
Vol. Folio,

A. LAND PURCHASE.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen,
Defender of the Faith, and so forth :—

To All to whom these Presents shall come, Greeting :—

WHEREAS at a Sale by Auction of Crown Lands in Our Colony of New South Wales, held at in
Our said Colony, on the day of in the year of Our Lord one thousand eight
hundred and

of in Our said Colony
became the Purchaser of the Land hereinafter described, for the sum of Sterling : Now know
ye, That for and in consideration of the said Sum for and on Our behalf well and truly paid into the
Colonial Treasury of Our said Colony, before these Presents are issued, We, with the advice of Our
Executive Council of New South Wales, have Granted, and for Us, Our Heirs and Successors, Do hereby
Grant unto the said h Heirs and Assigns, subject to the several and respective Reservations
hereinafter mentioned, All that Piece or Parcel of Land in Our said Colony, containing by Admeasurement
be the same more or less, situated in the County of and Parish of

Commencing :

As per plan in the margin hereof : Being the Land sold as Lot under the advertisement dated
the day of 18 , with all the Rights and Appurtenances whatsoever thereto
belonging : To hold unto the said h Heirs and Assigns for ever : Provided nevertheless,
And We do hereby Reserve unto Us, Our Heirs and Successors, all such parts and so much of the said
Land as may hereafter be required for making Public Ways, Canals, or Railroads, in, over, and through the
same, to be set out by Our Governor for the time being of Our said Colony, or some person by him
authorized in that respect : And also all Sand, Clay, Stone, Gravel, and Indigenous Timber, and all other
Materials, the natural produce of the said Land, which may be required at any time or times hereafter, for
the construction and repair of all Public Ways, Bridges, Canals, and Railroads, or any Fences, Embank-
ments, Dams, Sewers, or Drains, necessary for the same, together with the right of taking and removing all
such Materials : And We do hereby further Reserve unto Us, Our Heirs and Successors, the right of full
and free ingress, egress, and regress, into, out of, and upon the said Land, for the several purposes aforesaid :
In testimony whereof, We have caused this Our Grant to be Sealed with the Seal of Our said Colony.

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this
day of , 187 .

Registrar General.

No. 7.

NEW SOUTH WALES.

[Land Grant.]

Register Book,
Vol. Folio,

B. TOWN LOT.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen,
Defender of the Faith, and so forth :—

To All to whom these Presents shall come, Greeting :—

WHEREAS at a Sale by Auction of Crown Lands in our Colony of New South Wales, held at
in Our said Colony, on the day of in the Year of Our Lord One thousand eight
hundred and seventy-

became

of in Our said Colony,
 became the Purchaser of the Allotment or Parcel of Land hereinafter described, for the Sum of
 Sterling: Now know ye, That for and in consideration of the said Sum, for and on Our behalf, well and
 truly paid into the Colonial Treasury of Our said Colony, before these Presents are issued, We, with the
 advice of Our Executive Council of New South Wales, have Granted, and for us, Our Heirs and Successors,
 Do hereby Grant, unto the said h Heirs and Assigns, subject to the several and respective
 Reservations hereinafter mentioned, All that Allotment or Parcel of Land in Our said Colony, containing
 by Admeasurement be the same more or less, situated in the County of Parish
 of and being Allotment No. of Section No.

Commencing :

As per plan in the margin hereof :

Being the Allotment sold as Lot under the advertisement
 dated the day of 18 , with all the
 Rights and Appurtenances whatsoever thereto belonging: To

hold unto the said h Heirs and Assigns for ever: Provided nevertheless, and We
 hereby Reserve unto Us, Our Heirs and Successors, and to the Governor for the time being of Our
 said Colony, by such Person or Persons as shall be by Them or Him authorized in that behalf, full power to
 make and conduct through the said Land all Common or Public Drains and Sewers which may be deemed
 expedient: In testimony whereof, We have caused this Our Grant to be Sealed with the Seal of Our said
 Colony.

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this
 day of , 187 .

Registrar General.

No. 7.

NEW SOUTH WALES.

[1]



Register Book,
 Vol. Folio,

GRANT UPON PURCHASE OF IMPROVED CROWN LANDS.

TOWN LOT.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen,
 Defender of the Faith, and so forth:—

To All to whom these Presents shall come, Greeting:—

WHEREAS in conformity with the Regulations in force for the Sale of Crown Lands in Our Colony of New
 South Wales, of in Our said Colony, has become the Purchaser of the Allotment
 or Parcel of Land hereinafter described (as improved Crown Lands) for the sum of Sterling,
 being the price of the same, as determined by appraisement as by law required: Now know ye, That for
 and in consideration of the said sum, for and on Our behalf well and truly paid into the Colonial Treasury
 of Our said Colony, before these Presents are issued, We, with the advice of Our Executive Council of
 New South Wales, have Granted, and for Us, Our Heirs and Successors, Do hereby Grant unto the said
 h Heirs and Assigns, Subject to the several and respective Reservations hereinafter
 mentioned, All that Allotment or Parcel of Land in Our said Colony, containing by Admeasurement
 be the same more or less, situated in the County of Parish of
 and being Allotment No. of
 Section No.

Commencing :

As per plan in the margin hereof :

With all the Rights and Appurtenances whatsoever thereto belonging: To hold unto the said
 h Heirs and Assigns for ever: Provided nevertheless, and We do hereby
 Reserve unto Us, Our Heirs and Successors, all Mines of Coal, together with the right of Mining for the
 same: And We do also Reserve unto Us, Our Heirs and Successors, and to the Governor for the time being
 of our said Colony, by such Person or Persons as shall be by Them or Him authorized in that behalf, full
 power to make and conduct through the said Land, all Common or Public Drains and Sewers, which may be
 deemed expedient: In Testimony Whereof, We have caused this Our Grant to be Sealed with the Seal of
 Our said Colony.

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this
 day of , 187 .

Registrar General

No. 7.

No 7.

NEW SOUTH WALES.

[Land Grant.]


 Register Book,
Vol. Folio,

GRANT UPON PURCHASE OF IMPROVED CROWN LANDS.

COUNTRY LOT.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth :—

To All to whom these Presents shall come, Greeting :—

WHEREAS in conformity with the Regulations in force for the Sale of Crown Lands in Our Colony of New South Wales, of in Our said Colony, ha become the Purchaser of the Land hereinafter described (as improved Crown Lands) for the sum of Sterling, being the price or value thereof determined by appraisement as by law required: Now know ye, That for and in consideration of the said sum, for and on Our behalf, well and truly paid into the Colonial Treasury of Our said Colony, before these Presents are issued, We, with the advice of Our Executive Council of New South Wales, have Granted, and for Us, Our Heirs and Successors, Do hereby Grant unto the said h Heirs and Assigns, subject to the several and respective Reservations hereinafter mentioned, All that Piece or Parcel of Land in Our said Colony, containing by Admeasurement be the same more or less, situated in the County of and Parish of

Commencing:

As per plan in the margin hereof: With all the Rights and Appurtenances whatsoever thereto belonging: To hold unto the said h Heirs and Assigns for ever: Provided nevertheless, and We do hereby Reserve unto Us, Our Heirs and Successors, all such parts and so much of the said Land as may hereafter be required for making Public Ways, Canals, or Railroads, in, over, and through the same, to be set out by our Governor for the time being of Our said Colony, or some person by him authorized in that respect: And also all Sand, Clay, Stone, Gravel, and Indigenous Timber, and all other Materials, the natural produce of the said Land, which may be required at any time or times hereafter, for the construction and repair of any Public Ways, Bridges, Canals, and Railroads, or any Fences, Embankments, Dams, Sewers, or Drains necessary for the same, together with the right of taking and removing all such Materials: And We do hereby further Reserve unto Us, Our Heirs and Successors, the right of full and free ingress, egress, and regress, into, out of, and upon the said Land, for the several purposes aforesaid: In testimony whereof, We have caused this Our Grant to be Sealed with the Seal of Our said Colony.

Witness Our Trusty and Well-beloved Sir Hercules George Robert Robinson, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of Our Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this day of in the year of Our Reign, and in the year of Our Lord One thousand eight hundred and seventy-

Recorded and Enrolled at the Registrar General's Office, at Sydney, in New South Wales, this day of , 187 .

Registrar General.

No 7.

NEW SOUTH WALES.

[Land Grant.]


 Register Book,
Vol. Folio,

GRANT OF LAND PURCHASED BY CONDITIONAL SALE WITHOUT COMPETITION.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth :—

To All to whom these Presents shall come, Greeting :—

WHEREAS on the day of in the Year of Our Lord One thousand eight hundred and of in Our said Colony, became, under and by virtue of the section of the Crown Lands Alienation Act of 1861, the Purchaser by Conditional Sale without Competition of the Parcel of Land hereinafter described: And whereas the said h duly paid into the Office of the Colonial Treasurer of the said Colony, the sum of Sterling, being the Purchase Money payable by for the said Lands: And whereas the said h made the declaration required by the 18th section of the said Act, and the Minister for the time being charged with the administration of the public lands is satisfied that the said h done all things required by law to be done by to entitle the said to a grant of the fee simple of the said Lands, subject to the Reservations hereinafter contained: Now Know Ye, That for and in consideration of the said sum, for and on Our behalf well and truly paid into the Colonial Treasury of Our said Colony, before these presents are issued,

issued, and of all and singular the premises, WE, for Us, Our Heirs and Successors, Do HEREBY GRANT unto the said h Heirs and Assigns, subject to the several and respective reservations hereinafter mentioned, all that Allotment or Parcel of Land in Our said Colony, containing by Admeasurement be the same more or less, situated in the County of and Parish of Commencing :

As per plan in the margin hereof: With all the Rights and Appurtenances whatsoever thereto belonging: To hold unto the said h Heirs and Assigns for ever: Subject, nevertheless, to the reservations, provisos, and conditions hereinafter contained, that is to say: Provided nevertheless, And We do hereby Reserve unto Us, Our Heirs and Successors, all Minerals which the said Land contains, with full power and authority for Us, Our Heirs and Successors, and such person or persons as shall from time to time be authorized by Us, Our Heirs and Successors, or by the Governor for the time being of Our said Colony, to enter upon the said Lands, and to search for, mine, dig, and remove the said Minerals, with full right of ingress, egress, and regress, for the purposes aforesaid: Provided Also, And We do Hereby Further Except and Reserve unto Us, Our Heirs and Successors, all such parts and so much of the said Land as may hereafter be required for a Public Way, or Public Ways, Canals, or Railroads, in, over, and through the same, to be set out by Our Governor for the time being of Our said Colony, or some person by him authorized in that respect: And also all Sand, Clay, Stone, Gravel, and Indigenous Timber, and all other Materials, the natural produce of the said Land, which may be required at any time or times hereafter by the Government of Our said Colony, for the construction and repair of any Public Ways, Bridges, or Canals, or for Naval purposes, or Railroads, or any Fences, Embankments, Dams, Sewers, or Drains necessary for the same, together with the right of taking and removing all such Materials: And also all Land within One hundred feet of High Water Mark on the Sea Coast, and on every Creek, Harbour, and Inlet of the Sea: And also the right of full and free ingress, egress, and regress, into, out of, and upon the said Land, for the several purposes aforesaid, or any of them: In testimony whereof, We have caused this Our Grant to be Sealed with the Seal of Our said Colony.

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this day of , 187 .

Registrar General.

No. 7.

NEW SOUTH WALES.

[Land Grant.]



Regiser Book,
Vol. Folio,

GRANT OF LAND CONDITIONALLY SELECTED FOR THE PURPOSE OF MINING OTHER THAN GOLD MINING.

COUNTRY LOT.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth:—

To All to whom these Presents shall come, Greeting:—

WHEREAS in conformity with the provisions of the Crown Lands Alienation Act of 1861, the Lands hereinafter described have been Conditionally Selected for the purpose of Mining other than Gold Mining by of And whereas the said ha duly performed and fulfilled all and every the conditions upon the performance and fulfilment of which entitled to become the purchaser of the fee simple of the said Lands, and to have a Grant thereof made to without reservation of Minerals other than Gold, upon paying for the said Land at and after the rate of £2 per acre: Now know ye, That for and in consideration of the premises and of the sum of Sterling money, well and truly paid into the Colonial Treasury of Our said Colony, before these Presents are issued, We, with the advice of Our Executive Council of New South Wales, have Granted, and for Us, Our Heirs and Successors, Do hereby Grant, unto the said h Heirs and Assigns, subject to the several and respective Reservations hereinafter mentioned, All that Piece or Parcel of Land in Our said Colony, containing by Admeasurement Acres, be the same more or less, situated in the County of and Parish of Commencing :

As per plan in the margin hereof: With all the Rights and Appurtenances whatsoever thereto belonging: To hold unto the said h Heirs and Assigns for ever: Provided nevertheless, And We do hereby Reserve unto Us, Our Heirs and Successors, and to our and their Lessee or Lessees, all Gold and Mines of Gold, with full and free liberty and power to search for, dig, and take away the same; and also saving and reserving unto Us, Our Heirs and Successors, all such parts and so much of the said Land as may hereafter be required for making Public Ways, Canals, or Railroads, in, over, and through the same, to be set out by Our Governor for the time being of Our said Colony, or some person by him authorized in that respect: And also all Sand, Clay, Stone, Gravel, and Indigenous Timber, and all other Materials, the natural produce of the said Land, which may be required at any time or times hereafter, for the construction and repair of any Public Ways, Bridges, Canals, and Railroads, or any Fences, Embankments, Dams

Dams, Sewers, or Drains, necessary for the same, together with the right of taking and removing all such Materials : And We do Hereby Further Reserve unto Us, Our Heirs and Successors, and to all persons authorized by the Governor for the time being of Our said Colony in that behalf, the right of full and free ingress, egress, and regress, into, out of, and upon the said Land, for the several purposes aforesaid : In testimony whereof, We have caused this Our Grant to be Sealed with the Seal of Our said Colony.

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this
day of 187 .

Registrar General.

No. 7.

NEW SOUTH WALES.

[Land Grant.]



Register Book,
Vol. Folio,

GRANT OF LAND PURCHASED BY CONDITIONAL SALE WITHOUT COMPETITION.

(Under Section 14 of Crown Lands Alienation Act of 1861.)

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen,
Defender of the Faith, and so forth :—

To All to whom these Presents shall come, Greeting :—

WHEREAS on the day of in the Year of Our Lord One thousand eight hundred and of in Our said Colony, became, under and by virtue of the fourteenth section of the Crown Lands Alienation Act of 1861, the Purchaser by Conditional Sale without Competition of the Parcel of Land hereinafter described : And whereas the said hath duly paid into the Office of the Colonial Treasurer of the said Colony, the sum of Sterling, being the Purchase Money payable by him for the said Lands : And whereas the said hath made the Declaration required by the 18th section of the said Act, and the Minister for the time being charged with the administration of the public Lands is satisfied that the said hath done all things required by law to be done by him, to entitle him the said to a grant of the fee simple of the said Lands, subject to the Reservations hereinafter contained : Now Know Ye, That for and in consideration of the said sum, for and on Our behalf well and truly paid into the Colonial Treasury of Our said Colony, before these presents are issued, and of all and singular the premises, We, for Us, Our Heirs and Successors, Do hereby Grant unto the said h Heirs and Assigns, subject to the several and respective reservations hereinafter mentioned, All that Allotment or Parcel of Land in Our said Colony, containing by Admeasurement be the same more or less, situated in the County of and Parish of

Commencing :

As per plan in the margin hereof : With all the Rights and Appurtenances whatsoever thereto belonging : To Hold unto the said h Heirs and Assigns for ever : Subject, nevertheless, to the reservations, provisoes, and conditions hereinafter contained, that is to say : Provided nevertheless, And We do hereby Reserve unto Us, Our Heirs and Successors, all Minerals which the said Land contains, with full power and authority for Us, Our Heirs and Successors, and such person or persons as shall from time to time be authorized by Us, Our Heirs and Successors, or by the Governor for the time being of Our said Colony, to enter upon the said Lands, and to search for, mine, dig, and remove the said Minerals, with full right of ingress, egress, and regress, for the purposes aforesaid : Provided also, And We do Hereby Further Except and Reserve unto Us, Our Heirs and Successors, all such parts and so much of the said Land as may hereafter be required for a Public Way or Public Ways, Canals, or Railroads, in, over, and through the same, to be set out by Our Governor for the time being of Our said Colony, or some person by him authorized in that respect ; And also all Sand, Clay, Stone, Gravel, and Indigenous Timber, and all other Materials, the natural produce of the said Land, which may be required at any time or times hereafter by the Government of Our said Colony, for the construction and repair of any Public Ways, Bridges, or Canals, or for Naval purposes, or Railroads, or any Fences, Embankments, Dams, Sewers, or Drains necessary for the same, together with the right of taking and removing all such Materials : And the right of full and free ingress, egress, and regress, into, out of, and upon the said Land, for the several purposes aforesaid or any of them ; And also all Land within One hundred feet of High Water Mark on the Sea Coast, and on every Creek, Harbour, and Inlet of the Sea : And We do Hereby Declare, that these Presents are made by Us, upon condition, that at any time hereafter, persons specially authorized in that behalf by the Minister for Lands for the time being of Our said Colony, shall be at liberty to enter upon, and dig, and search for Gold within the said Lands : And also that if the said Lands or any part thereof shall be found to contain Auriferous Deposits, it shall be lawful for the Governor of Our said Colony, with the advice of the Executive Council, to annul the sale of the said Lands to the said and by proclamation published in the Government Gazette of Our said Colony, to declare the Grant hereby made to be void, whereupon the said Lands shall revert in Us, Our Heirs and Successors : Provided always that upon the said Lands becoming revested in Us as aforesaid, the said shall be entitled to compensation for the value

value other than Auriferous of the said Lands, and of all improvements thereon, such value to be ascertained and determined by appraisement under the provisions for appraisement in the Crown Lands Alienation Act of 1861: In testimony whereof, We have caused this Our Grant to be Sealed with the Seal of Our said Colony.

Witness Our Trusty and Well-beloved Sir Hercules George Robert Robinson, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of Our Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this
day of _____ in the thirty- _____ year of Our Reign; and
in the year of Our Lord One thousand eight hundred and seventy-

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this
day of _____ 187 _____

Registrar General.

No. 7

NEW SOUTH WALES.

[Land Grant.]



Register Book,
Vol. _____ Folio _____

GRANT OF LAND SOLD AT UPSET PRICE AFTER ATTEMPTED SALE BY AUCTION.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth:—

To All to whom these Presents shall come, Greeting:—

WHEREAS in conformity with the Regulations in force for the Sale of Crown Lands in Our Colony of New South Wales, the Lands herein mentioned were, on the _____ day of _____ One thousand eight hundred and _____ put up for Sale by Public Auction, at _____ in Our said Colony, when no sufficient bidding was offered for the same: And Whereas since the said _____ day of _____ One thousand eight hundred and _____ ha applied to purchase the same at the upset price thereof: Now Know Ye, That for and in consideration of the sum of _____ Sterling, being the said upset price thereof, well and truly paid into the Colonial Treasury of Our said Colony, before these Presents are issued, We, with the advice of Our Executive Council of Our said Colony, have Granted, and for Us, Our Heirs and Successors, Do hereby Grant, unto the said _____ h Heirs and Assigns, subject to the several and respective Reservations hereinafter mentioned, All that Piece or Parcel of Land in Our said Colony, containing by Admeasurement _____ be the same more or less, situated in the County of _____ and Parish of _____

Commencing:

As per plan in the margin hereof: Being the Land _____ as Lot _____ on the _____ day of _____ 18 _____, and selected by the said _____ with all the Rights and Appurtenances whatsoever thereto belonging: To hold unto the said _____ h Heirs and Assigns for ever: Provided nevertheless, And We do Hereby Reserve unto Us, Our Heirs and Successors, all such parts and so much of the said Land as may hereafter be required for making Public Ways, Canals, or Railroads in, over, and through the same, to be set out by Our Governor for the time being of Our said Colony or some person by him authorized in that respect: And also all Sand, Clay, Stone, Gravel, and Indigenous Timber, and all other Materials, the natural produce of the said Land, which may be required at any time or times hereafter, for the construction and repair of any Public Ways, Bridges, Canals, and Railroads, or any Fences, Embankments, Dams, Sewers, or Drains necessary for the same, together with the right of taking and removing all such Materials: And We do Hereby Further Reserve unto Us, Our Heirs and Successors, the right of full and free ingress, egress, and regress, into, out of, and upon the said Land, for the several purposes aforesaid: In testimony whereof, We have caused this Our Grant to be Sealed with the Seal of Our said Colony.

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this
day of _____ 187 _____

Registrar General.

No. 7.

No. 7.

NEW SOUTH WALES.

[Land Grant.]


 Register Book,
Vol. Folio,

GRANT UPON PURCHASE OF RECLAIMED CROWN LANDS.

 VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen,
Defender of the Faith, and so forth :—

To All to whom these Presents shall come, Greeting :—

WHEREAS in conformity with the Regulations now in force for the Sale of Reclaimed Crown Lands in Our Colony of New South Wales, of h become the Purchaser of the Allotment or Parcel of Land hereinafter described, for the sum of Sterling, being the price of the same as determined by Appraisement as by law required : Now Know Ye, That for and in consideration of the said sum for and on Our behalf well and truly paid into the Colonial Treasury of Our said Colony, before these Presents are issued, We, with the advice of Our Executive Council of New South Wales, have Granted, and for Us, our Heirs and Successors, Do hereby Grant, unto the said h Heirs and Assigns, subject to the several and respective Reservations hereinafter mentioned, All that Allotment or Parcel of Land in Our said Colony, containing by Admeasurement be the same more or less, situated in the County of Parish of and Commencing :

As per plan in the margin hereof : With all the Rights and Appurtenances whatsoever thereto belonging : To hold unto the said h Heirs and Assigns for ever : Provided nevertheless, And We do hereby Reserve unto Us, our Heirs and Successors, all Mines of Coal : And We do also Reserve unto Us, our Heirs and Successors, and to the Governor for the time being of Our said Colony, by such Person or Persons as shall be by Them or Him authorized in that behalf, full power to make and conduct through the said Land, all Common or Public Drains and Sewers, which may be deemed expedient : In Testimony Whereof, We have caused this Our Grant to be Sealed with Seal of Our said Colony.

 Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this
day of 187 .

Registrar General.

No. 7.

NEW SOUTH WALES.

[Land Grant.]


 Register Book,
Vol. Folio,

GRANT UPON RESCISSION OF RESERVATION.

 VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen,
Defender of the Faith, and so forth :—

To All to whom these Presents shall come, Greeting :—

WHEREAS by Deed-poll, bearing date the day of in the year of Our Lord one thousand eight hundred and in pursuance of the powers by H Majesty the vested in him as Governor of the Colony of New South Wales and its Dependencies : Did Grant unto h Heirs and Assigns of land, be the same more or less, situated in the County of Parish of

Commencing :

Saving and Reserving unto H Majesty, H Heirs all Successors, all land within one hundred feet of high-water mark on the Sea Coast, and on every Creek, Harbour, and Inlet : And Whereas, by divers *mesne* Conveyances and Assurances in the Law, the fee-simple in the said Lands became vested in of who, on or about the day of in the year of Our Lord One thousand eight hundred and seventy- applied to the Governor of the said Colony to rescind the said Reservation and to grant to h the fee-simple of the Lands so reserved as aforesaid, and situated between h said Land and the said And Whereas the money consideration to be paid for the said Land has, under the provisions of the Crown Lands Alienation Act of 1861, been duly determined by Appraisement, and fixed at the sum of Sterling : Now Know Ye, that in consideration

consideration of the said Sum of Sterling, well and truly paid into the Colonial Treasury of Our said Colony, before these Presents are issued, We, with the advice of Our Executive Council of Our said Colony, have Granted, and for us, Our Heirs and Successors, Do hereby Grant, unto the said h Heirs and Assigns, subject to the several and respective Reservations hereinafter mentioned, All that Piece or Parcel of Land in Our said Colony, containing by Admeasurement be the same more or less, situated in the County of and Parish of Commencing :

As per plan in the margin hereof : With all the Rights and Appurtenances whatsoever thereto belonging : To hold unto the said h Heirs and Assigns for ever : Provided nevertheless, And We do hereby Reserve unto Us, Our Heirs and Successors, all such parts and so much of the said Land as may hereafter be required for making Public Ways, Canals, or Railways, in, over, and through the same, to be set out by Our Governor for the time-being of Our said Colony, or some person by him authorized in that respect : And also all Sand, Clay, Stone, Gravel, and Indigenous Timber, and all other Materials, the natural produce of the said Land, which may be required at any time or times hereafter, for the construction and repair of any Public Ways, Bridges, Canals, and Railroads, or any Fences, Embankments, Dams, Sewers, or Drains necessary for the same, together with the right of taking and removing all such Materials : And We do hereby further Reserve unto Us, Our Heirs and Successors, the right of full and free ingress, egress, and regress, into, out of, and upon the said Land, for the several purposes aforesaid : In testimony whereof, We have caused this Our Grant to be Sealed with the Seal of Our said Colony.

Witness Our Trusty and Well-beloved Sir Hercules George Robert Robinson, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of Our Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this day of in the year of Our Reign ; and in the year of Our Lord One thousand eight hundred and seventy-

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this day of 187 .

Registrar General.

No. 7.

NEW SOUTH WALES.

[Land Grant.]



Register Book,
Vol. Folio,

GRANT OF LAND UNDER THE VOLUNTEER FORCE REGULATION ACT OF 1867.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth :—

To All to whom these Presents shall come, Greeting :—

WHEREAS is entitled, under the provisions of the Volunteer Force Regulation Act of 1867, to receive a free grant of fifty acres of Land : Now know ye, That in satisfaction of the right or claim of the said under the provisions of the Volunteer Force Regulation Act of 1867, and in consideration thereof, We, for Us, Our Heirs and Successors, Do hereby Grant unto the said h Heirs and Assigns, subject to the several and respective reservations hereinafter mentioned, All that Allotment or Parcel of Land in Our said Colony, containing by Admeasurement be the same more or less, situated in the County of and Parish of

Commencing :

As per plan in the margin hereof : With all the Rights and Appurtenances whatsoever thereto belonging : To hold unto the said h Heirs and Assigns for ever : Subject nevertheless, to the Reservations, Provisoes, and Conditions hereinafter contained, that is to say : Provided nevertheless, And We do hereby Reserve unto Us, Our Heirs and Successors, all Minerals which the said Land contains, with full power and authority for Us, Our Heirs and Successors, and such person or persons as shall from time to time be authorized by Us, Our Heirs and Successors, or by the Governor for the time-being of Our said Colony, to enter upon the said Lands, and to search for, mine, dig, and remove the said Minerals, with full right of ingress, egress, and regress, for the purposes aforesaid : Provided also, And We do hereby further Except and Reserve unto Us, Our Heirs and Successors, all such parts and so much of the said Land as may hereafter be required for a Public Way, or Public Ways, Canals, or Railroads, in, over, and through the same, to be set out by Our Governor for the time-being of Our said Colony, or some person by him authorized in that respect : And also all Sand, Clay, Stone, Gravel, and Indigenous Timber, and all other Materials, the natural produce of the said Land, which may be required at any time or times hereafter

hereafter by the Government of Our said Colony, for the construction and repair of any Public Ways, Bridges, or Canals, or for Naval purposes, or Railroads, or any Fences, Embankments, Dams, Sewers, or Drains necessary for the same, together with the right of taking and removing all such Materials: And also all Land within One hundred feet of High Water Mark on the Sea Coast, and on every Creek, Harbour, and Inlet of the Sea: And also the right of full and free ingress, egress, and regress, into, out of, and upon the said Land for the several purposes aforesaid, or any of them: In testimony whereof, We have caused this Our Grant to be Sealed with the Seal of Our said Colony.

Recorded and Enrolled in the Registrar General's Office, at Sydney, New South Wales, this
day of 187 .

Registrar General.

No. 72.

NEW SOUTH WALES.

[Land Grant.]



Register Book,
Vol. Folio,

GRANT OF LAND SOLD AT UPSET PRICE AFTER ATTEMPTED SALE BY AUCTION.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen,
Defender of the Faith, and so forth:—

To All to whom these Presents shall come, Greeting:—

WHEREAS in conformity with the Regulations in force for the Sale of Crown Lands in Our Colony of New South Wales, the Lands herein mentioned were, on the day of One thousand eight hundred and put up for Sale by Public Auction, at in Our said Colony, when no sufficient bidding was offered for the same: And whereas since the said day of one thousand eight hundred and of hath applied to purchase the same at the upset price thereof: And whereas the said is entitled, under the provisions of The Volunteer Force Regulation Act of 1867, to a free grant of fifty acres of land: Now know ye, That in satisfaction of the said right or claim of the said under the provisions of The Volunteer Force Regulation Act of 1867, to receive a free grant of fifty acres of land, and in consideration of such right or claim, and of the sum of Sterling, well and truly paid into the Colonial Treasury of Our said Colony, before these Presents are issued, We, with the advice of Our Executive Council of Our said Colony, Have Granted, and for Us, Our Heirs and Successors, Do hereby Grant unto the said h Heirs and Assigns, subject to the several and respective Reservations hereinafter mentioned, All that Piece or Parcel of Land in Our said Colony, containing by Admeasurement be the same more or less, situated in the County of and Parish of

Commencing:

As per plan in the margin hereof: Being the Land as Lot on the and selected by the said with all the Rights and Appurtenances whatsoever thereto belonging; To Hold unto h Heirs and Assigns for ever: Provided nevertheless, And We do hereby Reserve unto Us, Our Heirs and Successors, all such parts and so much of the said Land as may hereafter be required for making Public Ways, Canals, or Railroads, in, over, and through the same, to be set out by Our Governor for the time-being of Our said Colony, or some person by him authorized in that respect: And also all Sand, Clay, Stone, Gravel, and Indigenous Timber, and all other Materials, the natural produce of the said Land, which may be required at any time or times hereafter, for the construction and repair of any Public Ways, Bridges, Canals, and Railroads, or any Fences, Embankments, Dams, Sewers, or Drains necessary for the same, together with the right of taking and removing all such Materials: And We do hereby further Reserve unto Us, Our Heirs and Successors, the right of full and free ingress, egress, and regress, into, out of, and upon the said Land, for the several purposes aforesaid: In testimony whereof, We have caused this Our Grant to be sealed with the Seal of Our said Colony.

Witness Our Trusty and Well-beloved Sir Hercules George Robert Robinson, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of Our Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this day of in the thirty- year of Our Reign; and in the year of Our Lord One thousand eight hundred and seventy-

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this
day of 187 .

Registrar General.

No. 7.



Register Book,
Vol. Folio

GRANT OF LAND AS THE SITE FOR
(Under Sec. 5 of the Crown Lands Alienation Act of 1861.)

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen,
Defender of the Faith, and so forth :—

To All to whom these Presents shall come, Greeting :—

WHEREAS 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, with the advice of Our Executive Council of Our said Colony, hath determined that it is desirable for the public interest that the Land hereinafter described shall be dedicated as the Site for for the Municipality known as and shall be granted unto and their Successors, upon the Trusts, with the Powers, and subject to the Conditions hereinafter mentioned : Now know ye, that We, of Our special Grace, with the advice of Our Executive Council of Our said Colony, and in consideration of the Quit Rent hereinafter reserved, Have Granted, and for Us, Our Heirs and Successors, Do hereby Grant unto and their Successors, All that Piece or Parcel of Land in our said Colony, containing by Admeasurement be the same more or less, situated in the County of

As per plan in the margin hereof :

With all the Rights and Appurtenances thereto belonging : To
Hold unto and their Successors for ever : Yielding and

Paying therefor to Us, Our Heirs and Successors, yearly and every year, the Quit Rent of one Peppercorn on demand, subject to the Conditions, Reservations, and Provisoos hereinafter mentioned, and upon and for the Trusts, Intents, and Purposes hereinafter declared, of and concerning the said Land, that is to say : Upon Trust to use the said Land as and for no other use or purpose whatsoever : Provided always, and it is hereby declared, that it shall or may be lawful for the said Council, for the purposes aforesaid, to make all, any, or every such Rules and Regulations for the use of the said Land or any part thereof, or for the government or management of any Building or Buildings that may be erected thereon, and to vary or alter the same from time to time as it may think fit, for any of the purposes aforesaid, in accordance with the powers given to, or vested in, the said Council by the Municipalities Act of 1867 : And we do hereby Reserve unto us, our Heirs and Successors, all such parts and so much of the said Land as may hereafter be required for Public Roads or Ways, in, over, and through the same, to be set out by the Governor for the time being of Our said Colony, or some person by him authorized in that respect : Provided always, and these Presents are upon the express condition, that if the said Land hereinbefore described or any part thereof shall be used for any other purpose than is hereinbefore provided or declared in and by the said Trusts, the said Trusts shall cease and the said Land shall be forfeited and revert unto Us Our Heirs and Successors, and these Presents and every matter and thing therein contained shall cease and determine and become absolutely void to all intents and purposes : And it shall be lawful for Us, Our Heirs and Successors, by Our Governor for the time being of Our said Colony, or some person by him authorized in that behalf, to re-enter upon the said Land or any part thereof, and the said Grantees and their Successors therefrom wholly to remove : In testimony whereof, We have caused this Our Grant to be Sealed with the Seal of Our said Colony.

Witness Our Trusty and Well-beloved Sir Hercules George Robert Robinson, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of Our Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this
day of in the year of Our Reign ; and in the year of Our Lord
One thousand eight hundred and seventy-

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this
day of 187 .

Registrar General.



Register Book,
Vol. Folio,

GRANT UNDER SECTION 5 OF THE CROWN LANDS ALIENATION ACT OF 1861.

VICTORIA by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth :—

To All to whom these Presents shall come, Greeting :—

WHEREAS the Governor of Our Colony of New South Wales, with the advice of Our Executive Council of Our said Colony, hath determined that it is desirable for the public interest that the Land hereinafter described shall be Dedicated and shall be Granted unto their Heirs and Assigns, upon the Trusts, with the Powers, and subject to the Conditions hereinafter mentioned : Now know ye, That We, of Our special Grace, with the advice of Our Executive Council of Our said Colony, and in consideration of the Quit Rent hereinafter reserved, have Granted, and for Us, Our Heirs and Successors, Do hereby Grant unto the said and their Heirs, All that Piece or Parcel of Land in Our said Colony, containing by Admeasurement be the same more or less, situated in the County of Parish

Commencing :

As per plan in the margin hereof : With all the Rights and Appurtenances thereto belonging : To Hold unto the said their Heirs and Assigns for ever, yielding and paying therefor to Us, Our Heirs and Successors, yearly and every year, the Quit Rent of one Peppercorn, on demand, subject to the Conditions, Reservations, and Provisoes hereinafter mentioned, and upon and for the Trusts, Intents, and Purposes hereinafter declared of and concerning the said Lands, that is to say : Upon Trust Provided always, and it is hereby declared, that it shall or may be lawful for the Trustees for the time being of the said Lands, for any of the purposes aforesaid, to make all, any, or every such Rules and Regulations for the use of the said Land, or any part thereof, and to vary or alter the same from time to time, as they may think fit, for any of the purposes aforesaid : Provided always, and we do hereby declare, that when and so often as the said or any Trustee or Trustees to be appointed by virtue hereof, shall die, resign, cease to reside in the Colony of New South Wales, or become incapable of acting in the Trusts hereby created, it shall be lawful for the Governor for the time being of Our said Colony, with the advice of the Executive Council thereof, from time to time, by writing under his hand, to name and appoint a new Trustee or Trustees in the place and stead of any Trustee or Trustees so dying, resigning, ceasing to reside in Our said Colony of New South Wales, or becoming incapable of acting in the said Trusts ; and thereupon the said Lands shall be conveyed and assured by the surviving or continuing Trustee or Trustees, or by the Heirs of the last surviving Trustee, their or his Heirs or Assigns, upon the Trusts and for the Intents and Purposes hereinbefore created and declared of and concerning the said Lands : And We do hereby Reserve unto us, Our Heirs and Successors, all such parts and so much of the said Land as may hereafter be required for Public Roads or Ways, in, over, and through the same, to be set out by the Governor for the time being of Our said Colony, or some person by him authorized in that respect : And also, all Stone and Gravel, all Indigenous Timber, and all other Materials, the natural produce of the said Land, which may be required at any time or times hereafter for the construction and repair of Roads, Ways, and Bridges, for Naval Purposes, and for Public Works ; together with the right of taking and removing the same : And also, all Minerals, with full and free liberty and power to search for, dig, and take away the same ; and also, the right of full and free ingress, egress, and regress into, out of, and upon the said Land, for the several purposes aforesaid : And we do further Reserve unto Us, Our Heirs and Successors, full power for Us or them, or for the Governor for the time being of Our said Colony, to resume and take possession of all or any part of the said Land, not hereinbefore reserved, which may be required at any time or times hereafter for any public purposes whatsoever : Provided always, and these Presents are upon the express condition, that if the said Land hereinbefore described, or any part thereof, shall be used for any other purpose than is hereinbefore provided or declared in and by the said Trust, the said Trusts shall cease, and the said Land shall be forfeited and revert unto Us Our Heirs and Successors, and these Presents and every matter and thing herein contained shall cease and determine and become absolutely void to all intents and purposes ; And it shall be lawful for Us, Our Heirs and Successors, by Our Governor for the time being of Our said Colony, or some person by him authorized in that behalf, to re-enter upon the said Land or any part thereof, and the said Grantees, their Heirs and Assigns, therefrom wholly to remove : In testimony whereof, We have caused this Our Grant to be Sealed with the Seal of Our said Colony.

Witness Our Trusty and Well-beloved Sir Hercules George Robert Robinson, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of Our Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this day of in the year of Our Reign ; and in the year of Our Lord One thousand eight hundred and seventy-

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this day of 187 .

Registrar General.
No. 7.



Register Book,
Vol. Folio,

GRANT FOR THE PURPOSES OF PUBLIC RECREATION.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen,
Defender of the Faith, and so forth :—

To All to whom these Presents shall come, Greeting :—

WHEREAS the Governor of Our Colony of New South Wales, with the advice of Our Executive Council of Our said Colony, hath determined that it is desirable for the public interest that the Land hereinafter described shall be dedicated for purposes of Public Recreation, and shall be Granted unto their Heirs and Assigns, upon the Trusts, with the Powers, and subject to the Conditions hereinafter mentioned: Now know ye, That We, of Our Special Grace, with the advice of Our Executive Council of Our said Colony, and in consideration of the Quit Rent hereinafter reserved, have Granted, and for Us, Our Heirs and Successors, Do hereby Grant, unto the said and their Heirs, all that Piece or Parcel of Land in Our said Colony, containing by Admeasurement be the same more or less, situated in the County of Parish

Commencing :

As per plan in the margin hereof : With all the Rights and Appurtenances thereto belonging : To Hold unto the said their Heirs and Assigns for ever, yielding and paying therefor to Us, Our Heirs and Successors, yearly and every year, the Quit Rent of one Peppercorn, on demand, subject to the Conditions, Reservations, and Provisoes hereinafter mentioned, and upon and for the Trusts, Intents, and Purposes hereinafter declared of and concerning the said Lands, that is to say, upon Trust, in their discretion to permit and suffer the said Land, or any part thereof, to be used by such persons, clubs, or associations, at such times, and upon such terms and conditions, as the said or any other Trustees of the said Land, appointed as hereinafter provided, shall think fit and proper for any of the purposes hereinafter described, that is to say : *Firstly*, as a Racecourse, upon which horse-races may be run, under the direction of any club or association now existing, or which may hereafter be founded for the purpose of horse-racing. *Secondly*, as a Training Ground, for the purpose of training horses intended to race. *Thirdly*, as a Cricket Ground, or place at and upon which the game of cricket may be played. *Fourthly*, and for any other public amusement or purpose which His Excellency the Governor of Our said Colony for the time being, with the advice of the Executive Council thereof, may from time to time declare to be a public amusement or purpose for which the said Land or any part thereof shall or may be used : Provided always, and it is hereby declared, that it shall or may be lawful for the Trustees for the time being of the said Lands for any of the purposes aforesaid, to make all, any, or every such Rules and Regulations for the use of the said Land, or any part thereof, and to vary or alter the same from time to time, as they may think fit, for any of the purposes aforesaid : Provided always, and we do hereby declare, that when and so often as the said or any Trustee or Trustees to be appointed by virtue hereof shall die, resign, cease to reside in the Colony of New South Wales, or become incapable of acting in the Trusts hereby created, it shall be lawful for the Governor for the time being of Our said Colony, with the advice of the Executive Council thereof, from time to time, by writing under his hand, to name and appoint a new Trustee or Trustees in the place and stead of any Trustee or Trustees so dying, resigning, ceasing to reside in Our said Colony of New South Wales, or becoming incapable of acting in the said Trusts, and thereupon the said Lands shall be conveyed and assured by the surviving or continuing Trustee or Trustees, or by the Heirs of the last surviving Trustee, their or his Heirs or Assigns, upon the Trusts and for the Intents and Purposes hereinbefore created and declared of and concerning the said Lands : And We do hereby reserve unto Us, Our Heirs and Successors, all such parts and so much of the said Land as may hereafter be required for Public Roads or Ways, in, over, and through the same, to be set out by the Governor for the time being of Our said Colony, or some person by him authorized in that respect : And also, all Stone and Gravel, all Indigenous Timber, and all other Materials, the produce of the said Land, which may be required at any time or times hereafter for the construction and repair of Roads, Ways, and Bridges, for Naval Purposes, and for Public Works : together with the right of taking and removing the same : And also, all Minerals, with full and free liberty and power to search for, dig, and take away the same : And also the right of full and free ingress, egress, and regress into, out of, and upon the said Land, for the several purposes aforesaid. And we do further reserve unto Us, Our Heirs and Successors, full power for Us, or Them, or for the Governor for the time being of Our said Colony, to resume and take possession of all or any part of the said Land, not hereinbefore reserved, which may be required at any time or times hereafter for any public purposes whatsoever : Provided always, and these Presents are upon the express condition, that if the said Land hereinbefore described, or any part thereof, shall be used for any other purpose than is hereinbefore provided or declared in and by the said Trusts, the said Trusts shall cease, and the said Land shall be forfeited and revert unto Us, Our Heirs and Successors, and these Presents and every matter and thing herein contained shall cease and determine and become absolutely void to all intents and purposes ; and it shall be lawful for Us, Our Heirs and Successors, by Our Governor for the time being of Our said Colony, or some person by him authorized in that behalf, to re-enter upon the said Land, or any part thereof, and the said Grantees, their Heirs and Assigns, therefrom wholly to remove : In testimony whereof, We have caused this Our Grant to be Sealed with the Seal of Our said Colony.

Recorded and enrolled in the Registrar General's Office, at Sydney, in New South Wales, this
day of 187 .

Registrar General.

No. 7.



Register Book,
Vol. Folio,

GRANT FOR SCHOOL OF ARTS AND MECHANICS' INSTITUTE.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth:—

To All to whom these Presents shall come, Greeting:—

WHEREAS a Society, School, or Public Institute, called the

is established in the in Our Colony of New South Wales, for promoting the knowledge of the Arts and Sciences amongst Mechanics and others: And whereas it has appeared to Us that the encouragement of the said Society, School, or Institute will be conducive to the public good of the Inhabitants of Our said Colony: Know ye, that in order to enable the said Society, School, or Public Institute to erect a School or Public Building to carry out the objects of the said Society, We, of Our special Grace, Have Granted, and for Us, Our Heirs and Successors, Do hereby Grant unto

all of their Heirs and Assigns, for the Purpose and subject to the Reservations and Provisoos hereinafter mentioned, all that Piece or Parcel of Land containing by Admeasurement be the same more or less, situate, lying, and being in Our said Colony of New South Wales, in the County of Parish of and Town of being Allotment No. of Section Commencing:

As per plan in the margin hereof: With all the Rights, Members, Privileges, and Appurtenances whatsoever to the same belonging or in any wise appertaining: To Have and to Hold the same, and every part thereof, unto and to the use of the said

their Heirs and Assigns, upon Trust, to permit and suffer the same premises to be appropriated as a site or place for the erection of such Building or Buildings for the said Society, School, or Institute, as the President, Senior Vice-President, and Treasurer for the time being, of the said Society, or other the Managing Officers thereof shall think fit: And upon further Trust, that if the said or any of them shall die, depart from the said Colony, or become unable or unwilling to act in the Trusts hereof, to convey and assure the said Lands so that they may be held upon the Trusts aforesaid by such new Trustee or Trustees, or by such new Trustees only as occasion may require: And We do hereby Declare that upon the said

or any one or more of them dying, leaving Our said Colony, or becoming incapable or unwilling to act in the Trusts aforesaid, it shall be lawful for the President, Senior Vice-President, and Treasurer, for the time being, or any two of them, from time to time, subject to the approval of the Governor and Executive Council of the said Colony, to nominate a Trustee or Trustees in the place or stead of the Trustee or Trustees so dying, leaving Our said Colony, or becoming incapable or unwilling to act in the said Trusts; and that, upon the approval by the Governor and Executive Council of Our said Colony, of the person or persons so nominated to be Trustee or Trustees as aforesaid, being made known to the surviving Trustee, or to the Heirs of the last surviving Trustee, the said Lands and Hereditaments shall be conveyed and assured by the said surviving or continuing Trustee or Trustees, or the Heirs of the last surviving Trustee, in such manner as that the fee simple in the said Lands shall become vested in the surviving or continuing Trustee or Trustees and the new Trustee or Trustees, or in the new Trustees, as occasion may require, Yielding and paying therefor Yearly unto us, Our Heirs and Successors, the Quit Rent or sum of One Farthing for ever, if demanded, reserving and excepting nevertheless, unto Us, Our Heirs and Successors, all Mines of Gold, of Silver, and of Coal: Provided nevertheless, and we do hereby expressly declare, that if the said Piece or Parcel of Land hereby granted, or any part or parts thereof, shall be used for any other purpose than as or for a site for the erection and maintenance of such buildings as hereinbefore mentioned, or shall be otherwise than as aforesaid alienated or attempted to be alienated in fee simple, or for any less estate or interest by the said

or the Survivor or Survivors of them, or by their or any of their Heirs or Assigns, or other the persons or person in whom the same may at any time hereafter be vested upon the Trusts aforesaid, on behalf of the said Society, School, or Institute, it shall be lawful for Us, Our Heirs and Successors, by any person or persons duly authorized in that behalf, or by Our Governor for the time being of Our said Colony, to re-enter upon the said piece or Parcel of Land, or such part or parts thereof as shall so, as aforesaid, have been used for any other purpose than as and for a site for the said building of the said Institute, to be called

or the out-offices of and belonging to the same, as shall have been so alienated or attempted to be alienated by the said President, Senior Vice-President, and Treasurer of the said Institute, or their Heirs or Assigns; and to Hold, Possess, and Enjoy the same as fully and effectually, to all intents and purposes, as if the Grant thereof had not been made. In testimony whereof, We have caused this Our Grant to be Sealed with the Seal of Our said Colony.

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this day of 187 .

Registrar General.



Register Book,
Vol. Folio,

GRANT TO THE COUNCIL OF EDUCATION.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen,
Defender of the Faith, and so forth :—

To All to whom these Presents shall come, Greeting :—

WHEREAS the Governor of Our Colony of New South Wales, by and with the advice of the Executive Council thereof, in pursuance of the provisions in that behalf contained in the Crown Lands Alienation Act of 1861, hath reserved and dedicated the Lands hereinafter described, as the site for a School House under the contro and management of the Council of Education : Now know ye, that We, for Ourselves, Our Heirs and Successors, Do hereby Grant unto the Council of Education, incorporated by an Act of the Parliament of Our said Colony made and passed in the thirtieth year of Our Reign, intituled "*An Act to make provision for Public Education*" : Subject to the Trusts, Conditions, Reservations, and Provisoos hereinafter contained, All that Piece or Parcel of Land in our said Colony, containing by Admeasurement

be the same more or less, situated in the County of _____ and Parish of _____
Commencing :

As per plan in the margin hereof : With all the Rights and Appurtenances whatsoever thereto belonging : To Hold unto the Council of Education for ever, to and for the uses of the Council of Education according to the true intent and meaning of the said Act, To keep and maintain thereon a Public School within the intent and meaning of the said Act of Parliament, or of such other Act for Public Education as may be in force in the said Colony for the time being : On Condition that the said Council of Education do and shall, in every respect and at all times hereafter, conform to the Government Regulations for the time being, and to the Laws and Regulations now or hereafter to be in force for the better regulating the Alignment of Streets in Our said Colony, so far as the same may be applicable : And provided also, That if the Trusts, Conditions, Reservations, and Provisoos herein contained, or any part thereof, be not duly observed and performed by the Council of Education, then the said Land shall be forfeited, and revert unto Us, Our Heirs, and Successors, and these Presents, and every matter and thing herein contained, shall cease and determine, and become absolutely void to all intents and purposes : And it shall be lawful for Us, Our Heirs and Successors, by Our Governor for the time being of Our said Colony, or some person by Them or Him authorized in that behalf, to re-enter upon the said Land, or any part thereof, and the Council of Education, and all Occupiers thereof, therefrom wholly to remove : In testimony whereof, We have caused this Our Grant to be Sealed with the Seal of Our said Colony.

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this
day of _____ 187 .

Registrar General.



Register Book,
Vol. Folio,

UNITED CHURCH OF ENGLAND AND IRELAND. No. 1.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen
Defender of the Faith, and so forth :—

To All to whom these Présents shall come, Greeting :—

WHEREAS the Governor of Our Colony of New South Wales, by and with the advice of the Executive Council thereof, hath in pursuance of the provisions in that behalf contained in the Crown Lands Alienation Act

Act of 1861, reserved and dedicated the Lands hereinafter described, as the site for a Church in connection with the United Church of England and Ireland in New South Wales: Now know ye, that We, for Ourselves, Our Heirs and Successors, Do hereby Grant unto being respectively Trustees nominated and appointed under and by virtue of an Act of the Governor and Legislative Council of Our said Colony, made and passed in the Eighth Year of the Reign of His late Majesty King William the Fourth, intituled "*An Act to Regulate the Temporal Affairs of Churches and Chapels of the United Church of England and Ireland in New South Wales*," and to their Heirs and Assigns, Subject to the Trusts, Conditions, Reservations, and Provisoes hereinafter contained, All that Piece or Parcel of Land in Our said Colony, containing by Admeasurement be the same more or less, situated in the County of _____ and Parish of _____

Commencing :

As per plan in the margin hereof: With all the Rights and Appurtenances whatsoever thereto belonging: To Hold unto the said _____

their Heirs and Assigns for ever, Upon Trust, for the Erection thereon of a Church in connection with the United Church of England and Ireland, as by Law established, in conformity with the provisions of the said Act, and of a certain other Act of the Governor and Legislative Council of Our said Colony, made and passed in the Seventh Year of the Reign of His said late Majesty King William the Fourth, intituled "*An Act to promote the Building of Churches and Chapels and to provide for the Maintenance of Ministers of Religion in New South Wales*," so far as the same may apply to the Trusts of this Our Grant, and for no other purpose whatsoever: On Condition, That the said Grantees, their Heirs and Assigns, do, and shall in every respect, and at all times hereafter, conform to the Government Regulations for the time being, and to the Laws and Regulations now or hereafter to be in force for the better regulating the Alignment of Streets in Our said Colony, so far as the same may be applicable: Provided nevertheless, And We do hereby Reserve unto Us, Our Heirs and Successors, all Mines of Gold, of Silver, and of Coals: And provided always, That if the Trusts, Conditions, Reservations, and Provisoes herein contained, or any part thereof, be not duly observed and performed by the said Grantees, their Heirs and Assigns, then the said land shall be forfeited and revert unto Us, Our Heirs and Successors, and these Presents, and every matter and thing herein contained, shall cease and determine, and become absolutely void to all intents and purposes; and it shall be lawful for Us, Our Heirs and Successors, by Our Governor for the time-being of Our said Colony, or some Person by Them or Him authorized in that behalf, to re-enter upon the said Land, or any part thereof, and the said Grantees, their Heirs and Assigns, and all Occupiers thereof, therefrom wholly to remove: In testimony whereof, We have caused this Our Grant to be Sealed with the Seal of Our said Colony.

WITNESS Our Trusty and Well-beloved Sir Hercules George Robert Robinson, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of Our Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this _____ day of _____ in the _____ year of Our Reign; and in the year of Our Lord One thousand eight hundred and seventy-

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this _____ day of _____ 187 .

Registrar General.

No. 7.

NEW SOUTH WALES.

[Land Grant.]



Register Book,
Vol. _____ Folio, _____

UNITED CHURCH OF ENGLAND AND IRELAND. No. 2.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth:—

To All to whom these Presents shall come, Greeting:—

WHEREAS the Governor of Our Colony of New South Wales, by and with the advice of the Executive Council thereof, hath, in pursuance of the provisions in that behalf contained in the Crown Lands Alienation Act of 1861, reserved and dedicated as the Site for the Interment of the Dead according to the rights of the United Church of England and Ireland in New South Wales: Now know ye, That We, for Ourselves, Our Heirs and Successors, Do hereby Grant unto being respectively Trustees nominated and appointed under and by virtue of an Act of the Governor and Legislative Council of Our said Colony, made and passed in the Eighth Year of the Reign of His late Majesty King William the Fourth, intituled "*An Act to Regulate the Temporal Affairs of Churches and Chapels of the United Church of England and Ireland in New South Wales*," and to their Heirs and Assigns, Subject to the Trust, Conditions, Reservations,

Reservations, and Provisoes hereinafter contained, All that Piece or Parcel of Land in Our said Colony, containing by Admeasurement acres, be the same more or less, situated in the County of and Parish of

Commencing:

As per plan in the margin hereof: With all the Rights and Appurtenances whatsoever thereto belonging: To hold unto the said their Heirs and Assigns for ever, Upon Trust, for the Interment of the Dead, according to the use of the United Church of England and Ireland, as by Law established, in conformity with the Provisions of the said Act, and of a certain other Act of the Governor and Legislative Council of Our said Colony, made and passed in the Seventh Year of the Reign of His said late Majesty King William the Fourth, intituled "*An Act to promote the Building of Churches and Chapels and to provide for the Maintenance of Ministers of Religion in New South Wales*," so far as the same may apply to the Trusts of this Our Grant, and for no other purpose whatsoever: On Condition that the said Grantees, their Heirs and Assigns, do, and shall, in every respect, and at all times hereafter, conform to the Government Regulations for the time being, and to the Laws and Regulations now or hereafter to be in force for the better regulating the Alignment of Streets in Our said Colony, so far as the same may be applicable: Provided nevertheless, And We do hereby Reserve unto Us, Our Heirs and Successors, all Mines of Gold, of Silver, and of Coals: And provided always, That if the Trusts, Conditions, Reservations, and Provisoes herein contained, or any part thereof, be not duly observed and performed by the said Grantees, their Heirs and Assigns, then the said Land shall be forfeited, and revert unto Us, Our Heirs and Successors, and these Presents, and every matter and thing herein contained, shall cease and determine, and become absolutely void to all intents and purposes: And it shall be lawful for Us, Our Heirs and Successors, by Our Governor for the time being of Our said Colony, or some Person by Them or Him authorized in that behalf, to re-enter upon the said Land, or any part thereof, and the said Grantees, their Heirs and Assigns, and all Occupiers thereof, therefrom wholly to remove: In testimony whereof, We have caused this Our Grant to be Sealed with the Seal of Our said Colony.

Witness Our Trusty and Well-beloved Sir Hercules George Robert Robinson, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of Our Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this day of in the year of Our Reign; and in the year of Our Lord One thousand eight hundred and seventy-

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this day of 187 .

Registrar General.

No. 7.

NEW SOUTH WALES.

[Land Grant.]



Register Book,
Vol. Folio,

UNITED CHURCH OF ENGLAND AND IRELAND. No. 3.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth:—

To All to whom these Presents shall come, Greeting:—

WHEREAS the Governor of Our Colony of New South Wales, by and with the advice of the Executive Council thereof, in pursuance of the provisions in that behalf contained in the Crown Lands Alienation Act of 1861, has reserved and dedicated the lands hereinafter described as the site of a Dwelling for the Clergyman duly appointed to officiate in the of the United Church of England and Ireland in New South Wales, erected at and known as Now know ye, That We, with the advice of Our said Executive Council, have Granted, and for Us, Our Heirs and Successors, Do hereby Grant, unto being respectively Trustees nominated and appointed under and by virtue of an Act of the Governor and Legislative Council of Our said Colony, made and passed in the Eighth Year of the Reign of His late Majesty, King William the Fourth, intituled "*An Act to regulate the Temporal Affairs of Churches and Chapels of the United Church of England and Ireland in New South Wales*," and to their Heirs and Assigns, subject to the Trusts, Conditions, Reservations, and Provisoes hereinafter contained, All that Piece or Parcel of Land in Our said Colony, containing by Admeasurement acres, be the same more or less, situated in the County of Parish of

Commencing:

As per plan in the margin hereof : With all the Rights and Appurtenances whatsoever thereto belonging : To Hold unto the said their Heirs and Assigns for ever, Upon Trust, for the appropriation thereof as a site of a Dwelling House, Garden, and other Appurtenances, for the Clergyman duly appointed to officiate in the of the United Church of England and Ireland, in New South Wales, erected at and known as in conformity with the Provisions of the said Act, and of a certain other Act of the Governor and Legislative Council of Our said Colony, made and passed in the Seventh Year of the Reign of His said late Majesty King William the Fourth, intituled "*An Act to promote the Building of Churches and Chapels and to provide for the Maintenance of Ministers of Religion in New South Wales*," so far as the same may apply to the Trusts of this Our Grant, and for no other purpose whatsoever : On Condition, That the said Grantees, their Heirs and Assigns, or some of them, do and shall construct proper Drains, through and from the same Land, to the nearest common Drain or Sewer, when required so to do ; And that they do and shall in every respect, and at all times hereafter, conform to the Government Regulations for the time being, and to the Laws and Regulations now or hereafter to be in force for the better regulating the Alignment of Streets in Our said Colony, so far as the same may be applicable : Provided nevertheless, And We do hereby Reserve unto Us, Our Heirs and Successors, all Mines of Gold, of Silver, and of Coal : And We do further Reserve unto Us, Our Heirs and Successors, full power for Us, or Them, or for the Governor for the time being of Our said Colony, to resume and take possession of all or any part of the said Land, which may be required at any time or times hereafter, for any Public Purpose whatsoever, Twelve Calendar Months' Notice of its being so required being previously given in the Government Gazette or otherwise, and the value of the said Land, or of so much thereof as shall be so required, and of any Building standing on the said required Land, being paid by the Government to the party entitled thereto, at a Valuation fixed by Arbitrators, chosen as hereinafter mentioned, in which Valuation the benefit to accrue to the said Party from any such Public Purpose shall be allowed by way of Set-off ; And We do also Reserve unto Us, Our Heirs and Successors, and to the Governor for the time being of Our said Colony, by such person or persons as shall be by them or Him authorized in that behalf, full power to make and conduct through the said Land all Common or Public Drains and Sewers which may be deemed expedient, Three Calendar Months' Notice being previously given to the Occupier, Owner, or Trustees thereof, and the Damage which any Building may sustain thereby being paid for by the Government to the Party entitled thereto at a Valuation fixed by Arbitrators as aforesaid ; And We do hereby Declare that in every case of Arbitration which shall arise under and by virtue hereof, One Arbitrator shall be chosen by the Governor for the time being of Our said Colony, and One by the then Owner, Owners, or Trustees of the said Land, or of such part thereof as may be thereby affected, which two Arbitrators (before they proceed to the said Arbitration) shall elect an Umpire, who shall determine any disagreement between the two said Arbitrators ; But if the said Owner, Owners, or Trustees shall refuse or neglect to choose an Arbitrator on his, her, or their part within One Calendar Month after being required so to do, by Public Advertisement in the Government Gazette or otherwise ; Or, if such Arbitrator being chosen shall refuse or neglect to act and within One Calendar Month determine the matter to him referred, then both Arbitrators shall be chosen by the Governor for the time being of Our said Colony, which said last-mentioned Arbitrators shall also elect an Umpire in the manner and for the purpose above-mentioned ; And if any Umpire shall refuse or neglect to act, and within One Calendar Month determine the matter to him referred, the Arbitrators for the time being, whether chosen one by each party or both by the Governor of Our said Colony, shall in every such case forthwith elect another Umpire, in the same manner, for the same purpose, and subject to the same condition as the Umpire first elected as aforesaid : Provided always, That if the Conditions, Reservations, and Provisoes herein contained, or any part thereof, be not duly observed and performed by the said Grantees, their Heirs and Assigns, then the said Land shall be forfeited and revert unto Us, Our Heirs and Successors, and these Presents, and every matter and thing herein contained, shall cease and determine, and become absolutely void to all intents and purposes ; and it shall be lawful for Us, Our Heirs and Successors, by Our Governor for the time being of Our said Colony, or some person by Him authorized in that behalf, to re-enter upon and take possession of the said Land, or any part thereof, and the said Grantees, their Heirs and Assigns, and all Occupiers thereof, therefrom wholly to remove : In testimony whereof, We have caused this Our Grant to be Sealed with the Seal of Our said Colony.

Witness Our Trusty and Well-beloved Sir Hercules George Robert Robinson, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of Our Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this day of in the year of Our Reign ; and in the year of Our Lord One thousand eight hundred and seventy-

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this day of 187 .

Registrar General.

No. 27.

NEW SOUTH WALES.

[Land Grant.]



UNITED CHURCH OF ENGLAND AND IRELAND. No. 5.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth :—

To All to whom these Presents shall come, Greeting :—

WHEREAS the Governor of Our Colony of New South Wales, by and with the advice of the Executive Council thereof, in pursuance of the provisions in that behalf contained in the Crown Lands Alienation Act of

Register Book,
Vol. Folio,

of 1861, hath reserved and dedicated the Land hereinafter described as a site for a School House in connection with the United Church of England and Ireland in New South Wales: Now know ye, That We, for Ourselves, Our Heirs and Successors, Do hereby Grant unto and to their Heirs and Assigns, subject to the Trusts, Conditions, Reservations, and Provisoos hereinafter contained, All that Piece or Parcel of Land in Our said Colony, containing by Admeasurement be the same more or less, situated in the County of and Parish of

Commencing:

As per plan in the margin hereof: With all the Rights and Appurtenances whatsoever thereto belonging: To Hold unto the said their Heirs and Assigns for ever: Upon Trust, for the Erection thereon of a School House, in connection with the United Church of England and Ireland, as by Law established, and for no other purpose whatsoever: On Condition, That the said Grantees, their Heirs and Assigns, do and shall, in every respect and at all times hereafter, conform to the Government Regulations for the time being, and to the Laws and Regulations now or hereafter to be in force for the better regulating the Alignment of Streets in Our said Colony, so far as the same may be applicable: Provided nevertheless, And We do Hereby Reserve unto Us, Our Heirs and Successors, all Mines of Gold, of Silver, and of Coals: And provided also, That if the Trusts, Conditions, Reservations, and Provisoos herein contained, or any part thereof, be not duly observed and performed by the said Grantees, their Heirs and Assigns, then the said Land shall be forfeited and revert unto Us, Our Heirs and Successors, and these Presents, and every matter and thing herein contained, shall cease and determine, and become absolutely void to all intents and purposes; And it shall be lawful for Us, Our Heirs and Successors, by Our Governor for the time being of Our said Colony, or some Person by them or Him authorized in that behalf, to re-enter upon the said Land or any part thereof, and the said Grantees, their Heirs and Assigns, and all Occupiers thereof, therefrom wholly to remove: In testimony whereof, We have caused this Our Grant to be Sealed with the Seal of Our said Colony.

Witness Our Trusty and Well-beloved Sir Hercules George Robert Robinson, Knight Commander of Our Most Distinguished Order of Saint Michael and St. George, Governor and Commander-in-Chief of Our Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this day of in the thirty- year of Our Reign; and in the year of Our Lord One thousand eight hundred and seventy-

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this day of 187 .

Registrar General.

No. 7.

NEW SOUTH WALES.

[Land Grant.]



Register Book,
Vol. Folio,

GRANT FOR A WESLEYAN METHODIST CHAPEL. No. 1.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth:—

To All to whom these Presents shall come, Greeting:—

WHEREAS the Governor of Our Colony of New South Wales, by and with the advice of the Executive Council thereof, hath in pursuance of the provisions in that behalf contained in the Crown Lands Alienation Act of 1861, reserved and dedicated the Lands hereinafter described, as the site for the erection thereon of a Chapel for the use of the people called Methodists, in the connection established by the late Reverend John Wesley: Now know ye, that We, for Ourselves Our Heirs and Successors, Do hereby Grant unto being respectively Trustees nominated and appointed under and by virtue of an Act of the Governor and Legislative Council of Our said Colony, made and passed in the Second Year of the Reign of Her present Majesty, Queen Victoria, intituled "*An Act to regulate the Temporal Affairs of the Religious Societies denominated Wesleyan Methodists, Independents, and Baptists,*" and to their Heirs and Assigns, Subject to the Trusts, Conditions, Reservations, and Provisoos hereinafter contained, All that Piece or Parcel of Land in Our said Colony, containing by Admeasurement be the same more or less, situated in the County of and Parish of

Commencing:

As per plan in the margin hereof: With all the Rights and Appurtenances whatsoever thereto belonging: To Hold unto the said their Heirs and Assigns for ever, Upon Trust, for the Erection thereon of a Chapel, for the use of the people called Methodists, in the connection established by the late Reverend John Wesley; in conformity with the Provisions of the said Act, and of a certain other Act of the Governor and Legislative Council of Our said Colony, made and passed in the Seventh Year of the Reign

Witness Our Trusty and Well-beloved Sir Hercules George Robert Robinson, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of Our Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this
 day of _____ in the thirty- _____ year of Our Reign; and in the
 year of Our Lord One thousand eight hundred and seventy-

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this
 day of _____ 187 .

Registrar General.

No. 7.

NEW SOUTH WALES.

[Land Grant.]



Register Book,
 Vol. _____ Folio, _____

GRANT FOR A WESLEYAN METHODIST MINISTER'S RESIDENCE. No. 3.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth:—

To All to whom these Presents shall come, Greeting:—

WHEREAS the Governor of Our Colony of New South Wales, by and with the advice of the Executive Council thereof, in pursuance of the provisions in that behalf contained in the Crown Lands Alienation Act of 1861, has reserved and dedicated the Lands hereinafter described, as the site of a Dwelling for the Minister duly appointed to officiate in the Chapel for the use of the people called Methodists, in the connection established by the late Reverend John Wesley, erected at _____ Now know ye, that We, with the advice of Our said Executive Council, have Granted, and for Us, Our Heirs and Successors, Do hereby Grant unto _____ being respectively Trustees nominated and appointed under and by virtue of an Act of the Governor and Legislative Council of Our said Colony, made and passed in the Second Year of the Reign of Her present Majesty, Queen Victoria, intituled "*An Act to regulate the Temporal Affairs of the Religious Societies denominated Wesleyan Methodists Independents and Baptists,*" and to their Heirs and Assigns, subject to the Trusts Conditions, Reservations, and Provisoes hereinafter contained, All that Piece or Parcel of Land in Our said Colony, containing by Admeasurement _____ be the same more or less, situated in the County of _____ and Parish of _____ Commencing:

As per plan in the margin hereof: With all the Rights and Appurtenances whatsoever thereto belonging: To Hold unto the said _____ their Heirs and Assigns for ever: Upon Trust, for the appropriation thereof as the site of a Dwelling House, Garden, and other Appurtenances, for the Minister duly appointed to officiate in the Chapel for the use of the people called Methodists, in the connection established by the late Reverend John Wesley, erected at _____ in conformity with the provisions of the said Act, so far as the same may apply to the Trusts of this Our Grant, and for no other purpose whatsoever: On Condition, That the said Grantees, their Heirs and Assigns, or some of them, do and shall construct proper Drains, through and from the same Land, to the nearest Common Drain or Sewer, when required so to do; And that they do and shall in every respect, and at all times hereafter, conform to the Government Regulations for the time being, and to the Laws and Regulations now or hereafter to be in force for the better regulating the Alignment of Streets in Our said Colony, so far as the same may be applicable: Provided nevertheless, And We do hereby Reserve unto Us, Our Heirs and Successors, all Mines of Gold, of Silver, and of Coal: And we do further Reserve unto Us, Our Heirs and Successors, full power for Us or Them, or for the Governor for the time being of Our said Colony, to resume and take possession of all or any part of the said Land which may be required at any time or times hereafter for any Public Purpose whatsoever, Twelve Calendar Months' Notice of its being so required being previously given in the Government Gazette or otherwise, and the value of the said Land, or of so much thereof as shall be so required, and of any Building standing on the said required Land, being paid by the Government to the party entitled thereto, at a Valuation fixed by Arbitrators chosen as hereinafter mentioned, in which Valuation the benefit to accrue to the said Party from any such Public Purpose shall be allowed by way of Set-off: And We do also Reserve unto Us, Our Heirs and Successors, and to the Governor for the time being of Our said Colony, by such person or persons as shall be by Them or Him authorized in that behalf, full power to make and conduct through the said Land all Common or Public Drains and Sewers which may be deemed expedient, Three Calendar Months' Notice being previously given to the Occupier, Owner, or Trustees thereof, and the Damage which any Building may sustain thereby being paid for by the Government to the Party entitled thereto, at a Valuation fixed by Arbitrators as aforesaid: And we do hereby Declare that in every case of Arbitration which shall arise under and by virtue hereof, One Arbitrator shall be chosen by the Governor for the time being of Our said Colony, and one by the then Owner, Owners, or Trustees of the said Land, or of such part thereof as may be thereby affected, which two Arbitrators (before they proceed to the said Arbitration) shall elect an Umpire, who shall determine any disagreement between the two said Arbitrators: But if the said Owner, Owners, or Trustees shall refuse or neglect to choose an Arbitrator, on his, her, or their part, within One Calendar Month after being required so to do by Public Advertisement in the Government Gazette or otherwise; or, if such Arbitrator being chosen shall refuse or neglect to act, and within One Calendar Month determine the matter to him referred, then both Arbitrators shall be chosen by the Governor for the time being of Our said Colony, which said last-mentioned Arbitrators shall also elect
 an

an Umpire in the manner and for the purpose above mentioned : And if any Umpire shall refuse or neglect to act, and within One Calendar Month determine the matter to him referred, the Arbitrators for the time being, whether chosen one by each party or both by the Governor of Our said Colony, shall in every such case forthwith elect another Umpire, in the same manner, for the same purpose, and subject to the same conditions as the Umpire first elected as aforesaid : Provided always, That if the Trusts, Conditions, Reservations, and Provisoes herein contained, or any part thereof, be not duly observed and performed by the said Grantees, their Heirs and Assigns, then the said Land shall be forfeited and revert unto Us, Our Heirs and Successors, and these Presents, and every matter and thing herein contained, shall cease and determine and become absolutely void to all intents and purposes ; and it shall be lawful for Us, Our Heirs and Successors, by Our Governor for the time being of Our said Colony, or some person by Them or Him authorized in that behalf, to re-enter upon and take possession of the said Land or any part thereof, and the said Grantees, their Heirs and Assigns, and all Occupiers thereof, therefrom wholly to remove : In testimony whereof, We have caused this Our Grant to be Sealed with the Seal of Our said Colony.

Witness Our Trusty and Well-beloved Sir Hercules George Robert Robinson, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of Our Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this
day of _____ in the _____ year of Our Reign ; and in the year
of Our Lord One thousand eight hundred and seventy-

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this
day of _____ 187 .

Registrar General.

No. 72.

NEW SOUTH WALES.

[Land Grant.]



Register Book,
Vol. _____ Folio,

GRANT FOR A WESLEYAN METHODIST SCHOOL HOUSE. No. 4.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth :—

To All to whom these Presents shall come, Greeting :—

WHEREAS the Governor of Our Colony of New South Wales, by and with the advice of the Executive Council thereof, hath, in pursuance of the provisions of the Crown Lands Alienation Act of 1861, reserved and dedicated the Land hereinafter described as the Site for the erection thereon of a School House for the use of the people called Methodists, in the connection established by the late Reverend John Wesley : Now know ye, that We, for Ourselves, Our Heirs and Successors, Do hereby Grant unto and to their Heirs and Assigns, subject to the Trusts, Conditions, Reservations, and Provisoes hereinafter contained, all that Piece or Parcel of Land in Our said Colony, containing by admeasurement be the same more less, situated in the County of _____ and Parish of _____

Commencing :

As per plan in the margin hereof : With all the Rights and Appurtenances whatsoever thereto belonging : To Hold unto the said _____ their Heirs and Assigns for ever, Upon Trust, for the Erection thereon of a School House for the use of the people called Methodists, in the connection established by the late Reverend John Wesley, and for no other purpose whatsoever : On Condition, that the said Grantees, their Heirs and Assigns, do and shall in every respect, and at all times hereafter, conform to the Government Regulations for the time being, and to the Laws and Regulations now or hereafter to be in force for the better regulating the Alignment of Streets in Our said Colony, so far as the same may be applicable : Provided nevertheless, And we do hereby Reserve unto Us, Our Heirs and Successors, all mines of Gold, of Silver, and of Coals : And provided also, That, if the Trusts, Conditions, Reservations, and Provisoes herein contained, or any part thereof, be not duly observed and performed by the said Grantees, their Heirs and Assigns, then the said Land shall be forfeited and revert unto Us, Our Heirs and Successors, and these Presents, and every matter and thing herein contained, shall cease and determine, and become absolutely void to all intents and purposes : And it shall be lawful for Us, Our Heirs and Successors, by Our Governor for the time being of Our said Colony, or some Person by them or him authorized in that behalf, to re-enter upon the said Land, or any part thereof, and the said Grantees, their Heirs and Assigns, and all Occupiers thereof, therefrom wholly to remove : In testimony whereof, We have caused this Our Grant to be Sealed with the Seal of Our said Colony.

Witness Our Trusty and Well-beloved Sir Hercules George Robert Robinson, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of Our Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this
day of _____ in the thirty- _____ year of Our Reign ; and in the year of Our Lord
One thousand eight hundred and seventy-

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this
day of _____ 187 .

Registrar General.

No. 7.

No. 7.

NEW SOUTH WALES.

[Land Grant.]



Register Book,
Vol. Folio,

GRANT FOR A ROMAN CATHOLIC CHURCH. No. 1.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen,
Defender of the Faith, and so forth :—

To All to whom these Presents shall come, Greeting :—

WHEREAS the Governor of Our Colony of New South Wales, by and with the advice of the Executive Council thereof, hath in pursuance of the provisions in that behalf contained in the Crown Lands Alienation Act of 1861, reserved and dedicated the Lands hereinafter described, as the site for a Roman Catholic Church: Now know ye, That We, for Ourselves, Our Heirs, and Successors, Do hereby Grant unto

being respectively Trustees nominated and appointed under and by virtue of an Act of the Governor and Legislative Council of Our said Colony, made and passed in the Seventh Year of the Reign of His late Majesty King William the Fourth, intituled, "*An Act to promote the Building of Churches and Chapels and to provide for the Maintenance of Ministers of Religion in New South Wales*," and to their Heirs and Assigns, Subject to the Trusts, Conditions, Reservations, and Provisoes hereinafter contained, All that Piece or Parcel of Land in our said Colony, containing by Admeasurement
be the same more or less, situated in the County of _____ and Parish of _____
Commencing :

As per plan in the margin hereof: With all the Rights and Appurtenances whatsoever thereto belonging: To Hold unto the said _____ their Heirs and Assigns for ever, Upon Trust, for the Erection thereon of a Roman Catholic Church, in conformity with the provisions of the said Act, so far as the same may apply to the Trusts of this Our Grant, and for no other purpose whatsoever: On Condition, that the said Grantees, their Heirs and Assigns, do and shall, in every respect and at all times hereafter, conform to the Government Regulations for the time being, and to the Laws and Regulations now or hereafter to be in force for the better regulating the Alignment of streets in our said Colony, so far as the same may be applicable: Provided nevertheless, and We do hereby Reserve unto Us, Our Heirs and Successors, all Mines of Gold, of Silver, and of Coals: And provided always, That if the Trusts, Conditions, Reservations, and Provisoes herein contained, or any part thereof, be not duly observed and performed by the said Grantees, their Heirs and Assigns, then the said Land shall be forfeited and revert unto Us, Our Heirs and Successors, and these Presents, and every matter and thing herein contained, shall cease and determine, and become absolutely void to all intents and purposes; and it shall be lawful for Us, Our Heirs and Successors, by Our Governor for the time being of Our said Colony, or some Person by Them or Him authorized in that behalf, to re-enter upon the said Land or any part thereof, and the said Grantees, their Heirs and Assigns, and all Occupiers thereof, therefrom wholly to remove: In testimony whereof, We have caused this Our Grant to be Sealed with the Seal of Our said Colony.

Witness Our Trusty and Well-beloved Sir Hercules George Robert Robinson, Knight Grand Cross of Our most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of Our Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this
day of _____ in the _____ year of Our Reign; and in the year of Our Lord One thousand eight hundred and seventy-

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this
day of _____ 187 .

Registrar General.

No. 7.

NEW SOUTH WALES.

[Land Grant.]



Register Book,
Vol. Folio,

GRANT FOR A ROMAN CATHOLIC BURIAL GROUND. No. 2.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen,
Defender of the Faith, and so forth :—

To All to whom these Presents shall come Greeting :—

WHEREAS the Governor of Our Colony of New South Wales, by and with the advice of the Executive Council thereof, hath, in pursuance of the provisions in that behalf contained in the Crown Lands Alienation Act of 1861, reserved and dedicated the Lands hereinafter described as a Roman Catholic Burial Ground: Now Know Ye, That We, for Ourselves, our Heirs and Successors, Do Hereby Grant unto

being respectively Trustees nominated and appointed under and by virtue of an Act of the Governor and
Legislative

Legislative Council of Our said Colony, made and passed in the Seventh Year of the Reign of His late Majesty King William the Fourth, intituled "*An Act to promote the Building of Churches and Chapels and to provide for the Maintenance of Ministers of Religion in New South Wales*," and to their Heirs and Assigns, Subject to the Trusts, Conditions, Reservations, and Provisoes hereinafter contained, All that Piece or Parcel of Land in Our said Colony, containing by Admeasurement Acres, be the same more or less, situated in the County of and Parish of

Commencing :

As per plan in the margin hereof : With all the Rights and Appurtenances whatsoever thereto belonging : To Hold unto the said their Heirs and Assigns for ever, Upon Trust, that the same be used as a Roman Catholic Burial Ground, in conformity with the provisions of the said Act, so far as the same may apply to the Trusts of this Our Grant, and for no other purpose whatsoever : On Condition that the said Grantees, their Heirs and Assigns, do, and shall, in every respect and at all times hereafter, conform to the Government Regulations for the time being, and to the Laws and Regulations now or hereafter to be in force for the better regulating the Alignment of Streets in our said Colony, so far as the same may be applicable : Provided nevertheless, and We do hereby Reserve unto us, Our Heirs and Successors, all Mines of Gold, of Silver, and of Coals : And provided also, That if the Trusts, Conditions, Reservations, and Provisoes herein contained, or any part thereof, be not duly observed and performed by the said Grantees, their Heirs and Assigns, then the said Land shall be forfeited, and revert unto Us, Our Heirs and Successors, and these Presents, and every matter and thing herein contained, shall cease and determine and become absolutely void to all intents and purposes : And it shall be lawful for Us, Our Heirs and Successors, by Our Governor for the time being of Our said Colony, or some Person by Them or Him authorized in that behalf, to re-enter upon the said Land or any part thereof, and the said Grantees, their Heirs and Assigns, and all Occupiers thereof, therefrom wholly to remove : In testimony whereof, We have caused this Our Grant to be Sealed with the Seal of Our said Colony.

Witness Our Trusty and Well-beloved Sir Hercules George Robert Robinson, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of Our Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this day of in the thirty- year of our Reign ; and in the year of Our Lord One thousand eight hundred and seventy-

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this day of 187

Registrar General.

No. 7.

NEW SOUTH WALES.

[Land Grant.]



Register Book,
Vol. Folio,

GRANT FOR A ROMAN CATHOLIC MINISTER'S RESIDENCE. No. 3.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth :—

To All to whom these Presents shall come, Greeting :—

WHEREAS the Governor of Our Colony of New South Wales, by and with the advice of the Executive Council thereof, in pursuance of the provisions in that behalf contained in the Crown Lands Alienation Act of 1861, has reserved and dedicated the Lands hereinafter described as the site of a Dwelling for the Clergyman duly appointed to officiate in the Roman Catholic erected at and known as Now know ye, that We, with the advice of Our said Executive Council, have Granted, and for Us, Our Heirs and Successors, do hereby Grant, unto being respectively Trustees nominated and appointed under and by virtue of an Act of the Governor and Legislative Council of Our said Colony, made and passed in the Seventh Year of the Reign of His late Majesty, King William the Fourth, intituled "*An Act to promote the Building of Churches and Chapels and to provide for the Maintenance of Ministers of Religion in New South Wales*," and to their Heirs and Assigns, Subject to the Trusts Conditions, Reservations, and Provisoes hereinafter contained, All that Piece or Parcel of Land in our said Colony, containing by Admeasurement be the same more or less, situated in the County of and Parish of

Commencing :

As per plan in the margin hereof : With all the Rights and Appurtenances whatsoever thereto belonging : To Hold unto the said their Heirs and Assigns for ever : Upon Trust, for the appropriation thereof as the site of a Dwelling House, Garden, and other Appurtenances, for the Clergyman duly appointed to officiate in the Roman Catholic erected at and known as in conformity with the provisions of the said Act, so far as the same may apply to the Trusts of this Our Grant, and for no other purpose whatsoever

contained, All that Piece or Parcel of Land in Our said Colony, containing by Admeasurement
be the same more or less, situated in the County of _____ and Parish of _____
Commencing :

As per plan in the margin hereof : With all the Rights and Appurtenances whatsoever thereto belonging :
To Hold unto the said _____
their Heirs and Assigns for ever : Upon Trust, for the Erection thereon of a Roman Catholic School House,
and for no other purpose whatsoever : On Condition, That the said Grantees, their Heirs and Assigns, do
and shall in every respect, and at all times hereafter, conform to the Government Regulations for the time
being, and to the Laws and Regulations now or hereafter to be in force for the better regulating the
Alignment of Streets in Our said Colony, so far as the same may be applicable : Provided nevertheless, And
We do hereby Reserve unto Us, Our Heirs and Successors all Mines of Gold, of Silver, and of Coals : And
Provided also, That if the Trusts, Conditions, Reservations, and Provisoes herein contained, or any part
thereof, be not duly observed and performed by the said Grantees, their Heirs and Assigns, then the said
Land shall be forfeited and revert unto Us, Our Heirs and Successors, and these Presents, and every matter
and thing herein contained, shall cease and determine, and become absolutely void to all intents and purposes ;
And it shall be lawful for Us, Our Heirs and Successors, by Our Governor for the time being of Our said
Colony, or some Person by Them or Him authorized in that behalf, to re-enter upon the said Land, or any
part thereof, and the said Grantees, their Heirs and Assigns, and all Occupiers thereof, therefrom wholly to
remove : In testimony whereof, We have caused this Our Grant to be Sealed with the Seal of Our said
Colony.

Witness Our Trusty and Well-beloved Sir Hercules George Robert Robinson, Knight Commander
of Our Most Distinguished Order of Saint Michael and Saint George, Governor and Com-
mander-in-Chief of Our Colony of New South Wales and its Dependencies, and Vice-
Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this
_____ day of _____ in the thirty-_____ year of Our Reign ; and in the year
of Our Lord One thousand eight hundred and seventy-_____

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this
_____ day of _____ 187 .

Registrar General.

No. 7.

NEW SOUTH WALES.

[Land Grant.]



Register Book,
Vol. _____ Folio,

THE PRESBYTERIAN CHURCH OF NEW SOUTH WALES. No. 1.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen,
Defender of the Faith, and so forth :—

To All to whom these Presents shall come, Greeting :—

WHEREAS the Governor of Our Colony of New South Wales, by and with the advice of the Executive
Council thereof, hath, in pursuance of the provisions in that behalf contained in the Crown Lands
Alienation Act of 1861, reserved and dedicated the Lands hereinafter described as the site for the erection
thereon of a Presbyterian Church : Now know ye, that We, for Ourselves, Our Heirs and Successors, Do
hereby Grant unto _____ and their Successors, upon the Trusts and for the Purpose hereinafter
named, All that Piece or Parcel of Land in Our said Colony, containing by Admeasurement
be the same more or less, situated in the County of _____ and Parish of _____

Commencing :

As per plan in the margin hereof : With all the Rights and
Appurtenances whatsoever thereto belonging : To Hold unto the said _____ their Successors in the
Trusts hereof for ever, Upon Trust, for the Erection and Maintenance thereon of a Church for the use of
a Congregation under the Spiritual Superintendence of, and in connection with, the General Assembly of
the Presbyterian Church of New South Wales, and for no other purpose whatsoever : On Condition, That
the said Grantees, and their Successors and Assigns, do and shall, in every respect and at all times here-
after, conform to the Government Regulations for the time being, and to the Laws and Regulations now or
hereafter to be in force for the better regulating the Alignment of Streets in Our said Colony, so far as the
same may be applicable : Provided always, That if the Trusts, Conditions, and Provisoes herein contained,
or any part thereof, be not duly observed and performed by the said Grantees, their Successors and Assigns,
then the said Land shall be forfeited and revert unto Us, Our Heirs and Successors, and these Presents, and
every matter and thing herein contained, shall cease and determine and become absolutely void to all intents
and _____

and purposes ; And it shall be lawful for Us, Our Heirs and Successors, by Our Governor for the time being of Our said Colony, or some Person by Them or Him authorized in that behalf, to re-enter upon the said Land, or any part thereof, and the said Grantees, their Successors and Assigns, and all Occupiers thereof, therefrom wholly to remove : In testimony whereof, We have caused this Our Grant to be Sealed with the Seal of Our said Colony.

Witness Our Trusty and Well-beloved Sir Hercules George Robert Robinson, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of Our Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this
day of in the year of Our Reign, and in the year of
Our Lord One thousand eight hundred and seventy-

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this
day of 187 .

Registrar General.

No. 72.

NEW SOUTH WALES.

[Land Grant.]



Register Book,
Vol. Folio,

THE PRESBYTERIAN CHURCH OF NEW SOUTH WALES. No. 2.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth :—

To All to whom these Presents shall come, Greeting :—

WHEREAS the Governor of Our Colony of New South Wales, by and with the advice of the Executive Council thereof, in pursuance of the provisions in that behalf contained in the Crown Lands Alienation Act of 1861, hath reserved and dedicated the Lands hereinafter described, for the Interment of the Dead according to the rights of the Presbyterian Church of New South Wales : Now Know Ye, That We, for Ourselves, Our Heirs and Successors, Do Hereby Grant unto and their Successors, upon the Trusts and for the purposes hereinafter named, and subject to the Conditions, Reservations, and Provisoes hereinafter contained, All that Piece or Parcel of Land in Our said Colony, containing by Admeasurement be the same more or less, situated in the County of and Parish of

Commencing :

As per plan in the margin hereof : With all the Rights and Appurtenances whatsoever thereto belonging : To Hold unto the said their Successors in the trusts hereof Upon Trust, for the Interment of the Dead, according to the use of the Presbyterian Church of New South Wales, under the superintendence of and in connection with the General Assembly of the Presbyterian Church of New South Wales, and for no other purpose whatsoever : On Condition, That the said Grantees, their Successors and Assigns, do and shall, in every respect and at all times hereafter, conform to the Government Regulations for the time being, and to the Laws and Regulations now or hereafter to be in force for the better regulating the Alignment of Streets in Our said Colony, so far as the same may be applicable : And Provided Always, That if the Trusts, Conditions, Reservations, and Provisoes herein contained, or any part thereof, be not duly observed and performed by the said Grantees, their Successors and Assigns, then the said Land shall be forfeited, and revert unto Us, Our Heirs and Successors, and these Presents, and every matter and thing herein contained, shall cease and determine and become absolutely void to all intents and purposes : And it shall be lawful for Us, Our Heirs and Successors, by Our Governor for the time being of Our said Colony, or some Person by Them or Him authorized in that behalf, to re-enter upon the said Land, or any part thereof, and the said Grantees, their Successors and Assigns, and all Occupiers thereof, therefrom wholly to remove : In Testimony Whereof, We have caused this Our Grant to be Sealed with the Seal of Our said Colony.

Witness Our Trusty and Well-beloved Sir Hercules George Robert Robinson, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of Our Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this
day of in the thirty- year of Our Reign, and in the
year of Our Lord One thousand eight hundred and seventy-

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this
day of 187 .

Registrar General.

No. 7



Register Book,
Vol. Folio,

THE PRESBYTERIAN CHURCH OF NEW SOUTH WALES. No. 3.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth :—

To All to whom these Presents shall come, Greeting :—

WHEREAS the Governor of Our Colony of New South Wales, by and with the advice of the Executive Council thereof, in pursuance of the provisions in that behalf contained in the Crown Lands Alienation Act of 1861, has reserved and dedicated the lands hereinafter described, as the site of a Dwelling for the Clergyman duly appointed to officiate in the Presbyterian Church under the superintendence of and in connection with the General Assembly of the Presbyterian Church of New South Wales, erected at _____ and known as _____ Now Know Ye, That We, with the advice of Our said Executive Council, have Granted, and for Us, Our Heirs and Successors, Do hereby Grant unto _____ and their Successors, upon the Trusts and for the purposes hereinafter named, and subject to the Trusts, Conditions, Reservations, and Provisoes hereinafter contained, All that Piece or Parcel of Land in Our said Colony, containing by Admeasurement _____ be the same more or less, situated in the County of _____ and Parish of _____

Commencing :

As per plan in the margin hereof : With all the Rights and Appurtenances whatsoever thereto belonging : To Hold unto the said _____ and their Successors in the trusts hereof ; Upon Trust, for the appropriation thereof as a site of a Dwelling-house, Garden, and other Appurtenances, for the Clergyman duly appointed to officiate in the Presbyterian Church, under the superintendence of and in connection with the General Assembly of the Presbyterian Church of New South Wales, erected at _____ and known as _____ and for no other purpose whatsoever : On Condition, That the said Grantees, their Successors and Assigns, or some of them, do and shall construct proper Drains, through and from the same Land, to the nearest Common Drain or Sewer, when required so to do ; And that they do and shall in every respect, and at all times hereafter, conform to the Government Regulations for the time being, and to the Laws and Regulations now or hereafter to be in force for the better regulating the Alignment of Streets in Our said Colony, so far as the same may be applicable : Provided nevertheless, And We do Hereby Reserve unto Us, Our Heirs and Successors, all Mines of Gold, of Silver, and of Coal : And We do Further Reserve unto Us, Our Heirs and Successors, full power for Us, or Them, or for the Governor for the time being of Our said Colony, to resume and take possession of all or any part of the said Land, which may be required at any time or times hereafter for any Public Purpose whatsoever, Twelve Calendar Months' Notice of its being so required being previously given in the Government Gazette or otherwise, and the value of the said Land, or of so much thereof as shall be so required, and of any Building standing on the said required Land, being paid by the Government to the party entitled thereto, at a Valuation fixed by Arbitrators chosen as hereinafter mentioned, in which valuation the benefit to accrue to the said Party from any such Public Purpose shall be allowed by way of Set-off ; And We do also Reserve unto Us, Our Heirs and Successors, and to the Governor for the time being of Our said Colony, by such person or persons as shall be by Them or Him authorized in that behalf, full power to make and conduct through the said Land all Common or Public Drains and Sewers which may be deemed expedient, Three Calendar Months' Notice being previously given to the Occupier, Owner, or Trustees thereof, and the Damage which any Building may sustain thereby being paid for by the Government to the Party entitled thereto at a Valuation fixed by Arbitrators as aforesaid ; And We do hereby Declare that in every case of Arbitration which shall arise under and by virtue hereof, One Arbitrator shall be chosen by the Governor for the time being of Our said Colony, and One by the then Owner, Owners, or Trustees of the said Land, or of such part thereof as may be thereby affected, which two Arbitrators (before they proceed to the said Arbitration) shall elect an Umpire, who shall determine any disagreement between the two said Arbitrators ; But if the said Owner, Owners, or Trustees shall refuse or neglect to choose an Arbitrator on his, her, or their part within One Calendar Month after being required so to do, by Public Advertisement in the Government Gazette or otherwise ; Or, if such Arbitrator being chosen shall refuse or neglect to act and within One Calendar Month determine the matter to him referred, then both Arbitrators shall be chosen by the Governor for the time being of Our said Colony, which said last-mentioned Arbitrators shall also elect an Umpire in the manner and for the purpose above mentioned ; And if any Umpire shall refuse or neglect to act, and within One Calendar Month determine the matter to him referred, the Arbitrators for the time being, whether chosen one by each party or both by the Governor of Our said Colony, shall in every such case forthwith elect another Umpire, in the same manner, for the same purpose, and subject to the same conditions as the Umpire first elected as aforesaid : Provided always, That if the Conditions, Reservations, and Provisoes herein contained, or any part thereof, be not duly observed and performed by the said Grantees, their Successors and Assigns, then the said Land shall be forfeited and revert unto Us, Our Heirs and Successors,

Successors, and these Presents, and every matter and thing herein contained shall cease and determine, and become absolutely void to all intents and purposes; and it shall be lawful for Us, Our Heirs and Successors, by Our Governor for the time-being of Our said Colony, or some person by Him authorized in that behalf, to re-enter upon and take possession of the said Land, or any part thereof, and the said Grantees, their Successors and Assigns, and all Occupiers thereof, therefrom wholly to remove: In testimony whereof We have caused this Our Grant to be Sealed with the Seal of Our said Colony.

Witness Our Trusty and Well-beloved Sir Hercules George Robert Robinson, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of Our Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this
day of _____ in the _____ year of Our Reign; and in the year of Our Lord
One thousand eight hundred and seventy-

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this
day of _____ 187 .

Registrar General.

No. 7.

NEW SOUTH WALES.

[Land Grant.]



Register Book,
Vol. _____ Folio,

THE PRESBYTERIAN CHURCH OF NEW SOUTH WALES. No. 5.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth:—

To All to whom these Presents shall come, Greeting:—

WHEREAS the Governor of Our Colony of New South Wales, by and with the advice of the Executive Council thereof, hath in pursuance of the provisions in that behalf contained in the Crown Lands Alienation Act of 1861, reserved and dedicated the Lands hereinafter described for the erection thereon of a School House: Now Know Ye, That We, for Ourselves, Our Heirs and Successors, Do hereby Grant unto and to their Successors, upon the Trusts and for the purpose hereinafter named, and subject to the Conditions, Reservations, and Provisoes hereinafter contained, All that Piece or Parcel of Land in Our said Colony, containing by Admeasurement _____ be the same more or less, situated in the County of _____ and Parish of _____

Commencing:

As per Plan in the margin hereof, with all the Rights and Appurtenances whatsoever thereto belonging: To Hold unto the said _____ and their successors in the trusts hereof, Upon Trust, for the erection thereon of a School House, under the superintendence of and in connection with the General Assembly of the Presbyterian Church of New South Wales, and for no other purpose whatsoever: On Condition, That the said Grantees, their Successors and Assigns, do, and shall in every respect, and at all times hereafter, conform to the Government Regulations for the time being, and to the Laws and Regulations now or hereafter to be in force for the better regulating the Alignment of Streets in Our said Colony, so far as the same may be applicable: And provided also, That if the Trusts, Conditions, Reservations, and Provisoes herein contained, or any part thereof, be not duly observed and performed by the said Grantees, their Successors and Assigns, then the said Land shall be forfeited and revert unto us, Our Heirs and Successors, and these Presents, and every matter and thing herein contained, shall cease and determine, and become absolutely void to all intents and purposes; And it shall be lawful for Us, Our Heirs and Successors, by Our Governor for the time being of Oursaid Colony, or some Person by them or him authorized in that behalf, to re-enter upon the said Land, or any part thereof, and the said Grantees, their Successors and Assigns, and all Occupiers thereof, therefrom wholly to remove: In Testimony Whereof, We have caused this Our Grant to be Sealed with the Seal of Our said Colony.

Witness Our Trusty and Well-beloved Sir Hercules George Robert Robinson, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of Our Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, New South Wales aforesaid, this
day of _____ in the thirty- _____ year of Our Reign; and in the year of Our Lord
One thousand eight hundred and seventy-

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this
day of _____ 187 .

Registrar General.

No. 7.



Register Book,
Vol. Folio,

GRANT FOR GENERAL CEMETERY.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen,
Defender of the Faith, and so forth :—

To All to whom these Presents shall come, Greeting :—

WHEREAS the Governor of Our Colony of New South Wales, by and with the advice of the Executive Council thereof, hath, in pursuance of the provisions in that behalf contained in the Crown Lands Alienation Act of 1861, reserved and dedicated the land hereinafter described, as and for the site for a Cemetery or Burial Ground for the Interment of the Dead, as hereinafter provided :

Now know ye, That We, for Ourselves, Our Heirs and Successors, do hereby grant unto

and to their Heirs and Assigns, subject to the Trusts,

Conditions, Reservations, and Provisoos hereinafter contained, All that Piece or Parcel of Land in Our said Colony, containing by Admeasurement

be the same more or less, situated in the County of

and Parish of

Commencing :

As per plan in the margin hereof : With all the Rights, Members, and Appurtenances thereto belonging :
To Hold unto the said
their Heirs and Assigns for ever, Upon Trust, that the said

and every and any Trustee
appointed as hereinafter provided, do and shall use and permit the said Land to be used as a place of
Interment for the Dead

free from all charges for Burial, in so far as the use of the Land is concerned, other than such charge or
charges as shall and may be authorized to be made in and by any Rules and Regulations that may hereafter
be made by the Trustees for the time being of the said Land, and approved of by the Governor and Executive
Council of Our said Colony, and do not nor shall make any other charge or charges : And Upon Trust, That
the said

and the Survivors
and Survivor of them, and the Heirs and Assigns of such Survivor, do and shall, when required by the
Governor of Our said Colony for the time being, convey the said Land, subject to the Trust aforesaid, to
such person or persons as the Governor aforesaid shall from time to time appoint to be new Trustees of the
said Land : And these presents are upon the express condition that the said Grantees, their Heirs and
Assigns, do and shall, in every respect and at all times hereafter, conform to the Rules and Regulations now
or hereafter made, in respect of the management of the said Lands as a Burial Ground, and do not nor
shall charge any sum or sums for use of the said Land, other than the charge or charges authorized as
aforesaid : Provided nevertheless, And We do hereby reserve unto Us, Our Heirs and Successors, all Mines
of Gold, of Silver, and of Coals : And provided always, That if the Trusts, Conditions, Reservations, and
Provisoos herein contained, or any part thereof, be not duly observed and performed by the said Grantees,
their Heirs and Assigns, or if the said Trustee or Trustees shall make any charge other than those authorized
as aforesaid, then the said Land shall be forfeit and revert unto Us, Our Heirs and Successors, and these
presents and every matter and thing herein contained, shall cease and determine, and become absolutely void
to all intents and purposes ; and it shall be lawful for Us, Our Heirs and Successors, by Our Governor for
the time being of Our said Colony, or some person by them or him authorized in that behalf, to re-enter
upon the said Land or any part thereof, and the said Grantees, their Heirs and Assigns, and all occupiers
thereof wholly to remove : In testimony whereof, We have caused this Our Grant to be sealed with the
Seal of Our said Colony.

Witness Our Trusty and Well-beloved Sir Hercules George Robert Robinson, Knight Grand Cross
of Our Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-
in-Chief of Our Colony of New South Wales and its Dependencies, and Vice-Admiral of the
same, at Government House, Sydney, in New South Wales aforesaid, this
day of in the year of Our Reign ; and in the year
of Our Lord One thousand eight hundred and seventy-

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this
day of 187

Registrar General.



Register Book,
Vol. Folio,

GRANT FOR PUBLIC HOSPITAL.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen,
Defender of the Faith, and so forth :—

To All to whom these Presents shall come, Greeting :—

KNOW YE, That in order to provide a site for a Public Hospital
in our Colony of New South Wales, We, of Our Special Grace, with the advice of Our Executive Council
of New South Wales, have granted, and for Us, Our Heirs and Successors, do hereby grant unto

in the said Colony, and to their Heirs and Assigns, as
Trustees for the purposes hereinafter mentioned, subject to the Trusts, Conditions, Reservations, and Pro-
visoes hereinafter contained, All that Piece or Parcel of Land in Our said Colony, containing by
Admeasurement
be the same more or less, situated in the County of Parish of
Commencing :

As per plan in the margin hereof: With all the rights and
Appurtenances whatsoever thereto belonging: To Hold unto and to the use of the said

their Heirs and Assigns for ever,
as Trustees for the purposes hereinafter mentioned, yielding and paying therefor yearly unto Us, Our Heirs
and Successors, the Quit-rent or sum of one farthing, if demanded, Upon Trust that the said Piece or Parcel
of land shall be at all times hereafter set apart, maintained, and used by the said Grantees, their Heirs and
Assigns, as and for a site for the erection thereon of a Public Hospital, to be called the

for the use of the inhabitants of the Town of
aforesaid, and to be governed according to such Rules and Regulations as shall be approved of by the
Governor and Executive Council for the time being of Our said Colony, and for no other purpose whatsoever,
on Condition that the said Grantees, their Heirs and Assigns, do and shall, in every respect and at all times
hereafter, conform to the Government Regulations for the time being relating to Hospitals in the said Colony,
and to the Laws and Regulations now or hereafter to be in force for better regulating the Alignment of
Streets in Our said Colony, so far as the same may be applicable; and upon Trust, that they, the said
Grantees, their Heirs and Assigns, do and shall, when thereunto required by Our Governor for the time
being of Our said Colony, convey and assure the said Piece or Parcel of Land unto and to the use of such
other person or persons as shall from time to time have been appointed by Our said Governor, with the
advice of our Executive Council, Trustees in their place and stead; and upon further Trust, that such
persons, to whom the said Piece or Parcel of Land shall have been so aforesaid conveyed or assured, shall
hold the same subject to all Trusts hereby created; and so on, *toties quoties*, to the intent that the said land
shall be for ever vested in the Trustees for the time being, upon the Trusts thereof: Provided always, that
if the Trusts, Conditions, Reservations, and Provisoes herein contained, or any part thereof, be not duly
observed and performed by the said Grantees, their Heirs and Assigns, the said Lands shall be forfeited,
and revert unto Us, Our Heirs and Successors, and these presents and every matter and thing herein con-
tained, shall cease, determine, and become absolutely void to all intents and purposes; And in any or either
of the cases aforesaid, it shall be lawful for Us, Our Heirs and Successors, by Our Governor for the time
being of our said Colony, or some person by them or him authorized in that behalf, to re-enter upon the
said Land or any part thereof, and the said Grantees, their Heirs and Assigns, and all occupiers, therefrom
wholly to remove: In testimony whereof, We have caused this Our Grant to be Sealed with the Seal of
Our said Colony.

Witness Our Trusty and well-beloved Sir Hercules George Robert Robinson, Knight Grand Cross
of our Most Distinguished Order of Saint Michael and Saint George, Governor and Com-
mander-in-Chief of Our Colony of New South Wales and its Dependencies, and Vice-
Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this
day of in the
year of our Reign; and in the year of Our Lord One thousand eight hundred and
seventy-

Recorded and Enrolled in the Registrar General's Office, at Sydney, in New South Wales, this
day of 187 .

Registrar General.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

GRANTS OF LAND HELD BY SIR DANIEL COOPER.
(COPIES OF DEEDS AND PLANS.)*Ordered by the Legislative Assembly to be printed, 16 July, 1879.*

RETURN (in part) to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 1 April, 1879, That there be laid upon the Table of this House,—

“Copies of all the Deeds of Grants of Lands now held by Sir Daniel Cooper and his family in the Suburbs of Sydney, also Plans of the same; and all Correspondence as to the allotment of such Grants to the original Grantees.”

(Mr. McElhone.)

SCHEDULE.

NO.	PAGE.
1. Under Secretary for Lands to Under Secretary, Colonial Secretary's Office, on the subject of deeds of grants of lands held by Sir Daniel Cooper and family. 22 April, 1879	2
2. Under Secretary, Colonial Secretary's Office, to Under Secretary for Lands. 24 April, 1879	2
3. Under Secretary, Colonial Secretary's Office, to Under Secretary for Lands (with enclosure). 7 May, 1879.....	2
Also copies of thirty-five deeds of grants of land now held by Sir Daniel Cooper and his family in the suburbs of Sydney, list of which is enclosed in No. 3 of Schedule.....	2

GRANTS OF LAND HELD BY SIR DANIEL COOPER.

No. 1.

The Under Sec. for Lands to The Under Sec., Colonial Secretary's Department.

Sir,

Department of Lands, 22 April, 1879.

* Not necessary.

With reference to your letter of the 2nd instant,* enclosing a copy of an order of the Legislative Assembly, made on the 1st instant, for certain information respecting deeds of grants of land held by Sir Daniel Cooper, I am directed to request that you will cause the Registrar General to furnish to this department a schedule of all deeds of grants of lands now held by Sir Daniel Cooper and his family in the suburbs of Sydney, in order that a Return may be made up for presentation to Parliament in compliance with the order referred to.

I have, &c.,

W. W. STEPHEN.

No. 2.

The Under Sec., Colonial Secretary's Department, to The Under Sec. for Lands.

Sir,

Colonial Secretary's Office, Sydney, 24 April, 1879.

No. 1.

In acknowledging the receipt of your letter of the 22nd instant, I am directed by the Colonial Secretary to state, for the information of the Secretary for Lands, that, as therein requested, the Registrar General has been instructed to furnish to the Department of Lands a schedule of all deeds of grants of lands now held by Sir Daniel Cooper and his family in the suburbs of Sydney.

I have, &c.,

CRITCHETT WALKER.

No. 3.

The Under Sec., Colonial Secretary's Department, to The Under Sec. for Lands.

Sir,

Colonial Secretary's Office, Sydney, 7 May, 1879.

See No. 2.

Referring to my letter of the 24th ultimo, I am directed by the Colonial Secretary to transmit to you herewith, in order that it may be made up for presentation to Parliament, in compliance with an order of the Legislative Assembly, made on the 1st of last month, for certain information respecting deeds of grants of land held by Sir Daniel Cooper, a list which has been furnished by the Registrar General of grants in the name of Cooper and others in the suburbs of Sydney.

I have, &c.,

CRITCHETT WALKER.

[Enclosure to No. 3.]

LIST of Grants in the name of Cooper and others in the suburbs of Sydney.

Name.	Area.			Where situate, reference, and date of grant.
	a.	r.	p.	
1. Daniel Cooper and Solomon Levey.	1,130	0	0	At Rose Bay; 22nd March, 1830; Reg. Book 21, page 1.
2. Robt. Cooper, Jas. Underwood, and Francis Ewin Forbes.	100	0	0	On south by South Head Road; 19th Oct., 1831; Reg. Book 21, page 109.
3. Daniel Cooper	80	0	0	Parish Liberty Plains, on south by Liverpool Road; 20th May, 1837; Reg. 38, page 43 B.
4. Daniel Cooper	6	1	2	Continuation of Elizabeth-street; 15th May, 1830; Reg. 20, page 185.
5. Robt. Cooper, Jas. Underwood, and Fras. Ewin Forbes.	100	0	0	On south by South Head Road; 19th Oct., 1831; Go. L.B.P. 36.
6. Robt. Cooper and Thomas Chapman (in trust for Robert Cooper, jun., and wife.)	100	0	0	Rocky Point, George's River; 21 April, 1840; Spl. Grant, page 295.
7. Daniel Cooper	80	0	0	On south by Liverpool Road; 20th May, 1837; Go. L.A., No. 1, page 6.
8. Daniel Cooper	2	0	4	Commencing south-east corner of Gaol wall; 6 Feb., 1838; Go. L.B., No. 2, page 142.
9. Robert Cooper, sen.	17	1	36	Near Military Gardens; 18th October, 1841; Go. L.B. 5, page 52.
10. Edwin Dyke Cooper	0	2	0	St. Leonards, 13 sec. 11; 27th June, 1856; T.P.B. 56, p. 406.
11. Leonard Morse Cooper	0	2	10	Coogee; 3rd November, 1856; 4 sec. 2 T.P.B. 56, p. 4129.
12. John Cooper	0	0	38½	St. Leonards, Short-st.; 9th Sept., 1862; 7 sec. 23 T.P. 62, page 313.
13. John Cooper	0	0	38½	St. Leonards, Short-st.; 9th Sept., 1862; 6 sec. 23 T.P. 62, page 314.
14. John Cooper	0	0	38½	St. Leonards, Short-st.; 9th Sept., 1862; 5 sec. 23 T.P. 62, page 315.
15. Leonard Morse Cooper	5	0	10	Little Coogee; 29th Oct., 1856; Subn. Allot. 4 L.P. 56, page 2832.
16. Leonard Morse Cooper	4	0	24	Little Coogee; 29th Oct., 1856; Subn. Allot. 7 L.P. 56, page 2834.
17. Leonard Morse Cooper	4	2	34	Little Coogee; 29th Oct., 1856; Subn. Allot. 2 sec. 17 L.P. 56, page 2871.
18. Leonard Morse Cooper	6	1	4	Coogee; 19th Nov., 1856; Subn. Allot. 8 L.P. 56, p. 3671.
19. Leonard Morse Cooper	3	1	17	Coogee; 19th Nov., 1856; Subn. Allot. 1 sec. 23 L.P. 56, p. 3672.
20. Leonard Morse Cooper	4	2	11	Little Coogee; 19th Nov., 1856; Subn. Allot. 52 L.P. 56, p. 3673.
21. Leonard Morse Cooper	6	1	34	Coogee; 19th Nov., 1856; Subn. Allot. 9 L.P. 56, page 3674.
22. Francis Cooper	2	2	20	Little Coogee; 4th Dec., 1856; Subn. Allot. 40 L.P. 56, p. 3887.
23. Francis Cooper	11	0	0	Willoughby, Lane Cove; 4th Dec., 1856; L.P. 56, page 3892.
24. Francis Cooper	10	1	0	Willoughby, Lane Cove; 4th Dec., 1856; L.P. 56, page 3893.
25. Francis Cooper	4	3	28	Little Coogee; Subn. Allot. 70; 4th Dec., 1856; L.P. 56, page 4026.
26. Francis Cooper	4	0	37	Little Coogee; Subn. Allot. 69; 4th Dec., 1856; L.P. 56, page 4028.
27. Leonard Morse Cooper	5	1	24	Balgoulah; Subn. Allot. 5; 5th Feb., 1857; L.P. 57, p. 400.
28. Francis Cooper	1	3	32	Balgoulah; Subn. Allot. 44; 9th May, 1857; L.P. 57, page 1248.
29. Daniel Cooper	0	2	15	Vale Lacroiza, Glenmore Road; 15th Oct., 1858; L.P. 58, p. 1852.
30. Daniel Cooper	0	3	4	Vale Lacroiza, Glenmore Road; 15th Oct., 1858; L.P. 58, p. 1853.
31. Daniel Cooper	0	2	18	Vale Lacroiza, Glenmore Road; 15th Oct., 1858; L.P. 58, p. 1854.
32. Thos. Cooper	6	0	0	Coogee; 18th June, 1862; 7 sec. 3 L.P. 62, page 348.
33. Thos. Cooper	3	2	5	Coogee; 9th Dec., 1861; 9 sec. 3 L.P. 61, page 2242.
34. Thos. Cooper	3	1	20	Coogee; 9th Dec., 1861; 8 sec. 3 L.P. 61, page 2243.
35. Daniel Cooper	5	3	36	Double Bay; 18 April, 1856; Special Grants G, page 506.

(1.)

(1.)

County—Cumberland. Acres—1,130.

By His Excellency Lieutenant-General Ralph Darling, Captain-General and Governor-in-Chief of the Territory of New South Wales and its Dependencies and Vice-Admiral of the same &c. &c. &c.

Be it known unto all men by these presents that in order to promote the due settlement of the said Colony of New South Wales and in fulfilment of certain promises made on or before the first day of December one thousand eight hundred and twenty-one by His Excellency Major-General Macquarie and his predecessors as Governors thereof and in consideration of the quit rent hereinafter reserved and of the price of the redemption of the same I the said Lieutenant-General Ralph Darling in pursuance of the powers by His Majesty the King vested in me as Governor of the said Colony and its dependencies do hereby grant unto Daniel Cooper and Solomon Levey of Sydney their heirs and assigns subject to the reservations and conditions hereinafter mentioned one thousand one hundred and thirty acres of land more or less situated in the county of Cumberland parish of Alexandria bounded on the north by Breakwell's grant commencing at the South Head Road five chains southerly of the six mile stone west thirty-four chains to Rose Bay by that bay to Piper's Grant (called Point Piper) south thirty-five chains west 47 chains to Double Bay Creek and by sixteen chains of a road bearing west on the west by a line south seventeen chains and thence by a line west 14 chains to Point Piper Road by that road to its junction with the South Head Road which bears east ten chains from Gordon's north-east corner and on the south and east by the South Head Road to the south-east corner of Breakwell's grant being a consolidation of the several grants made to the following individuals (but for which no deeds have been executed) namely Jenkins 40 acres Piper eighty acres Foster eighty acres Galvin 40 acres Benson eighty acres Partridge eighty acres Hall eighty acres Brine sixty acres Bradley eighty acres and John Piper Esquire five hundred acres the whole of which became vested in the said John Piper and were subsequently purchased of him by the said Daniel Cooper and Solomon Levey the present grantees to be called _____ with all the appurtenances whatsoever saving and reserving all such parts of the said land as may hereafter be set out for a highway or highways by any person lawfully authorized in that respect together with the right of taking and removing all stone and gravel all indigenous timber and all other materials the produce of the said land which may be required at any time for the construction and repair of highways and bridges for naval purposes and for public works to be held with the appurtenances reserving as aforesaid to the said Daniel Cooper and Solomon Levey their heirs and assigns for ever on condition of paying therefor yearly to His Majesty his heirs and successors or as he or any of them shall appoint the quit rent or sum of one pound two shillings sterling for ever from the first day of January one thousand eight hundred and twenty-seven unless the same shall be redeemed within twenty years from the said first day of January one thousand eight hundred and twenty-seven by the said grantees their heirs or assigns at the rate of twenty years purchase And further on condition that no part of the said land be alienated by the said grantees or their heirs within the term of five years from the date (of the promise) first above mentioned and that in the course of the said term of five years from the said date eighty acres thereof be cleared and cultivated or buildings or fences be erected or other permanent improvements be made thereon to the value of four hundred pounds sterling and that proof of the sum be produced whenever required by the proper officer on His Majesty's behalf Provided always that if the said quit rent be at any time unpaid twenty days after the same shall become due or if any one or more of the aforesaid clauses of conditions be not duly observed then this grant shall be void and it shall be lawful for His Majesty or any of his successors or any person duly authorized in that behalf to re-enter into the said lands or any part thereof and thence to remove the said grantees their heirs and assigns and to hold or re-grant the same these presents notwithstanding.

Given under my hand and the seal of the Colony at Sydney in New South Wales this twenty-second day of March in the year of our Lord one thousand eight hundred and thirty.

Signed and sealed in the presence of,—

(I.S.)

RA. DARLING,
Govr.-in-Chief.

H. DUMARESQ.
H. COULSON.

Entered on record by me this twenty-second day of March one thousand eight hundred and thirty.

ALEX. McLEAY.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,
Sydney, 23rd day of May, 1879.

E. G. WARD,
Registrar General.

(2.)

County—Cumberland. Acres—100.

By His Excellency Lieutenant-General Ralph Darling Captain-General and Governor-in-Chief of the Territory of New South Wales and its Dependencies and Vice-Admiral of the same &c. &c. &c.

Be it known unto all men by these presents: That in order to promote the due settlement of the said Colony of New South Wales and in fulfilment of a promise made on or before the fourth day of November one thousand eight hundred and twenty-three by His Excellency Sir Thomas Brisbane as Governor thereof and in consideration of the quit rent hereinafter reserved and of the price of the redemption of the same I the said Lieutenant-General Ralph Darling in pursuance of the powers by His Majesty the King vested in me as Governor of the said Colony and its dependencies do hereby grant unto Robert Cooper James Underwood and Francis Ewin Forbes of Sydney their heirs and assigns subject to the reservations and conditions hereinafter mentioned one hundred acres of land more or less situated in the county of Cumberland parish of Alexandria bounded on the south by the South Head Road forty chains fifty links commencing at the junction of the South Head Road with the road to Point Piper on the west by lines

lines bearing north forty-four degrees thirty minutes east eight chains fifty links east nineteen chains fifty links and north twenty-one chains thirty links on the north by lines bearing east eight chains and south forty-five degrees east twenty-five chains to the Point Piper Road and on the east by that road thirty-five chains being the land described as number one in Alexandria in the Government notice dated the 14th September 1831 to be called with all the appurtenances whatsoever saving and reserving all such parts of the said land as may hereafter be set out for a way or ways by any person lawfully authorized in that respect together with the right of taking and removing all stone and gravel all indigenous timber and all other materials the produce of the said land which may be required at any time for the construction and repair of ways and bridges for naval purposes and for public works to be held with the appurtenances reserving as aforesaid to the said Robert Cooper James Underwood and Francis Ewin Forbes their heirs and assigns for ever on condition of paying therefor yearly to His Majesty his heirs and successors or as he or any of them shall appoint the quit rent or sum of two shillings sterling for ever from the first day of January one thousand eight hundred and twenty-nine unless the same shall be redeemed within twenty years from the said first day of January one thousand eight hundred and twenty-nine by the said grantees their heirs and assigns at the rate of twenty years purchase and further on condition that no part of the said land be alienated by the said grantees or their heirs within the term of five years from the date (of the promise) first above mentioned and that in the course of the said term of five years from the said date twenty acres thereof be cleared and cultivated or buildings or fences be erected or other permanent improvements be made thereon to the value of one hundred pounds sterling and that proof of the same be produced whenever required by the proper officer on His Majesty's behalf Provided always that if the said quit rent be at any time unpaid twenty days after the same shall become due or if any one or more of the aforesaid clauses or conditions be not duly observed then this grant shall be void and it shall be lawful for His Majesty or any of his successors or any person duly authorized in that behalf to re-enter into the said lands or any part thereof and thence to remove the said grantees their heirs and assigns and to hold or regrant the same and provided further that the lawful rights of all parties other than the grantees herein named in the lands hereinbefore described or any part thereof shall enure and be held harmless these presents notwithstanding.

Given under my hand and the seal of the Colony at Sydney in New South Wales this nineteenth day of October in the year of our Lord one thousand eight hundred and thirty-one.

Signed and sealed in the presence of—

H. DUMARÈSQ.

C. H. DARLING.

(L.S.) RA. DARLING.

Entered on record by me in Register No. 21, page 109, this thirty-first day of December, one thousand eight hundred and thirty-one, the following alterations having been previously made, viz., the words "highway" and "highways" having been previously altered to "way and ways," and the last clause reserving harmless the rights of all other parties added.

ALEX. McLEAY,
Col. Sec. and Regr.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

E. G. WARD,
Registrar General.

Registrar General's Office,
Sydney, 23rd day of May, 1879.

(3.)

GRANT OF LAND—A.

WILLIAM the Fourth by the Grace of God of the United Kingdom of Great Britain and Ireland, King Defender of the Faith and so forth.

To all to whom these presents shall come Greeting: Know ye that in order to promote the due settlement of our territory of New South Wales and in fulfilment of a promise made on or before the twenty-second day of July one thousand eight hundred and twenty-four by His Excellency Sir Thomas Brisbane as Governor thereof we of our special grace have granted and in consideration of the quit rent hereinafter reserved and of the price of the redemption of the same do hereby grant unto Daniel Cooper of the city of London his heirs and assigns subject to the reservations and conditions hereinafter mentioned all that piece or parcel of land containing by admeasurement eighty acres of land be the same more or less situate lying and being in the county of Cumberland and parish of Liberty Plains in our said territory of New South Wales bounded on the east by a line north fifty-four chains commencing at Douglas's south-west corner on the north by a line west twelve chains fifty links on the west by a line south seventy-one chains and on the south by the Liverpool Road being grant No. 8 in Liberty Plains being the land promised to William Wilkins on or before the date above mentioned and now granted to the said Daniel Cooper in accordance with the report upon memorial No. 497 made on the twenty-third day of March one thousand eight hundred and thirty-six by the Commissioners appointed under the Act of the Colonial Legislature 4 William IV No. 9 to be called with all the appurtenances whatsoever To hold unto the said Daniel Cooper his heirs and assigns for ever yielding and paying therefor yearly unto us our heirs and successors the quit rent or sum of twelve shillings and one penny sterling for ever from the first day of January one thousand eight hundred and thirty-one unless the same shall be redeemed by the said grantee his heirs or assigns within twenty years from that date at the rate of twenty years purchase Provided always that if the said quit rent be at any time unpaid for the space of twenty days after the same shall become due and payable (although no formal demand shall have been made thereof) it shall and may be lawful for us our heirs or our successors or any person duly authorized in that behalf to re-enter into the said land or any part thereof and thence to remove the said grantee his heirs and assigns and to hold the same and the rents issues and profits thereof to have receive and take to and for the use of us and our successors until we or our said successors shall therewith and thereby be fully paid and satisfied the said quit rent or annual sum of twelve shillings and one penny and every part thereof and all arrears of the same due at the time of our said entry or which shall accrue due during the time of our

our possession by virtue thereof together with all costs and charges attending the non-payment of said quit rent and our said entry thereupon these presents notwithstanding And also saving and reserving unto us our heirs and successors all such parts and so much of the said land as may hereafter be required for a public way or public ways in over and through the same to be set out by the Governor for the time being of our said territory, or some person lawfully authorized in that respect And also saving and reserving unto us our heirs and successors the right of taking and removing all stone and gravel all indigenous timber and all other materials the produce of the said land which may be required at any time for the construction and repair of ways and bridges for naval purposes and for public works together with right of ingress egress and regress on the land for all the purposes aforesaid.

In testimony whereof we have caused this our grant to be sealed with the seal of our said territory of New South Wales Given under the hand of Major-General Sir Richard Bourke Knight Commander of the Most Honorable Military Order of the Bath our Governor and Commander-in-Chief of our said territory and its Dependencies at Government House Sydney in New South Wales the twentieth day of May in the seventh year of our reign and in the year of our Lord one thousand eight hundred and thirty-seven.

(L.S.)

RICHD. BOURKE.

Signed and sealed in the presence of—

G. K. HOLDEN.

Entered on record by me in Register of Grants of Land, No. 38, page 43 B, this twenty-third day of June, one thousand eight hundred and thirty-seven.

E. DEAS THOMSON,

Colonial Secretary and Registrar.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,
Sydney, 23rd day of May, 1879.

E. G. WARD,
Registrar General.

(4.)

By His Excellency Lieutenant-General Ralph Darling Captain-General and Governor-in-Chief of the Colony of New South Wales and its Dependencies and Vice-Admiral of the same &c. &c. &c.

Know all men by these presents that whereas His Excellency Sir Thomas Brisbane late Governor of this Colony was pleased on behalf of His Majesty the King to permit Daniel Cooper of Sydney merchant to purchase six acres one rood and two perches of land at the rate of ten pounds sterling an acre Now therefore in fulfilment of the said permission and in consideration of the said Daniel Cooper having duly paid on behalf of His said Majesty the sum of sixty-two pounds twelve shillings and six-pence sterling being the price of six acres one rood and two perches at the rate aforesaid I the said Lieutenant-General Ralph Darling in pursuance of the power vested in me as Governor of the said Colony do hereby grant unto the said Daniel Cooper his heirs and assigns six acres one rood and two perches of land situate in the parish of Alexandria in the county of Cumberland in the said Colony bounded on the east by twelve chains seventy-two links of the continuation of Elizabeth-street commencing from the south-east corner of the Protestant Burial Ground on the south by Cleveland Garden and a line six chains four links on the west by a line north fourteen chains eighty links and on the north by four chains twenty-six links of the Protestant Burial Ground with all appurtenances whatsoever reserving such timber of native origin now growing as may be considered by or on behalf of His said Majesty or any of his successors to be fit for Government naval use or for the construction of roads and bridges and reserving such parts of the said land as may hereafter be set out for a highway or highways or road or roads by any person or persons lawfully authorized in that respect and also reserving the right of taking and removing stone and gravel for the making and repairing of such highway or highways or road or roads and bridges to hold the said lands with the appurtenances reserving as aforesaid to the said Daniel Cooper his heirs and assigns for ever subject to the payment of an annual quit rent to His said Majesty his heirs and successors of one peppercorn if demanded.

Given under my hand and the seal of the Colony at Sydney in New South Wales this fifteenth day of May, in the year of our Lord one thousand eight hundred and thirty.

RA. DARLING,
Gov.-in-Chief.

(L.S.)

Signed and sealed in the presence of—

H. DUMARESQ.

H. COULSON.

Entered on record by me this twenty-second day of May, 1830.

ALEX. M'LEAY:

I certify the foregoing page to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,
Sydney, 23rd day of May, 1879.

E. G. WARD,
Registrar General.

(5.)

County—Cumberland. Acres—100.

By His Excellency Lieutenant-General Ralph Darling Captain-General and Governor-in-Chief of the Territory of New South Wales and its Dependencies and Vice-Admiral of the same &c. &c. &c.

Be it known unto all men by these presents that in order to promote the due settlement of the said Colony of New South Wales and in fulfilment of a promise made on or before the fourth day of November one thousand eight hundred and twenty-three by His Excellency Sir Thomas Brisbane as Governor thereof and in consideration of the quit rent hereinafter reserved and of the price of the redemption

redemption of the same I the said Lieutenant-General Ralph Darling in pursuance of the powers by His Majesty the King vested in me as Governor of the said Colony and its dependencies do hereby grant unto Robert Cooper James Underwood and Francis Ewin Forbes of Sydney their heirs and assigns subject to the reservations and conditions hereinafter mentioned one hundred acres of land more or less situated in the county of Cumberland parish of Alexandria bounded on the south by the South Head Road forty chains fifty links commencing at the junction of the South Head Road with the road to Point Piper on the west by lines bearing north forty-four degrees thirty minutes east eight chains fifty links east nineteen chains fifty links and north twenty-one chains thirty links on the north by lines bearing east eight chains and south forty-five degrees east twenty-five chains to the Point Piper Road and on the east by that road thirty-five chains being the land described as numbered one in Alexandria in the Government notice dated the 14th September 1831 to be called

with all the appurtenances whatsoever saving and reserving all such parts of the said land as may hereafter be set out for a way or ways by any person lawfully authorized in that respect together with the right of taking and removing all stone and gravel all indigenous timber and all other materials the produce of the said land which may be required at any time for the construction and repair of ways and bridges for naval purposes and for public works to be held with the appurtenances reserving as aforesaid to the said Robert Cooper James Underwood and Francis Ewin Forbes their heirs and assigns for ever on condition of paying therefor yearly to His Majesty His heirs and successors or as he or any of them shall appoint the quit rent or sum of two shillings sterling for ever from the first day of January one thousand eight hundred and twenty-nine unless the same shall be redeemed within twenty years from the said first day of January one thousand eight hundred and twenty-nine by the said grantees their heirs or assigns at the rate of twenty years purchase. And further on condition that no part of the said land be alienated by the said grantees or their heirs within the term of five years from the date (of the promise) first above-mentioned and that in the course of the said term of five years from the said date twenty acres thereof be cleared and cultivated or buildings or fences be erected or other permanent improvements be made thereon to the value of one hundred pounds sterling and that proof of the same be produced whenever required by the proper officer on His Majesty's behalf. Provided always that if the said quit rent be at any time unpaid twenty days after the same shall become due or if any one or more of the aforesaid clauses or conditions be not duly observed then this grant shall be void and it shall be lawful for His Majesty or any of his successors or any person duly authorized in that behalf to re-enter into the said lands or any part thereof and thence to remove the said grantees their heirs and assigns and to hold or re-grant the same. And provided further that the lawful rights of all parties other than the grantees herein named in the lands hereinbefore described or any part thereof shall enure and be held harmless these presents notwithstanding.

Given under my hand and the seal of the Colony, at Sydney, in New South Wales, this nineteenth day of October in the year of our Lord one thousand eight hundred and thirty-one.

Signed and sealed in the presence of—

H. DUMARESQ.

C. H. DARLING. ———

(L.S.) RA. DARLING.

Entered on record by me this thirty-first day of December one thousand eight hundred and thirty-one, the words "highway" and "highways" having been previously altered to "way" and "ways" and the clause reserving the rights of all other parties added; this registration being now a *verbatim* copy of the original deed as executed.

ALEX. M'LEAY.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,
Sydney, 23rd day of May, 1879.

E. G. WARD,
Registrar General.

(6.)

Grantees—Robert Cooper (the elder) and Thomas Chapman. Date—21st April 1840. County—Cumberland. Acres—100.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth.

To all to whom these presents shall come greeting: Whereas on the first day of January one thousand eight hundred and thirty a marriage was had and solemnized at Saint James Church Sydney in the territory of New South Wales between Robert Cooper the younger of Ormonde House South Head Road and Catherine Newell Rutter of Sydney in our said territory. Now know ye that in order to promote the due settlement of our said territory and in fulfilment of a promise made on or before the twenty-fifth day of August one thousand eight hundred and thirty by His Excellency Lieutenant-General Sir Ralph Darling as Governor thereof and in consideration of the quit rent hereinafter reserved and of the price of redemption of the same we of our special grace have granted and for us our heirs and successors do hereby grant unto Robert Cooper the elder of Ormonde House and Thomas Chapman of Brisbane Cottage and their heirs subject to the conditions reservations and provisos hereinafter mentioned all that piece or parcel of land in our said territory containing by admeasurement one hundred acres be the same more or less situated in the county of Cumberland parish of Saint George at Rocky Point Koggorah Bay commencing at a marked tree north of Rocky Point and bounded on the east by a line north thirty-three chains on the north by a line west forty-three chains to Townson's or Koggorah Bay and on the west and south by that bay and George's River to the marked tree aforesaid being the land promised to the said Catherine Newell Rutter now Mrs. Cooper on or before the date above mentioned and of which she was authorized to take possession on the thirty-first day of March one thousand eight hundred and thirty-one as a marriage portion being also the land advertised as No. 597 in the Government notice dated 7th September 1839 to be called Charlotte Point with all the rights and appurtenances whatsoever thereto belonging to hold unto the said Robert Cooper the elder and Thomas Chapman and their heirs upon the trusts and for the purposes hereinafter limited and declared concerning the same that is to say to the use of the said Robert Cooper the younger for his life without impeachment for waste and failing that use in his lifetime to the use of the said Robert Cooper the elder and Thomas Chapman their executors and administrators

administrators during the life of and in trust for the said Robert Cooper the younger and to preserve contingent remainders and on his death to the use of the said Catherine Newell the wife for her life without impeachment for waste and after the decease of the survivor of them the said Robert Cooper the younger and Catherine Newell his wife in case there shall be but one child of the said marriage to the use of such only child his or her heirs and assigns for ever and in case there shall be more than one child then to the use of all and every the children of the said marriage equally to be divided between them share and share alike as tenants in common and of the heirs of such children lawfully issuing and for default of such issue of the said marriage or being such if all shall die in the lifetime of the said Robert Cooper the younger and Catherine Newell his wife or the survivor of them to and for such uses intents and purposes and subject to such powers and conditions and in such manner and form as she the said Catherine Newell Cooper notwithstanding her coverture shall by any deed or writing with or without power of revocation to be by her duly executed and attested by two or more credible witnesses direct and appoint and for want of such appointment to the use of the said Catherine Newell Cooper her heirs and assigns for ever yielding and paying therefor yearly unto us our heirs and successors the quit rent or sum of sixteen shillings and eight-pence sterling for ever from the first day of January one thousand eight hundred and thirty-nine unless the same shall be redeemed by the said party or parties interested in and entitled under and by virtue of these presents within twenty years from that date at the rate of twenty years purchase Provided nevertheless and we do hereby reserve unto us our heirs and successors all such parts and so much of the said land as may hereafter be required for a public way or public ways in and over and through the same to be set out by the Governor for the time being of our said territory or some person duly authorized in that respect and also all stone and all indigenous timber and all other materials the produce of the said land which may be required at any time or times hereafter for the construction and repair of ways and bridges for naval purposes and for public works together with the right of taking and removing the same and also all land within one hundred feet of high-water-mark on the sea-coast and on every creek harbour and inlet and also all mines of gold of silver and of coals with full and free liberty and power to search for dig and take away the same and also the right of full and free ingress egress and regress unto out of and upon the said land for the several purposes aforesaid And we do further reserve unto us our heirs and successors full power for us or our successors for the Governor for the time being of our said territory to resume and take possession of all or any part of the said land not hereinbefore reserved which may be required at any time or times hereafter for any public purpose the value of the said land not hereinbefore reserved or for so much thereof as shall be so required and of any buildings standing on the said required land being paid by the Government to the party entitled thereto at a valuation fixed by arbitrators chosen as hereinafter mentioned And we do hereby declare that in every case of arbitration which may arise under and by virtue hereof one arbitrator shall be chosen by the Governor for the time being of our said territory and one by the trustees or trustee for the time being or the party or parties interested in and entitled under and by virtue of these presents which two arbitrators (before they enter upon the said arbitration) shall elect a third as umpire who shall determine any disagreement between the two said arbitrators but if the said trustees or trustee for the time being or the party or parties interested in and entitled under and by virtue of these presents shall refuse or neglect to choose an arbitrator on his her or their part within one calendar month after being required so to do by public advertisement in the Government Gazette or otherwise then both arbitrators shall be chosen by the Governor for the time being of our said territory which arbitrators shall also elect an umpire in the manner above mentioned Provided always that if the aforesaid quit rent shall be at any time unpaid for the space of twenty days after the same shall become due (although no formal demand shall have been made thereof) it shall be lawful for us our heirs and successors by our Governor for the time being of our said territory or other person duly authorized in that behalf to re-enter upon the said land or any part thereof with its appurtenances and thence remove the said trustees or trustee for the time being or the party or parties interested in or entitled under and by virtue of these presents and to hold the same and the rents issues and profits thereof to have receive and take to and for the use of us our heirs and successors until he or they shall therewith and thereby be fully paid and satisfied the quit rent thereon and every part thereof and all arrears of the same due at the time of our said entry or which shall accrue due during the time of our possession by virtue thereof together with all costs and charges attending the non-payment of the said quit rent and our entry upon the said land Provided also that the fees payable on this our grant be not paid and the grant claimed by the said trustees or trustee for the time being or the party or parties interested in and entitled under and by virtue of these presents or some person lawfully authorized on their behalf within six calendar months after notice of its being ready for delivery shall be given in the Government Gazette or otherwise or if the conditions reservations and provisos herein contained or any part thereof be not duly observed and performed by the said trustees or trustee for the time being or the party or parties interested in or entitled under and by virtue of these presents then the said land shall be forfeited and revert unto us our heirs and successors and these presents and every matter and thing therein contained shall cease and determine and become absolutely void to all intents and purposes And it shall be lawful for us our heirs and successors by our Governor for the time being of our said territory or other person duly authorized in that behalf to re-enter upon the said land or any part thereof and the said trustees or trustee for the time being or the party or parties interested in or entitled under and by virtue of these presents and all occupiers thereof therefrom wholly to remove In testimony whereof we have caused this our grant to be sealed with the seal of our said territory.

Given under the hand of Sir George Gipps Knight our Captain-General and Governor-in-Chief of our said territory and its dependencies at Government House Sydney in New South Wales aforesaid this twenty-first day of April in the third year of our reign and in the year of our Lord one thousand eight hundred and forty. (L.S.) GEO. GIPPS.

Signed and sealed in the presence of—

HY. WATSON PARKER.

Entered on record by me in the Register of Grants No. 60 pages 1 to 7 inclusive this fifteenth day of June one thousand eight hundred and forty, the following interlineations having been previously made viz. the word "James" after the word "Saint" in the third line and the words "full power for us our successors" after the word "successors" in the twenty-fifth line counting from the heading.

E. DEAS THOMSON,

Colonial Secretary and Registrar.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,
Sydney, 23rd day of May, 1879.

E. G. WARD,
Registrar General.

(7.)

GRANT OF LAND—A.

WILLIAM the Fourth by the Grace of God of the United Kingdom of Great Britain and Ireland King Defender of the Faith and so forth.

To all to whom these presents shall come greeting: Know ye that in order to promote the due settlement of our territory of New South Wales and in fulfilment of a promise made on or before the twenty-second day of July one thousand eight hundred and twenty-four by His Excellency Sir Thomas Brisbane as Governor thereof we of our special grace have granted and in consideration of the quit rent hereinafter reserved and of the price of the redemption of the same do hereby grant unto Daniel Cooper of the city of London his heirs and assigns subject to the reservations and conditions hereinafter mentioned all that piece or parcel of land containing by admeasurement eighty acres of land be the same more or less situate lying and being in the county of Cumberland and parish of Liberty Plains in our said territory of New South Wales bounded on the east by a line north fifty-four chains commencing at Douglas's south-west corner on the north by a line west twelve chains fifty links on the west by a line south seventy-one chains and on the south by the Liverpool Road being grant No. 8 in Liberty Plains being the land promised to William Wilkins on or before the date above mentioned and now granted to the said Daniel Cooper in accordance with the report upon memorial No. 497 made on the twenty-third day of March one thousand eight hundred and thirty-six by the Commissioners appointed under the Act of the Colonial Legislature 4 William IV No. 9 to be called with all the appurtenances whatsoever to hold unto the said Daniel Cooper his heirs and assigns for ever yielding and paying thereout yearly unto us our heirs and successors the quit rent or sum of twelve shillings and one penny sterling for ever from the first day of January one thousand eight hundred and thirty-one unless the same shall be redeemed by the said grantee his heirs or assigns within twenty years from that date at the rate of twenty years purchase Provided always that if the said quit rent be at any time unpaid for the space of twenty days after the same shall become due and payable (although no formal demand shall have been made thereof) it shall and may be lawful for us our heirs or our successors or any person duly authorized in that behalf to re-enter into the said land or any part thereof and thence to remove the said grantee his heirs and assigns and to hold the same and the rents issues and profits thereof to have receive and take to and for the use of us and our successors until we or our successors shall therewith and thereby be fully paid and satisfied the said quit rent or annual sum of twelve shillings and one penny and every part thereof and all arrears of the same due at the time of our said entry or which shall accrue due during the time of our possession by virtue thereof together with all costs and charges attending the non-payment of said quit rent and our said entry thereupon these presents notwithstanding and also saving and reserving unto us our heirs and successors all such parts and so much of the said land as may hereafter be required for a public way or public ways in over and through the same to be set out by the Governor for the time being of our said territory or some person lawfully authorized in that respect and also saving and reserving unto us our heirs and successors the right of taking and removing all stone and gravel all indigenous timber and all other materials the produce of the same land which may be required at any time for the construction and repair of ways and bridges for naval purposes and for public works together with right of ingress egress and regress on the land for all the purposes aforesaid.

In testimony whereof we have caused this our grant to be sealed with the seal of our said territory of New South Wales given under the hand of Major-General Sir Richard Bourke, Knight Commander of the Most Honorable Military Order of the Bath our Governor and Commander-in-Chief of our said territory and its dependencies at Government House Sydney in New South Wales the twentieth day of May in the seventh year of our reign and in the year of our Lord one thousand eight hundred and thirty-seven.

Signed and sealed in the presence of,—

G. K. HOLDEN.

(L.S.)

RICHD. BOURKE.

Entered on record by me in Register of Grants of Land, No. 38, page 43 B, this twenty-third day of June, one thousand eight hundred and thirty-seven.

E. DEAS THOMSON,
Colonial Secretary and Registrar.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record, or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,
Sydney, 31st day of May, 1879.

E. G. WARD,
Registrar General.

(8.)

GRANT OF LAND—B.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth.

To all to whom these presents shall come greeting: Know ye that in order to promote the due settlement of our territory of New South Wales and in fulfilment of a promise made on or before the thirteenth day of March one thousand eight hundred and twenty-nine by His Excellency Lieutenant-General Sir Ralph Darling as Governor thereof We of our special grace have granted and in consideration of the quit rent hereinafter

hereinafter reserved and of the price of the redemption of the same do hereby grant unto Daniel Cooper of the city of London his heirs and assigns subject to the reservation and conditions hereinafter mentioned all that piece or parcel of land containing by admeasurement two acres and four perches of land be the same more or less situated lying and being in the county of Cumberland and parish of Alexandria in our said territory of New South Wales bounded commencing at the north-west corner bearing north twenty-five degrees west twenty-three chains fifty links from the south-east corner of the gaol wall and bounded on the north by a line east four chains fifty links on the east by a line south four chains fifty links on the south by a line west four chains fifty links and on the west by a line north four chains fifty links to the north-west corner aforesaid being the land promised to Barnett Levey on or before the date above mentioned and of which he was authorized by Sir Richard Bourke to take possession on the 22nd May 1833 as a primary grant but now granted to the said Daniel Cooper the surviving co-partner of the late firm of Cooper and Levey in accordance with the report on memorial No. 394 made on the twenty-eighth day of April one thousand eight hundred and thirty-seven by the Commissioners appointed under the Act of the Colonial Legislature 4 William IV No. 9 to be called with all the appurtenances whatsoever to hold unto the said Daniel Cooper surviving co-partner of the late firm of Cooper and Levey and to his heirs and assigns for ever yielding and paying thereout yearly unto us our heirs and successors the quit rent or sum of four-pence sterling for ever from the first day of January on thousand eight hundred and forty-one unless the same shall be redeemed by the said grantee his heirs or assigns within twenty years from that date at the rate of twenty years purchase Provided always that if the said quit rent be at any time unpaid for the space of twenty days after the same shall become due and payable (although no formal demand shall have been made thereof) it shall and may be lawful for us our heirs or our successors or any person duly authorized in that behalf to re-enter into the said land or any part thereof and thence to remove the said grantee his heirs and assigns and to hold the same and the rents issues and profits thereof to have receive and take to and for the use of us and our successors until we or our said successors shall therewith and thereby be fully paid and satisfied the said quit rent or annual sum of four-pence and every part thereof and all arrears of the same due at the time of our said entry or which shall accrue due during the time of our possession by virtue thereof together with all costs and charges attending the non-payment of said quit rent and our said entry thereupon these presents notwithstanding And also saving and reserving unto us our heirs and successors all such parts and so much of the said land as may hereafter be required for a public way or publicways in over and through the same to be set out by the Governor for the time being of our said territory or some person lawfully authorized in that respect together with all lands within one hundred feet of high-water-mark on the sea-coast and on every creek harbour and inlet And also all mines of gold of silver and of coals with full and free liberty and power to search for dig and take away the same And also saving and reserving unto us our heirs and successors the right of taking and removing all stone and gravel all indigenous timber and other materials the produce of the same land which may be required at any time for the construction and repair of ways and bridges for naval purposes and for public works together with right of ingress egress and regress on the land for all the purposes aforesaid.

In testimony whereof we have caused this our grant to be sealed with the seal of our said territory of New South Wales Given under the hand of Colonel Kenneth Snodgrass Companion of the Most Honorable Military Order of the Bath Acting Captain-General and Governor-in-Chief of our said territory and its dependencies at Government House Sydney in New South Wales the sixth day of February in the first year of our reign and in the year of our Lord one thousand eight hundred and thirty-eight.

Signed and sealed in the presence of—

P. DAVIS.

(L.S.) K. SNODGRASS.

Entered on record by me in Register of Grants of Land, No. 37, page 337, this seventeenth day of February one thousand eight hundred and thirty-eight, the word "acres" having been previously struck out in the letter-press in the ninth line from the heading, and the words "our" and "Commander" also struck out in the letter-press in the fifth line of the attestation.

E. DEAS THOMSON,

Colonial Secretary and Registrar.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

E. G. WARD,

Registrar General.

Registrar General's Office,
Sydney, 31st day of May, 1879.

(9.)

GRANT OF LAND—B.

Grantee—Robert Cooper the elder. Date—18th October, 1841. County—Cumberland. 17 acres 1 rood 36 perches.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth.

To all to whom these presents shall come greeting: Know ye that in order to promote the due settlement of our territory of New South Wales and in fulfilment of a promise made on or before the twenty-ninth day of June one thousand eight hundred and twenty-five by His Excellency Sir Thomas Brisbane as Governor thereof and in consideration of the quit rent hereinafter reserved and of the price of the redemption of the same we of our special grace have granted and for us our heirs and successors do hereby grant unto Robert Cooper the elder of Sydney but now absent from the Colony his heirs and assigns subject to the conditions reservations and provisoes hereinafter mentioned all that piece or parcel of land in our said territory containing by admeasurement seventeen acres one rood and thirty-six perches be the same more or less situated in the county of Cumberland and parish of Petersham and Alexandria bounded on the north by the Sydney Road thirteen chains and fifty links by part of the west boundary of the

the Military Garden three chains ninety links by a line bearing south-east two chains to a watercourse and to the south boundary of the Military Garden and by part of the south boundary of the Military Garden eight chains to the south-east corner of the said garden on the east by a line bearing south twelve and a half degrees east four chains ninety-three links on the south by a line bearing west twelve degrees south fifteen chains fifty links to a watercourse by that watercourse and by a line bearing west eleven chains ten links and on the west by a line five chains eighty-five links to the Sydney Road reserving unto us our heirs and successors and all persons whatsoever full and free ingress egress and regress in and through the land hereby granted that is to say the following spaces for access for water at ninety-eight links from the south-western extremity of the line forming the southern boundary of the Military Garden a space of four links and three-quarters at three chains seven links and a half from the south-western extremity of the line aforesaid a space of four links and three-quarters and at six chains and sixty-three links from the south-western extremity of the line aforesaid a third space of fourteen links being the land promised to the said Robert Cooper the elder on or before the date above mentioned being also the land advertised in his favour as No. 48 in the Government Notice dated 21st June 1841 and the deed now prepared in his name in pursuance thereof to be called the Brisbane Mills with all the rights and appurtenances whatsoever thereto belonging to hold unto the said Robert Cooper the elder his heirs and assigns for ever yielding and paying therefor yearly unto us our heirs and successors the quit rent or sum of seventeen shillings and sixpence sterling for ever from the first day of January one thousand eight hundred and thirty-three unless the same shall be redeemed by the said grantee his heirs or assigns within twenty years from that date at the rate of twenty years purchase Provided nevertheless and we do hereby reserve unto us our heirs and successors all such parts and so much of the said land as may hereafter be required for a public way or public ways in over and through the same to be set out by the Governor for the time being of our said territory or some person by him authorized in that respect and also all stone and gravel all indigenous timber and all other materials the produce of the said land which may be required at any time or times hereafter for the construction and repair of ways and bridges for naval purposes and for public works together with the right of taking and removing the same and also all land within one hundred feet of high-water-mark on the sea-coast and on every creek harbour and inlet of the sea and also all mines of gold or silver and of coals with full and free liberty and power to search for dig and take away the same and also the right of full and free ingress egress and regress into out of and upon the said land for the several purposes aforesaid And we do further reserve unto us our heirs and successors full power for us or them or for the Governor for the time being of our said territory to resume and take possession of all or any part of the said land not hereinbefore reserved which may be required at any time or times hereafter for any public purpose whatsoever the value of the said land not hereinbefore reserved or of so much thereof as shall be so required and of any building standing on the said required land being paid by the Government to the party entitled thereto at a valuation fixed by arbitrators chosen as hereinafter mentioned in which valuation the benefit to accrue to the said party from any such public purpose shall be allowed by way of set off And we do hereby declare that in every case of arbitration which shall arise under and by virtue hereof one arbitrator shall be chosen by the Governor for the time being of our said territory and one by the then owner or owners of the said land or of such part thereof as may be thereby affected which two arbitrators (before they proceed to the said arbitration) shall elect an umpire who shall determine any disagreement between the two said arbitrators but if the said owner or owners shall refuse or neglect to choose an arbitrator on his her or their part within one calendar month after being required so to do by public advertisement in the Government Gazette or otherwise or if such arbitrator being chosen shall refuse or neglect to act and within one calendar month determine the matter to him referred then both arbitrators shall be chosen by the Governor for the time being of our said territory which said last-mentioned arbitrators shall also elect an umpire in the manner and for the purpose above mentioned And if any umpire shall refuse or neglect to act and within one calendar month determine the matter to him referred the arbitrators for the time being whether chosen one by each party or both by the Governor of our said territory shall in every such case forthwith elect another umpire in the same manner for the same purpose and subject to the same condition as the umpire first elected as aforesaid Provided always that if the aforesaid quit rent shall be at any time unpaid for the space of twenty days after the same shall become due (although no formal demand shall have been made thereof) it shall be lawful for us our heirs and successors by our Governor for the time being of our said territory or some person by him authorized in that behalf to re-enter upon the said land or any part thereof with its appurtenances and thence to remove the said grantee his heirs and assigns and to hold the same and the rents issues and profits thereof to have receive and take to and for the use of us our heirs and successors until we or they shall therewith and thereby be fully paid and satisfied the quit-rent due thereon and every part thereof and all arrears of the same due at the time of our said entry or which shall accrue due during the time of our possession by virtue thereof together with all costs and charges attending the non-payment of the said quit-rent and our entry upon the said land Provided also that if the conditions reservations and provisos herein contained or any part thereof be not duly observed and performed by the said grantee his heirs and assigns then the said land shall be forfeited and revert unto us our heirs and successors And these presents and every matter and thing herein contained shall cease and determine and become absolutely void to all intents and purposes And it shall be lawful for us our heirs and successors by our Governor for the time being of our said territory or some person by him authorized in that behalf to re-enter upon the said land or any part thereof and the said grantee his heirs and assigns and all occupiers thereof therefrom wholly to remove In testimony whereof we have caused this our grant to be sealed with the seal of our said territory.

Witness our trusty and well beloved Sir George Gipps Knight our Captain-General and Governor-in-Chief of our said Territory and its Dependencies at Government House Sydney in New South Wales aforesaid this eighteenth day of October in the fifth year of our reign and in the year of our Lord one thousand eight hundred and forty-one.

(L.S.)

GEO. GIPPS.

Entered on record by me in the Register of Grants of Land, No. 71, page 155, this twenty-second day of October one thousand eight hundred and forty-one.

E. DEAS THOMSON,
Colonial Secretary and Registrar.

11

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,
Sydney, 31st day of May, 1879.

E. G. WARD,
Registrar General.

(10.)

New South Wales.

B—TOWN LOT, 56/406.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth.

To all to whom these presents shall come greeting: Whereas in conformity with the laws then in force for the sale of Crown Lands in our territory of New South Wales and our Royal instructions under our sign manual issued in pursuance thereof Edwin Dyke Cooper of Ballarat became on the twenty-sixth day of June in the year one thousand eight hundred and fifty-five the purchaser of the allotment or parcel of land hereinafter described for the sum of thirty-five pounds sterling now know ye that for and in consideration of the said sum for and on our behalf well and truly paid into the Colonial Treasury of our said territory before these presents are issued and in further consideration of the quit rent hereinafter reserved we with the advice of our Executive Council of New South Wales have granted and for us our heirs and successors do hereby grant unto the said Edwin Dyke Cooper his heirs and assigns subject to the several and respective reservations hereinafter mentioned all that allotment or parcel of land in our said territory containing by admeasurement two roods be the same more or less situated in the town of Saint Leonards parish of Willoughby county of Cumberland being allotment number thirteen of section number eleven commencing at the north-east corner of allotment number fourteen and bounded on the north by one chain of the south side of Ridge-street being a line bearing east on the east by a line bearing south five chains on the south by a line bearing west one chain and on the west by a line bearing north five chains to the point of commencement being the land sold as lot 14 in pursuance of the proclamation of 18th May 1855 with all the rights and appurtenances whatsoever thereto belonging to hold unto the said Edwin Dyke Cooper his heirs and assigns for ever yielding and paying therefor yearly unto us our heirs and successors the quit rent of one peppercorn for ever if demanded Provided nevertheless and we do hereby reserve unto us our heirs and successors all mines of coal and we do also reserve unto us our heirs and successors and to the Governor for the time being of our said territory by such person or persons as shall be by them or him authorized in that behalf full power to make and conduct through the said land all common or public drains and sewers which may be deemed expedient In testimony whereof we have caused this our grant to be sealed with the seal of our said territory.

Witness our trusty and well-beloved Sir William Thomas Denison Knight Governor-General in and over all our Colonies of New South Wales Tasmania Victoria South Australia and Western Australia and Captain-General and Governor-in-Chief of our territory of New South Wales and its dependencies at Government House Sydney in New South Wales aforesaid this twenty-seventh day of June in the twentieth year of our reign and in the year of our Lord one thousand eight hundred and fifty-six.

(L.S.) W. DENISON.

Recorded and enrolled in the Office for Registry of Deeds, Supreme Court, Sydney, this twenty-fourth day of July, 1856.

ALFRED ELYARD,
Registrar of Deeds.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,
Sydney, 31st day of May, 1879.

E. G. WARD,
Registrar General.

(11.)

New South Wales.

B—TOWN LOT, 56/4129.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth.

To all to whom these presents shall come greeting: Whereas in conformity with the Regulations now in force for the sale of Crown Lands in our territory of New South Wales Leonard Morse Cooper of Sydney has become the purchaser of the allotment or parcel of land hereinafter described for the sum of fifteen pounds sterling Now know ye that for and in consideration of the said sum for and on our behalf well and truly paid into the Colonial Treasury of our said territory before these presents are issued and in further consideration of the quit rent hereinafter reserved we with the advice of our Executive Council of New South Wales have granted and for us our heirs and successors do hereby grant unto the said Leonard Morse Cooper his heirs and assigns subject to the several and respective reservations hereinafter mentioned all that allotment or parcel of land in our said territory containing by admeasurement two roods and ten perches be the same more or less situated in the village of Coogee parish of Alexandria county of Cumberland being allotment No. four of section No. two: Commencing on Dudley-street at the north-west corner of allotment No. three and bounded on the north by Dudley-street bearing west two chains and fifty links to Arden-street on the west by Arden-street bearing south two chains and twenty-five links on the south by a line bearing east two chains and fifty links and on the east by a line bearing north two chains and twenty-five links dividing it from allotment No. three to the north-west corner thereof on Dudley-street aforesaid being the allotment sold as lot three in pursuance of the proclamation of 25th January 1856 with all the rights and appurtenances whatsoever thereto belonging To hold unto the said Leonard Morse Cooper his heirs and assigns for ever yielding and paying therefor yearly unto us our heirs

heirs and successors the quit rent of one peppercorn for ever if demanded. Provided nevertheless and we do hereby reserve unto us our heirs and successors all mines of coal and we do also reserve unto us our heirs and successors and to the Governor for the time being of our said territory by such person or persons as shall be by them or him authorized in that behalf full power to make and conduct through the said land all common or public drains and sewers which may be deemed expedient. In testimony whereof we have caused this our grant to be sealed with the seal of our said territory.

Witness our trusty and well-beloved Sir William Thomas Denison Knight Governor-General in and over all our Colonies of New South Wales Tasmania Victoria South Australia and Western Australia and Captain-General and Governor-in-Chief of our territory of New South Wales and its dependencies at Government House Sydney in New South Wales aforesaid this third day of November in the twentieth year of our reign and in the year of our Lord one thousand eight hundred and fifty-six.

(L.S.) W. DENISON.

Recorded and enrolled in the Office for Registry of Deeds, Supreme Court, Sydney, this eleventh day of December, 1856.

ALFRED ELYARD,
Registrar of Deeds.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,
Sydney, 31st day of May, 1879.

E. G. WARD,
Registrar General.

(12.)

New South Wales.

B—TOWN LOT—62/313.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth.

To all whom these presents shall come greeting: Whereas at a sale by auction of Crown lands in our Colony of New South Wales held at Sydney in our said Colony on the fourteenth day of July in the year of our Lord one thousand eight hundred and sixty-two John Cooper of Sydney in our said Colony became the purchaser of the allotment or parcel of land hereinafter described for the sum of twelve pounds and eight-pence sterling now know ye that for and in consideration of the said sum for and on our behalf well and truly paid into the Colonial Treasury of our said Colony before these presents are issued we with the advice of our Executive Council of New South Wales have granted and for us our heirs and successors do hereby grant unto the said John Cooper his heirs and assigns subject to the several and respective reservations hereinafter mentioned all that allotment or parcel of land in our said Colony containing by admeasurement thirty-eight perches and the half of a perch be the same more or less situated in the county of Cumberland and parish of Willoughby and town of Saint Leonards being allotment No. seven of section No. twenty-three commencing on the north side of Short-street at the south-western corner of allotment six and bounded thence on the south by that street westerly one chain and ninety links on the west by the eastern boundary-line of allotment seven A northerly at right angles to Short-street one chain and twenty-seven links on the north by the southern boundaries of allotments thirteen and twelve being in all a line easterly parallel with Short-street one chain and ninety links and on the east by the western boundary-line of allotment six aforesaid southerly at right angles to Short-street one chain and twenty-seven links to the point of commencement being the allotment sold as Lot YY under the advertisement dated the 9th June 1862 with all the rights and appurtenances whatsoever thereto belonging to hold unto the said John Cooper his heirs and assigns for ever. Provided nevertheless and we do hereby reserve unto us our heirs and successors and to the Governor for the time being of our said Colony by such person or persons as shall be by them or him authorized in that behalf full power to make and conduct through the said land all common or public drains and sewers which may be deemed expedient. In testimony whereof we have caused this our grant to be sealed with the seal of our said Colony.

Witness our right trusty and well-beloved Councillor Sir John Young Baronet Knight Commander of our Most Honorable Order of the Bath Knight Grand Cross of our Most Distinguished Order of St. Michael and St. George our Captain-General and Governor-in-Chief of our Colony of New South Wales at Government House Sydney in New South Wales aforesaid this ninth day of September in the twenty-sixth year of our reign and in the year of our Lord one thousand eight hundred and sixty-two.

(L.S.) JOHN YOUNG.

Recorded and enrolled in the General Registry Office, at Sydney, New South Wales, in the Register of Town Purchase B, page 313, this ninth day of October, 1862.

THEO^{RE}. JAS. JAKES,
Acting Registrar General.

Entered in the Register of Land Purchases B, folio _____, in the Surveyor General's Office, Sydney, this _____ day of _____ 1862.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,
Sydney, 31st day of May, 1879.

E. G. WARD,
Registrar General.

(13.)

13

(13.)

New South Wales.

B—TOWN LOT, 62/314.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth.

To all to whom these presents shall come greeting: Whereas at a sale by auction of Crown Lands in our Colony of New South Wales held at Sydney in our said Colony on the fourteenth day of July in the year of our Lord one thousand eight hundred and sixty-two John Cooper of Sydney in our said Colony became the purchaser of the allotment or parcel of land hereinafter described for the sum of twelve pounds and eight-pence sterling. Now know ye that for and in consideration of the said sum for and on our behalf well and truly paid into the Colonial Treasury of our said Colony before these presents are issued we with the advice of our Executive Council of New South Wales have granted and for us our heirs and successors do hereby grant unto the said John Cooper his heirs and assigns subject to the several and respective reservations hereinafter mentioned all that allotment or parcel of land in our said Colony containing by admeasurement thirty-eight perches and the half of a perch be the same more or less situated in the county of Cumberland and parish of Willoughby and town of Saint Leonards being allotment No. six of section No. twenty-three commencing on the north side of Short-street at the south-western corner of allotment five and bounded thence on the south by that street westerly one chain and ninety links on the west by the eastern boundary-line of allotment seven northerly at right angles to Short-street one chain and twenty-seven links on the north by the southern boundaries of allotments eleven and ten being in all a line easterly parallel with Short-street one chain and ninety links and on the east by the western boundary-line of allotment five aforesaid southerly at right angles to Short-street one chain and twenty-seven links to the point of commencement being the allotment sold as Lot XX under the advertisement dated the 9th June 1862 with all the rights and appurtenances whatsoever thereto belonging to hold unto the said John Cooper his heirs and assigns for ever. Provided nevertheless and we do hereby reserve unto us our heirs and successors and to the Governor for the time being of our said Colony by such person or persons as shall be by them or him authorized in that behalf full power to make and conduct through this land all common or public drains and sewers which may be deemed expedient. In testimony whereof we have caused this our grant to be sealed with the seal of our said Colony.

Witness our right trusty and well-beloved Sir John Young Baronet Knight Commander of our Most Honorable Order of the Bath Knight Grand Cross of our Most Distinguished Order of Saint Michael and Saint George our Captain-General and Governor-in-Chief of our Colony of New South Wales at Government House Sydney in New South Wales aforesaid this ninth day of September in the twenty-sixth year of our reign and in the year of our Lord one thousand eight hundred and sixty-two.

(L.S.) JOHN YOUNG.

Recorded and enrolled in the General Registry Office at Sydney, New South Wales, in the Register of Town Purchases B, page 314, this ninth day of October, 1862.

THEO^{RE}. JAS. JAQUES,
Acting Registrar General.

Entered in the Register of Land Purchases B, folio _____ in the Surveyor General's Office, Sydney,
this _____ day of _____ 1862.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes, in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,
Sydney, 31st day of May, 1879.

E. G. WARD,
Registrar General.

(14.)

New South Wales.

B—TOWN LOT, 62/315.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth.

To all to whom these presents shall come greeting: Whereas at a sale by auction of Crown lands in our Colony of New South Wales held at Sydney in our said Colony on the fourteenth day of July in the year of our Lord one thousand eight hundred and sixty-two John Cooper of Sydney in our said Colony became the purchaser of the allotment or parcel of land hereinafter described for the sum of twelve pounds and eight-pence sterling. Now know ye that for and in consideration of the said sum for and on our behalf well and truly paid into the Colonial Treasury of our said Colony before these presents are issued with the advice of our Executive Council of New South Wales have granted and for us our heirs and successors do hereby grant unto the said John Cooper his heirs and assigns subject to the several and respective reservations hereinafter mentioned all that allotment or parcel of land in our said Colony containing by admeasurement thirty-eight perches and the half of a perch be the same more or less situated in the county of Cumberland and parish of Willoughby and town of St. Leonards being allotment No. five of section No. twenty-three commencing on the north side of Short-street at the south-eastern corner of allotment six and bounded thence on the south by that street easterly one chain and ninety links to the western boundary line of Alfred Thrupp's seven hundred acres on the east by part of that boundary line northerly at right angles to Short-street one chain and twenty-seven links on the north by the southern boundaries of allotments eight and nine being in all a line westerly parallel with Short-street one chain and ninety links and on the west by the eastern boundary line of allotment six aforesaid southerly at right angles to Short-street one chain and twenty-seven links to the point of commencement being the allotment sold as lot WW under the advertisement dated the 9th June 1862 with all

all the rights and appurtenances whatsoever thereto belonging to hold unto the said John Cooper his heirs and assigns for ever Provided nevertheless and we do hereby reserve unto us our heirs and successors and to the Governor for the time being of our said Colony by such person or persons as shall be by them or him authorized in that behalf full power to make and conduct through the said land all common or public drains and sewers which may be deemed expedient.

In testimony whereof we have caused this our grant to be sealed with the seal of our said Colony Witness our right trusty and well beloved Sir John Young Baronet Knight Commander of our Most Honorable Order of the Bath Knight Grand Cross of our Most Distinguished Order of St. Michael and St. George our Captain-General and Governor-in-Chief of our Colony of New South Wales at Government House Sydney in New South Wales aforesaid this ninth day of September in the twenty-sixth year of our reign and in the year of our Lord one thousand eight hundred and sixty-two.

(L.S.) JOHN YOUNG.

Recorded and enrolled in the General Registry Office, at Sydney, New South Wales, in the Register of Town Purchases B, page 315, the ninth day of October, 1862.

THEO^{RE}. JAS. JAQUES,

Acting Registrar General.

Entered in the Register of Land Purchases B, folio _____, in the Surveyor General's Office, Sydney, this _____ day of _____, 1862.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,

Sydney, 31st day of May, 1879.

E. G. WARD,

Registrar General.

(15.)

New South Wales.

A—LAND PURCHASE, 56/2,832.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth.

To all to whom these presents shall come greeting: Whereas in conformity with the Regulations now in force for the sale of Crown Lands in our territory of New South Wales Leonard Morse Cooper of Sydney has become the purchaser of the land hereinafter described for the sum of fifty pounds thirteen shillings sterling Now know ye that for and in consideration of the said sum for and on our behalf well and truly paid into the Colonial Treasury of our said territory before these presents are issued and in further consideration of the quit rent hereinafter reserved we with the advice of our Executive Council of New South Wales have granted and for us our heirs and successors do hereby grant unto the said Leonard Morse Cooper his heirs and assigns subject to the several and respective reservations hereinafter mentioned all that piece or parcel of land in our said territory containing by admeasurement five acres and ten perches be the same more or less situated in the county of Cumberland and parish of Alexandria at Little Coogee suburban allotment number four commencing at a point one chain seventeen links north of the south-west corner of W. C. Greville's twenty acres and bounded on the east by part of the west boundary line of that land bearing north five chains fifty links on the north by part of the south boundary line of a measured portion of four acres twenty-four perches bearing west nine chains twenty-five links on the west by a road one chain wide dividing it from a measured portion of five acres ten perches bearing south five chains fifty links and on the south by a road fifty links wide dividing it from part of the north boundary of L. Gordon's four acres three roods three perches and a measured portion of six acres two roods bearing east nine chains twenty-five links to the commencing point aforesaid being the land sold as Lot 54 in pursuance of the proclamation of 25th January 1856 with all the rights and appurtenances whatsoever thereto belonging to hold unto the said Leonard Morse Cooper his heirs and assigns for ever yielding and paying therefor yearly unto us our heirs and successors the quit rent of one peppercorn for ever if demanded Provided nevertheless and we do hereby reserve unto us our heirs and successors all such parts and so much of the said land as may hereafter be required for making public ways canals or railroads in over and through the same to be set out by our Governor for the time being of our said territory or some person by him authorized in that respect And also all sand clay stone gravel and indigenous timber and all other materials the natural produce of the said land which may be required at any time or times hereafter for the construction and repair of any public ways bridges canals and railroads or any fences embankments dams sewers or drains necessary for the same together with the right of taking and removing all such materials And we do hereby further reserve unto us our heirs and successors the right of full and free ingress egress and regress into out of and upon the said land for the several purposes aforesaid In testimony whereof we have caused our grant to be sealed with the seal of our said territory.

Witness our trusty and well-beloved Sir William Thomas Denison Knight Governor-General in and over all our Colonies of New South Wales Tasmania Victoria South Australia and Western Australia and Captain-General and Governor-in-Chief of our Territory of New South Wales and its dependencies at Government House Sydney in New South Wales aforesaid this twenty-ninth day of October in the twentieth year of our reign and in the year of our Lord one thousand eight hundred and fifty-six.

(L.S.) W. DENISON.

Recorded and enrolled in the Office for Registry of Deeds, Supreme Court, Sydney, this eleventh day of December, 1856.

ALFRED ELYARD,

Registrar of Deeds.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,

Sydney, 31st day of May, 1879.

E. G. WARD,

Registrar General.

(16.)

New South Wales.

A—LAND PURCHASE—56/2,834.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth.

To all to whom these presents shall come greeting Whereas in conformity with the Regulations now in force for the sale of Crown Lands in our territory of New South Wales Leonard Morse Cooper of Sydney has become the purchaser of the land hereinafter described for the sum of forty-one pounds ten shillings sterling Now know ye that for and in consideration of the said sum for and on our behalf well and truly paid into the Colonial Treasury of our said territory before these presents are issued and in further consideration of the quit rent hereinafter reserved we with the advice of our Executive Council of New South Wales have granted and for us our heirs and successors do hereby grant unto the said Leonard Morse Cooper his heirs and assigns subject to the several and respective reservations hereinafter mentioned All that piece or parcel of land in our said territory containing by admeasurement four acres and twenty-four perches be the same more or less situated in the county of Cumberland and parish of Alexandria at Little Coogee suburban allotment number seven commencing at the north-west corner of a measured portion of five acres ten perches and bounded on the west by a road one chain wide bearing north one chain thence west dividing it from a measured portion of five acres ten perches four chains twenty links thence north dividing it from a measured portion of five acres six chains thirty-five links on the north-east by another road one chain wide dividing it from a measured portion of five acres thirty-five perches and a measured portion of six acres ten perches bearing south fifty-nine degrees east fifteen chains thirty links and on the south by the north boundary line of the aforesaid measured portion of five acres ten perches bearing west eight chains twenty-five links to the north-west corner of that land as aforesaid Being the land sold as lot 57 in pursuance of the proclamation of 25th January 1856 with all the rights and appurtenances whatsoever thereto belonging To hold unto the said Leonard Morse Cooper his heirs and assigns for ever yielding and paying therefor yearly unto us our heirs and successors the quit rent of one peppercorn for ever if demanded Provided nevertheless and we do hereby reserve unto us our heirs and successors all such parts and so much of the said land as may hereafter be required for making public ways canals or railroads in over and through the same to be set out by our Governor for the time being of our said territory or some person by him authorized in that respect And also all sand clay stone gravel and indigenous timber and all other materials the natural produce of the said land which may be required at any time or times hereafter for the construction and repair of any public ways bridges canals and railroads or any fences embankments dams sewers or drains necessary for the same together with the right of taking and removing all such materials And we do hereby further reserve unto us our heirs and successors the right of full and free ingress egress and regress into out of and upon the said land for the several purposes aforesaid In testimony whereof we have caused our grant to be sealed with the seal of our said territory.

Witness our trusty and well-beloved Sir William Thomas Denison Knight Governor-General in and over all our Colonies of New South Wales Tasmania Victoria South Australia and Western Australia and Captain-General and Governor-in-Chief of our territory of New South Wales and its dependencies at Government House Sydney in New South Wales aforesaid this twentieth day of October in the twentieth year of our reign and in the year of our Lord one thousand eight hundred and fifty-six.

(L.S.) W. DENISON.

Recorded and enrolled in the Office for Registry of Deeds, Supreme Court, Sydney, this eleventh day of December, 1856.

ALFRED ELYARD,
Registrar of Deeds.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

E. G. WARD,
Registrar General.

Registrar General's Office,
Sydney, 31st day of May, 1879.

New South Wales.

A—LAND PURCHASE, 56/2871.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth.

To all to whom these presents shall come greeting: Whereas in conformity with the Regulations now in force for the sale of Crown Lands in our territory of New South Wales Leonard Morse Cooper of Sydney has become the purchaser of the land hereinafter described for the sum of ninety-three pounds sterling now know ye that for and in consideration of the said sum for and on our behalf well and truly paid into the Colonial Treasury of our said territory before these presents are issued and in further consideration of the quit rent hereinafter reserved we with the advice of our Executive Council of New South Wales have granted and for us our heirs and successors do hereby grant unto the said Leonard Morse Cooper his heirs and assigns subject to the several and respective reservations hereinafter mentioned all that piece or parcel of land in our said territory containing by admeasurement four acres two roods and thirty-four perches be the same more or less situated in the county of Cumberland and parish of Alexandria near Coogee suburban allotment number two of section number seventeen commencing at the south-west intersection of Whale-street with Nathan-street and bounded on the north by Whale-street bearing west seven chains and eleven links on the north-west by a line bearing south forty-five degrees and thirty-two minutes west seventy-three links and one-half link on the south-west by Dudley-street bearing south twenty-eight

twenty-eight degrees and fifteen minutes east five chains and fourteen links thence south twenty-seven degrees and thirty minutes east two chains and sixty links then east forty degrees and twenty-six minutes south three chains and ninety-two links to Carr-street on the south by Carr-street bearing east one chain and on the east by a line bearing north five chains dividing it from allotment number three and thence by the west side of Nathan-street dividing it from allotment number one bearing north five chains to the point of commencement being the land sold as lot 24 in pursuance of the proclamation of 25th January 1856 with all the rights and appurtenances whatsoever thereto belonging to hold unto the said Leonard Morse Cooper his heirs and assigns for ever yielding and paying unto us our heirs and successors the quit rent of one peppercorn for ever if demanded. Provided nevertheless and we do hereby reserve unto us our heirs and successors all such parts and so much of the said land as may hereafter be required for making public ways canals or railroads in over and through the same to be set out by our Governor for the time being of our said territory or some person by him authorized in that respect and also all sand clay stone gravel and indigenous timber and all other materials the natural produce of the said land which may be required at any time or times hereafter for the construction and repair of all public ways bridges canals and railroads or any fences embankments dam sewers or drains necessary for the same together with the right of taking and removing all such materials and we do hereby further reserve unto us our heirs and successors the right of full and free ingress egress and regress into out of and upon the said land for the several purposes aforesaid. In testimony whereof we have caused this our grant to be sealed with the seal of our said territory.

Witness our trusty and well-beloved Sir William Thomas Denison Knight Governor-General in and over all our Colonies of New South Wales Tasmania Victoria South Australia and Western Australia and Captain-General and Governor-in-Chief of our territory of New South Wales and its dependencies at Government House Sydney in New South Wales aforesaid this twentieth day of October in the twentieth year of our reign and in the year of our Lord one thousand eight hundred and fifty-six.

(L.S.) W. DENISON.

Recorded and enrolled in the Office for Registry of Deeds, Supreme Court, Sydney, this eleventh day of December, 1856.

ALFRED ELYARD,
Registrar of Deeds.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,
Sydney, 31st day of May, 1879.

E. G. WARD,
Registrar General.

(18.)

New South Wales.

A—LAND PURCHASE—56/3,671.

County—Cumberland. Parish—Alexandria. Date of purchase—28th August, 1856. Area—6 acres 1 rood 4 perches.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth.

To all to whom these presents shall come greeting: Whereas in conformity with Regulations now in force for the sale of Crown Lands in our territory of New South Wales Leonard Morse Cooper of Sydney has become the purchaser of the land hereinafter described for the sum of ninety-one pounds sterling. Now know ye that for and in consideration of the said sum for and on our behalf well and truly paid into the Colonial Treasury of our said territory before these presents are issued and in further consideration of the quit rent hereinafter reserved we with the advice of our Executive Council of New South Wales have granted and for us our heirs and successors do hereby grant unto the said Leonard Morse Cooper his heirs and assigns subject to the several and respective reservations hereinafter mentioned. All that piece or parcel of land in our said territory containing by admeasurement six acres one rood and four perches be the same more or less situated in the county of Cumberland and parish of Alexandria near Coogee suburban allotment number eight commencing at the south-west corner of allotment number nine and bounded on the east by the west boundary line of that land bearing north twenty-three degrees thirty-six minutes east eight chains forty-nine links on the north-east by a line bearing west thirty-six degrees eighteen minutes north five chains ninety links to Howard-lane on the west and north-west by Howard-lane bearing south thirty-six degrees eighteen minutes west two chains twenty-two links then south fifty-four degrees thirty minutes west five chains seventy-six links then south thirty minutes east one chain fifteen links to its intersection with the north-east side of Perouse Road and on the south-west by that road south-easterly eight chains eighty-eight links to the south-west corner of allotment number nine aforesaid being the land sold as lot twelve in pursuance of the proclamation of 15th July 1856 with all the rights and appurtenances whatsoever thereto belonging to hold unto the said Leonard Morse Cooper his heirs and assigns for ever yielding and paying therefor yearly unto us our heirs and successors the quit rent of one peppercorn for ever if demanded. Provided nevertheless and we do hereby reserve unto us our heirs and successors all such parts and so much of the said land as may hereafter be required for making public ways canals or railroads in over and through the same to be set out by our Governor for the time being of our said territory or some person by him authorized in that respect. And also all sand clay stone gravel and indigenous timber and all other materials the natural produce of the land which may be required at any time or times hereafter for the construction and repair of any public ways bridges canals and railroads or any fences embankments dams sewers or drains necessary for the same together with the right of taking and removing all such materials. And we do hereby further reserve unto us our heirs and successors the right of full and free ingress egress and regress into out of and upon the said land for the several purposes aforesaid. In testimony whereof we have caused this our grant to be sealed with the seal of our said territory.

Witness

Witness our trusty and well-beloved Sir William Thomas Denison Knight Commander of the most Honorable Order of the Bath Governor-General in and over all our Colonies of New South Wales Tasmania Victoria South Australia and Western Australia and Captain-General and Governor-in-Chief of our territory of New South Wales and its dependencies at Government House Sydney in New South Wales aforesaid this nineteenth day of November in the twentieth year of our reign and in the year of our Lord one thousand eight hundred and fifty-six.

(L.S.) W. DENISON.

Recorded and enrolled in the Office for Registry of Deeds, Supreme Court, Sydney, this eleventh day of December, 1856.

ALFRED ELYARD,
Registrar of Deeds.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,
Sydney, 31st day of May, 1879.

E. G. WARD,
Registrar General.

(19.)

New South Wales.

A—LAND PURCHASE—56/3,672.

County—Cumberland. Parish—Alexandria. Date of purchase—28th August, 1856. Area—3 acres 1 rood 17 perches.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth.

To all to whom these presents shall come greeting: Whereas in conformity with the Regulations now in force for the sale of Crown Lands in our territory of New South Wales Leonard Morse Cooper of Sydney has become the purchaser of the land hereafter described for the sum of ninety-five pounds sterling Now know ye that for and in consideration of the sum for and on our behalf well and truly paid into the Colonial Treasury of our said territory before these presents are issued And in further consideration of the quit rent hereinafter reserved we with the advice of our Executive Council of New South Wales have granted and for us our heirs and successors do hereby grant unto the said Leonard Morse Cooper his heirs and assigns subject to the several and respective reservations hereinafter mentioned all that piece or parcel of land in our said territory containing by admeasurement three acres one rood and seventeen perches be the same more or less situated in the county of Cumberland and parish of Alexandria near Coogee suburban allotment number one of section number twenty-three Commencing at the intersection of the east side of Nathan-street with the south side of Allison Road and bounded on the west by Nathan-street bearing south six chains on the south by a line bearing east five chains sixty links to Melody-street on the east by Melody-street bearing north six chains to Allison Road and on the north by Allison Road bearing west five chains sixty links to the point of commencing being the land sold as lot thirty-three in pursuance of the proclamation of 15th July 1856 with all the rights and appurtenances whatsoever thereto belonging To hold unto the said Leonard Morse Cooper his heirs and assigns for ever yielding and paying therefor yearly unto us our heirs and successors the quit rent of one peppercorn for ever if demanded Provided nevertheless and we do hereby reserve unto us our heirs and successors all such parts and so much of the said land as may hereafter be required for making public ways canals or railroads in over and through the same to be set out by our Governor for the time being of our said territory or some person by him authorized in that respect And also all sand clay stone gravel and indigenous timber and all other materials the natural produce of the said land which may be required at any time or times hereafter for the construction and repair of any public ways bridges canals and railroads or any fences embankments dams sewers or drains necessary for the same together with right of taking and removing all such materials And we do hereby further reserve unto us our heirs and successors the right of full and free ingress egress and regress into out of and upon the said land for the several purposes aforesaid. In testimony whereof we have caused this our grant to be sealed with the seal of our said territory.

Witness our trusty and well-beloved Sir William Thomas Denison Knight Commander of the Most Honorable Order of the Bath Governor-General in and over all our Colonies of New South Wales Tasmania Victoria South Australia and Western Australia and Captain-General and Governor-in-Chief of our territory of New South Wales and its dependencies at Government House Sydney New South Wales aforesaid the nineteenth day of November in the twentieth year of our reign and in the year of our Lord one thousand eight hundred and fifty-six.

(L.S.) W. DENISON.

Recorded and enrolled in the Office for Registrar of Deeds, Supreme Court, Sydney, this eleventh day of December, 1856.

ALFRED ELYARD,
Registrar of Deeds.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,
Sydney, 31st day of May, 1879.

E. G. WARD,
Registrar General.

New South Wales.

A.—LAND PURCHASE—56/3,673.

County—Cumberland. Parish—Alexandria. Date of purchase—28th August, 1856. Area—4 acres 2 roods 11 perches.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth.

To all to whom these presents shall come greeting: Whereas in conformity with the Regulations now in force for the sale of Crown Lands in our territory of New South Wales Leonard Morse Cooper of Sydney has become the purchaser of the land hereinafter described for the sum of one hundred and one pounds sterling Now know ye that for and in consideration of the said sum for and on our behalf well and truly paid into the Colonial Treasury of our said territory before these presents are issued and in further consideration of the quit rent hereinafter reserved we with the advice of our Executive Council of New South Wales have granted and for us our heirs and successors do hereby grant unto the said Leonard Morse Cooper his heirs and assigns subject to the several and respective reservations hereinafter mentioned all that piece or parcel in our said territory containing by admeasurement four acres two roods eleven perches be the same more or less situated in the county of Cumberland and parish of Alexandria near Little Coogee suburban allotment number fifty-two commencing on the west side of Arden-street at the north-east corner of John Madden's four acres and eleven perches and bounded on the east by Arden-street bearing north ten chains to Greville-street on the north by Greville-street bearing west four chains fifty-seven links on the west by a line bearing south ten chains to the north boundary of John Madden's four acres and eleven perches aforesaid and on south by four chains fifty-seven links of that boundary line bearing east to the north-east corner thereof as aforesaid being the land sold as lot 23 in pursuance of the proclamation of 15th July 1856 with all the rights and appurtenances whatsoever thereto belonging to hold unto the said Leonard Morse Cooper his heirs and assigns for ever yielding and paying therefor yearly unto us our heirs and successors the quit rent of one peppercorn for ever if demanded Provided nevertheless and we do hereby reserve unto us our heirs and successors all such parts and so much of the said land as may hereafter be required for making public ways canals or railroads in over and through the same to be set out by our Governor for the time being of our said territory or some person by him authorized in that respect and also all sand clay stone gravel and indigenous timber and all other materials the natural produce of the said land which may be required at any time or times hereafter for the construction and repair of any public ways bridges canals and railroads or any fences embankments dams sewers or drains necessary for the same together with the right of taking and removing all such materials and we do hereby further reserve unto us our heirs and successors the right of full and free ingress egress and regress into out of and upon the said land for the several purposes aforesaid In testimony whereof we have caused this our grant to be sealed with the seal of our said territory.

Witness our trusty and well-beloved Sir William Thomas Denison Knight Commander of the Most Honorable Order of the Bath Governor-General in and over all our Colonies of New South Wales Tasmania Victoria South Australia and Western Australia and Captain-General and Governor-in-Chief of our territory of New South Wales and its dependencies at Government House Sydney in New South Wales aforesaid this nineteenth day of November in the twentieth year of our reign and in the year of our Lord one thousand eight hundred and fifty-six.

(L.S.) W. DENISON.

Recorded and enrolled in the Office for Registry of Deeds, Supreme Court, Sydney, this eleventh day of December, 1856.

ALFRED ELYARD,
Registrar of Deeds.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,
Sydney, 31st day of May, 1879.

E. G. WARD,
Registrar General.

New South Wales.

A.—LAND PURCHASE—56/3,674.

County—Cumberland. Parish—Alexandria. Date of purchase—28 August, 1856. Area—6 acres 1 rood 34 perches.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth.

To all to whom these presents shall come greeting: Whereas in conformity with the Regulations now in force for the sale of Crown Lands in our territory of New South Wales Leonard Morse Cooper of Sydney has become the purchaser of the land hereinafter described for the sum of ninety pounds sterling Now know ye that for and in consideration of the said sum for and on our behalf well and truly paid into the Colonial Treasury of our said territory before these presents are issued and in further consideration of the quit rent hereinafter reserved we with the advice of our Executive Council of New South Wales have granted and for us our heirs and successors do hereby grant unto the said Leonard Morse Cooper his heirs and assigns subject to the several and respective reservations hereinafter mentioned all that piece or parcel of land in our said territory containing by admeasurement six acres one rood and thirty-four perches be the same more or less situated in the county of Cumberland and parish of Alexandria near Coogee suburban allotment number nine commencing at the north-west intersection of Perouse-street with Melody-street and bounded on the east by Melody-street bearing north four degrees east seven chains on the north by a line bearing west eleven degrees forty-five minutes north seven chains twenty-four links on the west by a line bearing south twenty-three degrees thirty-six minutes west eight chains forty-nine links to Perouse-street and on the south by Perouse-street bearing east four degrees south ten chains to the

the point of commencement being the land sold as lot 13 in pursuance of the proclamation of 15th July 1856 with all the rights and appurtenances whatsoever thereto belonging To hold unto the said Leonard Morse Cooper his heirs and assigns for ever yielding and paying therefor yearly unto us our heirs and successors the quit rent of one peppercorn for ever if demanded Provided nevertheless and we do hereby reserve unto us our heirs and successors all such parts and so much of the said land as may hereafter be required for making public ways canals or railroads in over and through the same to be set out by our Governor for the time being of our said territory or some person by him authorized in that respect And also all sand clay stone gravel and indigenous timber and all other materials the natural produce of the said land which may be required at any time or times hereafter for the construction and repair of any public ways bridges canals and railroads or any fences embankments dams sewers or drains necessary for the same together with the right of taking and removing all such materials And we do hereby further reserve unto us our heirs and successors the right of full and free ingress egress and regress into out of and upon the said land for the several purposes aforesaid In testimony whereof we have caused this our grant to be sealed with the seal of our said territory.

Witness our trusty and well-beloved Sir William Thomas Denison Commander of the Most Honorable Order of the Bath Knight Governor-General in and over all our Colonies of New South Wales Tasmania Victoria South Australia and Western Australia and Captain-General and Governor-in-Chief of our territory of New South Wales and its dependencies at Government House Sydney in New South Wales aforesaid this nineteenth day of November in the twentieth year of our reign and in the year of our Lord one thousand eight hundred and fifty-six.

(L.S.) W. DENISON.

Recorded and enrolled in the Office for Registry of Deeds, Supreme Court, Sydney, this eleventh day of December, 1856.

ALFRED ELYARD,

Registrar of Deeds.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,
Sydney, 31st day of May, 1879.

E. G. WARD,
Registrar General.

(22.)

New South Wales.

A.—LAND PURCHASE—56/3,887.

County—Cumberland. Parish—Alexandria. Date of purchase—10 July, 1856. Area—2 acres 2 roods 20 perches.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth.

To all to whom these presents shall come greeting: Whereas in conformity with the Regulations now in force for the sale of Crown Lands in our territory of New South Wales Francis Cooper of Sydney has become the purchaser of the land hereinafter described for the sum of eighty-six pounds sterling Now know ye that for and in consideration of the said sum for and on our behalf well and truly paid into the Colonial Treasury of our said territory before these presents are issued and in further consideration of the quit rent hereinafter reserved we with the advice of our Executive Council of New South Wales have granted and for us our heirs and successors do hereby grant unto the said Francis Cooper his heirs and assigns subject to the several and respective reservations hereinafter mentioned all that piece or parcel of land in our said territory containing by admeasurement two acres two roods and twenty perches be the same more or less situated in the county of Cumberland and parish of Alexandria at Little Coogee suburban allotment number forty commencing at the south-west corner of a measured portion of two acres two roods and twenty perches and bounded on the east by the west boundary line of that land bearing north five chains and seventy links on the north by a road one chain wide dividing it from two measured portions of two acres two roods and five perches each bearing west four chains and sixty-three links on the west by the east boundary line of a measured portion of two acres two roods and five perches bearing south five chains and seventy links and on the south by a part of the north boundary line of a measured portion of two acres two roods and five perches bearing east four chains and sixty-three links to the south-west corner of the two acres two roods and twenty perches aforesaid being the land sold as lot 5 in pursuance of the proclamation of the 9th June 1856 with all the rights and appurtenances whatsoever thereto belonging to hold unto the said Francis Cooper his heirs and assigns for ever yielding and paying therefor yearly unto us our heirs and successors the quit rent of one peppercorn for ever if demanded Provided nevertheless and we do hereby reserve unto us our heirs and successors all such parts and so much of the said land as may hereafter be required for making public ways canals or railroads in over and through the same to be set out by our Governor for the time being of our said territory or some person by him authorized in that respect and also all sand clay stone gravel and indigenous timber and all other materials the natural produce of the said land which may be required at any time or times hereafter for the construction and repair of any public ways bridges canals and railroads or any fences embankments dams sewers or drains necessary for the same together with the right of taking and removing all such materials And we do hereby further reserve unto us our heirs and successors the right of full and free ingress egress and regress into out of and upon the said land for the several purposes aforesaid In testimony whereof we have caused this our grant to be sealed with the seal of our said territory.

Witness our trusty and well-beloved Sir William Thomas Denison Knight Commander of the Most Honorable Order of the Bath Governor-General in and over all our Colonies of New South Wales Tasmania Victoria South Australia and Western Australia and Captain-General and Governor-in-Chief of our territory of New South Wales and its dependencies at Government House Sydney in New South Wales aforesaid this fourth day of December in the twentieth year of our reign and in the year of our Lord one thousand eight hundred and fifty-six.

(L.S.) W. DENISON.

Recorded

Recorded and enrolled in the Office for Registry of Deeds, Supreme Court, Sydney, this third day of February, 1857.

ALFRED ELYARD,
Registrar of Deeds.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,
Sydney, 31st day of May, 1879.

E. G. WARD,
Registrar General.

(23.)

New South Wales.

A.—LAND PURCHASE—56/3,892.

County—Cumberland. Parish—Willoughby. Date of purchase—10 July, 1856. Area—11 acres.
VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth.

To all to whom these presents shall come greeting: Whereas in conformity with the Regulations now in force for the sale of Crown Lands in our territory of New South Wales Francis Cooper of Sydney has become the purchaser of the land hereinafter described for the sum of fifty pounds sterling Now know ye that for and in consideration of the said sum for and on our behalf well and truly paid into the Colonial Treasury of our said territory before these presents are issued and in further consideration of the quit rent hereinafter reserved we with the advice of our Executive Council of New South Wales have granted and for us our heirs and successors do hereby grant unto the said Francis Cooper his heirs and assigns subject to the several and respective reservations hereinafter mentioned all that piece or parcel of land in our said territory containing by admeasurement eleven acres be the same more or less situated in the county of Cumberland and parish of Willoughby at Lane Cove commencing at the south-east corner of a measured portion of ten acres and one rood and bounded on the west by the east boundary of that land being the southerly continuation of the east side of a road one chain wide bearing north ten chains thence by the east side of that road separating it from a measured portion of twelve acres and two roods bearing north ten chains to another road on the north by the south side of that road one chain wide separating it from a measured portion of fourteen acres one rood and twenty-four perches bearing east six chains on the east by the western boundary of a measured portion of ten acres two roods being a line bearing south seventeen chains and fifty links and on the south by Stony Creek to the south-east corner of the measured portion of ten acres and one rood aforesaid being the land sold as lot 16 in pursuance of the proclamation of the 9th June 1856 with all the rights and appurtenances whatsoever thereto belonging to hold unto the said Francis Cooper his heirs and assigns for ever yielding and paying therefor yearly unto us our heirs and successors the quit rent of one pepper-corn for ever if demanded Provided nevertheless and we do hereby reserve unto us our heirs and successors all such parts and so much of the said land as may hereafter be required for making public ways canals or railroads in over and through the same to be set out by our Governor for the time being of our said territory or some person by him authorized in that respect And also all sand clay stone gravel and indigenous timber and all other materials the natural produce of the said land which may be required at any time or times hereafter for the construction and repair of any public ways bridges canals and railroads or any fences embankments dams sewers or drains necessary for the same together with the right of taking and removing all such materials And we do hereby further reserve unto us our heirs and successors the right of full and free ingress egress and regress into out of and upon the said land for the several purposes aforesaid In testimony whereof we have caused this our grant to be sealed with the seal of our said territory.

Witness our trusty and well-beloved Sir William Thomas Denison Knight Commander of the Most Honorable Order of the Bath Governor-General in and over all our Colonies of New South Wales Tasmania Victoria South Australia and Western Australia and Captain-General and Governor-in-Chief of our territory of New South Wales and its dependencies at Government House Sydney in New South Wales the fourth day of December in the twentieth year of our reign and in the year of our Lord one thousand eight hundred and fifty-six.

(L.S.) W. DENISON.

Recorded and enrolled in the Office for Registry of Deeds, Supreme Court, Sydney, the third day of February, 1857.

ALFRED ELYARD,
Registrar of Deeds.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,
Sydney, 31st day of May, 1879.

E. G. WARD,
Registrar General.

(24.)

New South Wales.

A.—LAND PURCHASE—56/3,893.

County—Cumberland. Parish—Willoughby. Date of purchase—10th July, 1856. Area—10 acres 1 rood.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth.

To all to whom these presents shall come greeting: Whereas in conformity with the Regulations now in force for the sale of Crown Lands in our territory of New South Wales Francis Cooper of Sydney has become the purchaser of the land hereinafter described for the sum of seventy-two pounds sterling Now know ye that for and in consideration of the said sum for and on our behalf well and truly paid into the Colonial

Colonial Treasury of our said territory before these presents are issued and in further consideration of the quit rent hereinafter reserved we with the advice of our Executive Council of New South Wales have granted and for us our heirs and successors do hereby grant unto the said Francis Cooper his heirs and assigns subject to the several and respective reservations hereinafter mentioned All that piece or parcel of land in our said territory containing by admeasurement ten acres and one rood be the same more or less situated in the county of Cumberland and parish of Willoughby at Lane Cove commencing at the south-west corner of a measured portion of eleven acres and bounded on the east by part of the west boundary of that land being a line bearing north ten chains on the north by a line dividing it from a road and from a measured portion of twelve acres and two roods bearing west twelve chains and fifty links to Lane Cove on the west and south by Lane Cove River to Stony Creek and thence by Stony Creek to the south-west corner of the measured portion of eleven acres aforesaid being the land sold as lot 17 in pursuance of the proclamation of the 9th June 1856 with all the rights and appurtenances whatsoever thereto belonging to hold unto the said Francis Cooper his heirs and assigns for ever yielding and paying therefor yearly unto us our heirs and successors the quit rent of one peppercorn for ever if demanded Provided nevertheless and we do hereby reserve unto us our heirs and successors all such parts and so much of the said land as may hereafter be required for making public ways canals or railroads in over and through the same to be set out by our Governor for the time being of our said territory or some person by him authorized in that respect And also all sand clay stone gravel and indigenous timber and all other materials the natural produce of the said land which may be required at any time or times hereafter for the construction and repair of any public ways bridges canals and railroads or any fences embankments dams sewers or drains necessary for the same together with right of taking and removing all such materials And we do hereby further reserve unto us our heirs and successors the right of full and free ingress egress and regress into out of and upon the said land for the several purposes aforesaid In testimony whereof we have caused this our grant to be sealed with the seal of our said territory.

Witness our trusty and well-beloved Sir William Thomas Denison Knight Commander of the Most Honorable Order of the Bath Governor-General in and over all our Colonies of New South Wales Tasmania Victoria South Australia and Western Australia and Captain-General and Governor-in-Chief of our territory of New South Wales and its dependencies at Government House Sydney in New South Wales aforesaid this fourth day of December in the twentieth year of our reign and in the year of our Lord one thousand eight hundred and fifty-six.

(L.S.) W. DENISON.

Recorded and enrolled in the Office for Registry of Deeds, Supreme Court, Sydney, this third day of February, 1857.

ALFRED ELYARD,
Registrar of Deeds.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,
Sydney, 31st day of May, 1879.

E. G. WARD,
Registrar General.

(25.)

New South Wales.

A.—LAND PURCHASE—56/4,026.

County—Cumberland. Parish—Alexandria. Date of purchase—9th July, 1856. Area—4 acres 3 roods 28 perches.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth.

To all to whom these presents shall come greeting: Whereas in conformity with the Regulations now in force for the sale of Crown Lands in our territory of New South Wales Francis Cooper of Sydney has become the purchaser of the land hereinafter described for the sum of one hundred and one pounds sterling Now know ye that for and in consideration of the said sum for and on our behalf well and truly paid into the Colonial Treasury of our said territory before these presents are issued and in further consideration of the quit rent hereinafter reserved we with the advice of our Executive Council of New South Wales have granted and for us our heirs and successors do hereby grant unto the said Francis Cooper his heirs and assigns subject to the several and respective reservations hereinafter mentioned all that piece or parcel of land in our said territory containing by admeasurement four acres three roods and twenty-eight perches be the same more or less situated in the county of Cumberland and parish of Alexandria near Little Coogee suburban allotment number seventy commencing at the north-west corner of allotment number sixty-nine and bounded on the north by Douglas-lane bearing west five chains twenty-eight links on the north-west by Douglas-lane bearing south fifty-two degrees west five chains eighteen links on the south-west by a line bearing east fifty-two degrees south four chains and nine links on the south by a line bearing east six chains and ninety links and on the east by a line bearing north six chains and thirty-five links dividing it from allotments number sixty-nine aforesaid to the north-west corner thereof as aforesaid being the land sold as lot 16 in pursuance of the proclamation of the 9th June 1856 with all the rights and appurtenances whatsoever thereto belonging to hold unto the said Francis Cooper his heirs and assigns for ever yielding and paying therefor yearly unto us our heirs and successors the quit rent of one peppercorn for ever if demanded Provided nevertheless and we do hereby reserve unto us our heirs and successors all such parts and so much of the said land as may hereafter be required for making public ways canals or railroads in over and through the same to be set out by our Governor for the time being of our said territory or some person by him authorized in that respect and also all sand clay stone gravel and indigenous timber and all other materials the natural produce of the said land which may be required at any time or times hereafter for the construction and repair of any public ways bridges canals and railroads or any fences embankments dams sewers or drains necessary for the same together with the right of taking and removing all such materials and we do hereby further reserve unto us our heirs and successors the

the right of full and free ingress egress and regress into out of and upon the said land for the severa purposes aforesaid In testimony whereof we have caused this our grant to be sealed with the seal of our said territory.

Witness our trusty and well-beloved Sir William Thomas Denison Knight Commander of the Most Honorable order of the Bath Governor-General in and over all our Colonies of New South Wales Tasmania Victoria South Australia and Western Australia and Captain-General and Governor-in-Chief of our territory of New South Wales and its Dependencies at Government House Sydney in New South Wales aforesaid this fourth day of December in the twentieth year of our reign and in the year of our Lord one thousand eight hundred and fifty-six.

(L.S.) W. DENISON.

Recorded and enrolled in the Office for the Registry of Deeds, Supreme Court, Sydney, this nineteenth day of February, 1857.

ALFRED ELYARD,

Registrar of Deeds.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,
Sydney, 31st day of May, 1879.

E. G. WARD,
Registrar General.

(26.)

New South Wales.

A.—LAND PURCHASE—56/4,028.

County—Cumberland. Parish—Alexandria. Date of purchase—9th July, 1856. Area—4 acres 37 perches.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth.

To all to whom these presents shall come greeting: Whereas in conformity with the Regulations now in force for the sale of Crown Lands in our territory of New South Wales Francis Cooper of Sydney has become the purchaser of the land hereinafter described for the sum of ninety-one pounds sterling now know ye that for and in consideration of the said sum for and on our behalf well and truly paid into the Colonial Treasury of our said territory before these presents are issued and in further consideration of the quit rent hereinafter reserved we with the advice of our Executive Council of New South Wales have granted and for us our heirs and successors do hereby grant unto the said Francis Cooper his heirs and assigns subject to the several and respective reservations hereinafter mentioned all that piece or parcel of land in our said territory containing by admeasurement four acres and thirty-seven perches be the same more or less situated in the county of Cumberland and parish of Alexandria near Little Coogee suburban allotment number sixty-nine commencing on the south side of Douglas-lane at the north-east corner of allotment number seventy and bounded on the north by Douglas-lane bearing east six chains sixty-seven links to Arden-street on the east by Arden-street bearing south six chains thirty-five links on the south by a line bearing west six chains and sixty-seven links on the west by a line dividing it from allotment number seventy aforesaid bearing north six chains thirty-five links to the north-east corner of allotment number seventy as aforesaid being the land sold as lot 15 in pursuance of the proclamation of the 9th June 1856 with the rights and appurtenances whatsoever thereto belonging to hold unto the said Francis Cooper his heirs and assigns forever yielding and paying therefor yearly unto us our heirs and successors the quit rent of one peppercorn for ever if demanded Provided nevertheless and we do hereby reserve unto us our heirs and successors all such parts and so much of the said land as may hereafter be required for making public ways canals or railroads in over and through the same to be set out by our Governor for the time being of our said territory or some person by him authorized in that respect and also all sand clay stone gravel and indigenous timber and all other materials the natural produce of the said land which may be required at any time or times hereafter for the construction and repair of any public ways bridges canals and railroads or any fences embankments dams sewers or drains necessary for the same together with the right of taking and removing all such materials and we do hereby further reserve unto us our heirs and successors the right of full and free ingress egress and regress into out of and upon the said land for the several purposes aforesaid In testimony whereof we have caused this our grant to be sealed with the seal of our said territory.

Witness our trusty and well-beloved Sir William Thomas Denison Knight Commander of the Most Honorable Order of the Bath Governor-General in and over all our Colonies of New South Wales Tasmania Victoria South Australia and Western Australia and Captain-General and Governor-in-Chief of our territory of New South Wales and its Dependencies at Government House Sydney in New South Wales aforesaid this fourth day of December in the twentieth year of our reign and in the year of our Lord one thousand eight hundred and fifty-six.

(L.S.) W. DENISON.

Recorded and enrolled in the Office for Registry of Deeds, Supreme Court, Sydney, this nineteenth day of February, 1857.

ALFRED ELYARD,

Registrar of Deeds.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,
Sydney, 31st day of May, 1879.

E. G. WARD,
Registrar General.

(27.)

23

(27.)

New South Wales.

A—LAND PURCHASE—57/400.

County—Cumberland. Parish—Manly Cove. Date of purchase—26th November, 1856. Area—5 acres
1 rood 24 perches.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of
the Faith and so forth.

To all to whom these presents shall come greeting: Whereas in conformity with the Regulations now in force for the sale of Crown Lands in our territory of New South Wales Leonard Morse Cooper of Sydney has become the purchaser of the land hereinafter described for the sum of fifteen pounds sterling Now know ye that for and in consideration of the said sum for and on our behalf well and truly paid into the Colonial Treasury of our said territory before these presents are issued and in further consideration of the quit rent hereinafter reserved we with the advice of our Executive Council of New South Wales have granted and for us our heirs and successors do hereby grant unto the said Leonard Morse Cooper his heirs and assigns subject to the several and respective reservations hereinafter mentioned all that piece or parcel of land in our said territory containing by admeasurement five acres one rood twenty-four perches be the same more or less situated in the county of Cumberland and parish of Manly Cove village of Balgowlah suburban portion number five commencing on the east side of west-street at its intersection with the north side of White-street and bounded on the south by the north side of White-street easterly nine chains to Wood-street on the east by six chains northerly of the west side of Wood-street on the north by a line nine chains westerly parallel to the south boundary to West-street and on the west by six chains southerly of the east side of West-street to the point of commencement being the land sold as lot 14 in pursuance of the proclamation of 22nd October 1856 with all the rights and appurtenances whatsoever thereto belonging to hold unto the said Leonard Morse Cooper his heirs and assigns for ever yielding and paying therefor yearly unto us our heirs and successors the quit rent of one peppercorn for ever if demanded Provided nevertheless and we do hereby reserve unto us our heirs and successors all such parts and so much of the said land as may hereafter be required for making public ways canals or railroads in over and through the same to be set out by our Governor for the time being of our said territory or some person by him authorized in that respect And also all sand clay stone gravel and indigenous timber and all other materials the natural produce of the said land which may be required at any time or times hereafter for the construction and repair of any public ways bridges canals and railroads or any fences embankments dams sewers or drains necessary for the same together with the right of taking and removing all such materials And we do hereby further reserve unto us our heirs and successors the right of full and free ingress egress and regress into out of and upon the said land for the several purposes aforesaid In testimony whereof we have caused this our grant to be sealed with the seal of our said territory.

Witness our trusty and well-beloved Sir William Thomas Denison Knight Commander of the Most Honorable Order of the Bath Governor-General in and over all our Colonies of New South Wales Tasmania Victoria South Australia and Western Australia and Captain-General and Governor-in-Chief of our territory of New South Wales and its Dependencies at Government House Sydney in New South Wales aforesaid this fifth day of February in the twentieth year of our reign and in the year of our Lord one thousand eight hundred and fifty-seven.

(L.S.)

W. DENISON.

Recorded and enrolled in the Office for Registry of Deeds, Supreme Court, Sydney, this second day of April, 1857.

ALFRED ELYARD,
Registrar of Deeds.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,
Sydney, 31st day of May, 1879.

E. G. WARD,
Registrar General.

(28.)

New South Wales.

A—LAND PURCHASE—57/1,248.

County—Cumberland. Parish—Manly Cove. Date of purchase—12th March, 1857. Area—1 acre 3
roods 32 perches.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of
the Faith and so forth.

To all to whom these presents shall come greeting: Whereas in conformity with the Regulations now in force for the sale of Crown Lands in our territory of New South Wales Francis Cooper of Sydney has become the purchaser of the land hereinafter described for the sum of eleven pounds sterling Now know ye that for and in consideration of the said sum for and on our behalf well and truly paid into the Colonial Treasury of our said territory before these presents are issued and in further consideration of the quit rent hereinafter reserved we with the advice of our Executive Council of New South Wales have granted and for us our heirs and successors do hereby grant unto the said Francis Cooper his heirs and assigns subject to the several and respective reservations hereinafter mentioned all that piece or parcel of land in our said territory containing by admeasurement one acre three roods thirty-two perches be the same more or less situated in the county of Cumberland and parish of Manly Cove village of Balgowlah suburban allotment number forty-four commencing on the west side of Wood-street at its intersection with the south-east side of the Pittwater Road and bounded on the north-west by the south-east side of that road bearing

bearing south sixty-one degrees fifteen minutes west nine chains and fifty-three links to the north boundary of allotment number six on the south by the north boundary of that allotment being a line easterly at right angles to Wood-street eight chains and forty links to Wood-street and on the east by the west side of Wood-street northerly four chains and sixty-five links to the point of commencement being the land sold as lot 5 in pursuance of the proclamation of 4th February 1857 with all the rights and appurtenances whatsoever thereto belonging to hold unto the said Francis Cooper his heirs and assigns for ever yielding and paying therefor yearly unto us our heirs and successors the quit rent of one peppercorn for ever if demanded. Provided nevertheless and we do hereby reserve unto us our heirs and successors all such parts and so much of the said land as may hereafter be required for making public ways canals or railroads in over and through the same to be set out by our Governor for the time being of our said territory or some person by him authorized in that respect and also all sand clay stone gravel and indigenous timber and all other materials the natural produce of the said land which may be required at any time or times hereafter for the construction and repair of any public ways bridges canals and railroads or any fences embankments dams sewers or drains necessary for the same together with the right of taking and removing all such materials. And we do hereby further reserve unto us our heirs and successors the right of full and free ingress egress and regress into out of and upon the said land for the several purposes aforesaid. In testimony whereof we have caused this our grant to be sealed with the seal of our said territory.

Witness our trusty and well beloved Sir William Thomas Denison Knight Commander of the Most Honorable Order of the Bath Governor-General in and over all our Colonies of New South Wales Tasmania Victoria South Australia and Western Australia and Captain-General and Governor-in-Chief of our territory of New South Wales and its dependencies at Government House Sydney in New South Wales aforesaid this ninth day of May in the twentieth year of our reign and in the year of our Lord one thousand eight hundred and fifty-seven.

(L.S.) W. DENISON.

Recorded and enrolled in the General Registry Office, Supreme Court, Sydney, this twenty-sixth day of May, 1857.

CHRIS. ROLLESTON,

Registrar General.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,

Sydney, 31st day of May, 1879.

E. G. WARD,

Registrar General.

(29.)

New South Wales.

A.—LAND PURCHASE—58/1,852.

County—Cumberland. Parish—Alexandria. Date of purchase—26th August, 1858. Area—2 roods 15 perches.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth.

To all to whom these presents shall come greeting: Whereas in conformity with the Regulations now in force for the sale of Crown Lands in our territory of New South Wales Sir Daniel Cooper of Sydney has become the purchaser of the land hereinafter described for the sum of one hundred and ninety-one pounds sterling. Now know ye that for and in consideration of the said sum for and on our behalf well and truly paid into the Colonial Treasury of our said territory before these presents are issued and in further consideration of the quit rent hereinafter reserved we with the advice of our Executive Council of New South Wales have granted and for us our heirs and successors do hereby grant unto the said Sir Daniel Cooper his heirs and assigns subject to the several and respective reservations hereinafter mentioned all that piece or parcel of land in our said territory containing by admeasurement two roods fifteen perches be the same more or less situated in the county of Cumberland and parish of Alexandria Vale of Lacroza commencing at the north-west corner of a measured portion of two roods twenty-seven perches and bounded thence on the north by part of the south boundary line of W. Thomas' forty acres westerly one chain and sixty links on the west by the east boundary line of G. T. Savage's four acres southerly three chains and sixty links to the Glenmore Road on the south by the Glenmore Road easterly one chain and sixty-one links to the south-west corner of the measured portion of two roods and twenty-seven perches aforesaid and on the east by the west boundary line of that land northerly three chains and eighty-five links to the point of commencement being the land sold as lot 23 in pursuance of the proclamation of 19th July 1858 with all the rights and appurtenances whatsoever thereto belonging to hold unto the said Sir Daniel Cooper his heirs and assigns for ever yielding and paying therefor yearly unto us our heirs and successors the quit rent of one peppercorn for ever if demanded. Provided nevertheless and we do hereby reserve unto us our heirs and successors all such parts and so much of the said land as may hereafter be required for making public ways canals or railroads in over and through the same to be set out by our Governor for the time being of our said territory or some person by him authorized in that respect and also all sand clay stone gravel and indigenous timber and all other materials the natural produce of the said land which may be required at any time or times hereafter for the construction and repair of any public ways bridges canals and railroads or any fences embankments dams sewers or drains necessary for the same together with the right of taking and removing all such materials and we do hereby further reserve unto us our heirs and successors the right of full and free ingress egress and regress into out of and upon the said land for the several purposes aforesaid. In testimony whereof we have caused this our grant to be sealed with the seal of our said territory.

Witness our trusty and well-beloved Sir William Thomas Denison Knight Commander of the Most Honorable Order of the Bath Governor-General in and over all our Colonies of New South Wales Tasmania Victoria South Australia and Western Australia and Captain-General and Governor-in-Chief of our territory of New South Wales and its dependencies at Government House Sydney in New South Wales aforesaid this fifteenth day of October in the twenty-second year of our reign and in the year of our Lord one thousand eight hundred and fifty-eight.

(L.S.) W. DENISON.

Recorded

Recorded and enrolled in the General Registry Office at Sydney, New South Wales, in the Register of Land Purchases A, page 1,852, this fifteenth day of November, 1858.

CHRIS. ROLLESTON,
Registrar General.

Entered in the Register of Land Purchases A, folio
Sydney, this day of 185

in the Surveyor General's Office,

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,
Sydney, 31st day of May, 1879.

E. G. WARD,
Registrar General.

(30.)

New South Wales.

A.—LAND PURCHASE, 58/1,853.

County—Cumberland. Parish—Alexandria. Date of purchase—26th August, 1858. Area—3 roods 4 perches.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth.

To all to whom these presents shall come greeting: Whereas in conformity with the Regulations now in force for the sale of Crown Lands in our territory of New South Wales Sir Daniel Cooper of Sydney has become the purchaser of the land hereinafter described for the sum of two hundred and fifty-five pounds sterling. Now know ye that for and in consideration of the said sum for and on our behalf well and truly paid into the Colonial Treasury of our said territory before these presents are issued and in further consideration of the quit rent hereinafter reserved we with the advice of our Executive Council of New South Wales have granted and for us our heirs and successors do hereby grant unto the said Sir Daniel Cooper his heirs and assigns subject to the several and respective reservations mentioned all that piece or parcel of land in our said territory containing by admeasurement three roods four perches be the same more or less situated in the county of Cumberland and parish of Alexandria Vale of Lacroza commencing at the north-west corner of a measured portion of two roods and eighteen perches and bounded thence on the north by part of the south boundary line of W. Thomas' forty acres westerly one chain and eighty links on the west by the east boundary line of a measured portion of two roods and twenty-seven perches southerly at right angles to the north boundary four chains and seven links to the Glenmore Road on the south by the Glenmore Road easterly one chain and eighty-six links to the south-west corner of the measured portion of two roods and eighteen perches aforesaid and on the east by the west boundary line of that land northerly four chains and fifty-five links to the point of commencement being the land sold as lot 25 in pursuance of the proclamation of 19th July 1858 with all the rights and appurtenances whatsoever thereto belonging to hold unto the said Sir Daniel Cooper his heirs and assigns for ever yielding and paying therefor yearly unto us our heirs and successors the quit rent of one pepper-corn for ever if demanded. Provided nevertheless and we do hereby reserve unto us our heirs and successors all such parts and so much of the said land as may hereafter be required for making public ways canals or railroads in over and through the same to be set out by our Governor for the time being of our said territory or some person by him authorized in that respect and also all sand clay stone gravel and indigenous timber and all other materials the natural produce of the said land which may be required at any time or times hereafter for the construction and repair of any public ways bridges canals and railroads or any fences embankments dams sewers or drains necessary for the same together with the right of taking and removing all such materials. And we do hereby further reserve unto us our heirs and successors the right of full and free ingress egress and regress into out of and upon the said land for the several purposes aforesaid. In testimony whereof we have caused this our grant to be sealed with the seal of our said territory.

Witness our trusty and well-beloved Sir William Thomas Denison Knight Commander of the Most Honorable Order of the Bath Governor-General in and over all our Colonies of New South Wales Tasmania Victoria South Australia and Western Australia and Captain-General and Commander-in-Chief of our territory of New South Wales and its dependencies at Government House Sydney in New South Wales aforesaid, this fifteenth day of October in the twenty-second year of our reign and in the year of our Lord one thousand eight hundred and fifty-eight.

(L.S.) W. DENISON.

Recorded and enrolled in the General Registry Office at Sydney, New South Wales, in the Register of Land Purchases A, page 1,853, this fifteenth day of November, 1858.

CHRIS. ROLLESTON,
Registrar General.

Entered in the Register of Land Purchases A, folio
Sydney, this day of 185

, in the Surveyor General's Office,

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,
Sydney, 31st day of May, 1879.

E. G. WARD,
Registrar General.

(31.)

New South Wales.

A.—LAND PURCHASE—58/1,854.

County—Cumberland. Parish—Alexandria. Date of purchase—26th August, 1858. Area—2 roods 18 perches.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth.

To all to whom these presents shall come greeting: Whereas in conformity with the Regulations now in force for the sale of Crown Lands in our territory of New South Wales Sir Daniel Cooper of Sydney has become the purchaser of the land hereinafter described for the sum of two hundred and seventy pounds sterling Now know ye that for and in consideration of the said sum for and on our behalf well and truly paid into the Colonial Treasury of our said territory before these presents are issued and in further consideration of the quit rent hereinafter reserved we with the advice of our Executive Council of New South Wales have granted and for us our heirs and successors do hereby grant unto the said Sir Daniel Cooper his heirs and assigns subject to the several and respective reservations hereinafter mentioned all that piece or parcel of land in our said territory containing by admeasurement two roods eighteen perches be the same more or less situated in the county of Cumberland and parish of Alexandria Vale of Lacroza commencing on the west side of the Glenmore Road at the south-east corner of William Thomas' forty acres and bounded thence on the north by part of the south boundary line of that land westerly two chains on the west by the east boundary line of a measured portion of three roods and four perches southerly at right angles to the northern boundary four chains and fifty-five links to the Glenmore Road on the south and on the east by that road easterly and northerly to the point of commencement being the land sold as lot 26 in pursuance of the proclamation of the 19th July 1858 with all the rights and appurtenances whatsoever thereto belonging to hold unto the said Sir Daniel Cooper his heirs and assigns for ever yielding and paying therefor yearly unto us our heirs and successors the quit rent of one peppercorn for ever if demanded Provided nevertheless and we do hereby reserve unto us our heirs and successors all such parts and so much of the said land as may hereafter be required for making public ways canals or railroads in over and through the same to be set out by our Governor for the time being of our said territory or some person by him authorized in that respect and also all sand clay stone gravel and indigenous timber and all other materials the natural produce of the said land which may be required at any time or times hereafter for the construction and repair of any public ways bridges canals and railroads or any fences embankments dams sewers or drains necessary for the same together with the right of taking and removing all such materials And we do hereby further reserve unto us our heirs and successors the right of full and free ingress egress and regress into and out of and upon the said land for the several purposes aforesaid In testimony whereof we have caused this our grant to be sealed with the seal of our said territory.

Witness our trusty and well-beloved Sir William Thomas Denison Knight Commander of the Most Honorable Order of the Bath Governor-General in and over all our Colonies of New South Wales Tasmania Victoria South Australia and Western Australia and Captain-General and Governor-in-Chief of our territory of New South Wales and its dependencies at Government House Sydney in New South Wales aforesaid this fifteenth day of October in the twenty-second year of our reign and in the year of our Lord one thousand eight hundred and fifty-eight.

(L.S.)

W. DENISON.

Recorded and enrolled in the General Registry Office, at Sydney, New South Wales, in the Register of Land Purchases A, page 1854, this fifteenth day of November, 1858.

CHRIS. ROLLESTON,
Registrar General.

Entered in the Register of Land Purchases A, folio in the Surveyor General's Office, Sydney,
this day of 185 .

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,
Sydney, 31st day of May, 1879.

E. G. WARD,
Registrar General.

(32.)

New South Wales.

A.—LAND PURCHASE—62/348.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth.

To all to whom these presents shall come greeting: Whereas at a sale by auction of Crown Lands in our Colony of New South Wales held at Sydney in our said Colony on the thirtieth day of December in the year of our Lord one thousand eight hundred and sixty-one Thomas Cooper of Sydney in our said Colony became the purchaser of the land hereinafter described for the sum of eighty-four pounds sterling Now know ye that for and in consideration of the said sum for and on our behalf well and truly paid into the Colonial Treasury of our said Colony before these presents are issued we with the advice of our Executive Council of New South Wales have granted and for us our heirs and successors do hereby grant unto the said Thomas Cooper his heirs and assigns subject to the several and respective reservations hereinafter mentioned all that piece or parcel of land in our said Colony containing by admeasurement six acres be the same more or less situated in the county of Cumberland and parish of Botany part of the Church and School Estate near Coogee suburban allotment seven of section three commencing on the north-eastern side of a road one chain wide at the western corner of allotment six and bounded thence on the south-west by that road dividing it from part of allotment five of section four bearing west twenty-five degrees fifty minutes north six chains and forty-four links to the Long Bay Road on the west by that road bearing north

north fifteen degrees east six chains and twenty links on the north and north-west by the south and south-eastern boundary lines of allotment eight of section three bearing east five chains and north forty-five degrees east four chains and thirty links respectively to the sea on the north-east by the sea south-easterly to the northern corner of portion six aforesaid and on the south-east by the north-western boundary line of that allotment bearing south twenty-five degrees fifty minutes west eleven chains to the point of commencement being the land sold as lot B under the advertisement dated the 29th November 1861 with all the rights and appurtenances whatsoever thereto belonging To hold unto the said Thomas Cooper his heirs and assigns for ever Provided nevertheless and we do hereby reserve unto us our heirs and successors all such parts and so much of the said land as may hereafter be required for making public ways canals or railroads in over and through the same to be set out by our Governor for the time being of our said Colony or some person by him authorized in that respect and also all sand clay stone gravel and indigenous timber and all other materials the natural produce of the said land which may be required at any time or times hereafter for the construction and repair of any public ways bridges canals and railroads or any fences embankments dams sewers or drains necessary for the same together with the right of taking and removing all such materials And we do hereby further reserve unto us our heirs and successors the right of full and free ingress egress and regress into out of and upon the said land for the several purposes aforesaid In testimony whereof we have caused this our grant to be sealed with the seal of our said Colony.

Witness our right and well-beloved Councillor Sir John Young Baronet Knight Commander of our Most Honorable Order of the Bath Knight Grand Cross of our Most Distinguished Order of St. Michael and St. George our Captain-General and Governor-in-Chief of our Colony of New South Wales at Government House Sydney in New South Wales aforesaid this eighteenth day of June in the twenty-fifth year of our reign and in the year of our Lord one thousand eight hundred and sixty-two.

(L.S.) JOHN YOUNG.

Recorded and enrolled in the General Registry Office, at Sydney, New South Wales, in the Register of Land Purchases A, page 348, this seventeenth day of December, 1862.

CHRIS. ROLLESTON,

Registrar General.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,

Sydney, 31st May, 1879.

E. G. WARD,

Registrar General.

(33.)

New South Wales.

A.—LAND PURCHASE—61/2,242.

County—Cumberland. Parish—Botany. Date of purchase—11th September, 1861. Area—3 acres 2 roods 5 perches.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth.

To all to whom these presents shall come greeting: Whereas in conformity with the Regulations now in force for the sale of Crown Lands in our Colony of New South Wales Thomas Cooper of Sydney has become the purchaser of the land hereinafter described for the sum of seventy-seven pounds thirteen shillings and ninepence sterling Now know ye that for and in consideration of the said sum for and on our behalf well and truly paid into the Colonial Treasury of our said Colony before these presents are issued and in further consideration of the quit rent hereinafter reserved we with the advice of our Executive Council of New South Wales have granted and for us our heirs and successors do hereby grant unto the said Thomas Cooper his heirs and assigns subject to the several and respective reservations hereinafter mentioned all that piece or parcel of land in our said Colony containing by admeasurement three acres two roods five perches be the same more or less situated in the county of Cumberland and parish of Botany part of the Church and School Estate near Coogee suburban allotment nine of section three commencing on the east side of the Long Bay Road at the north-western corner of allotment eight and bounded thence on the west by that road bearing north six degrees forty-eight minutes west four chains and fifty-five links on the north by the south boundary line of allotment ten bearing east eleven chains and thirty-three links to the sea on the east by the sea southerly to the north-eastern corner of allotment eight aforesaid and on the south by the north boundary line of that allotment bearing west six chains and eighty links to the point of commencement being the land sold as lot 16 in pursuance of the proclamation of 6th August 1861 with all the rights and appurtenances whatsoever thereto belonging to hold unto the said Thomas Cooper his heirs and assigns for ever yielding and paying therefor yearly unto us our heirs and successors the quit rent of one peppercorn for ever if demanded Provided nevertheless and we do hereby reserve unto us our heirs and successors all such parts and so much of the said land as may hereafter be required for making public ways canals or railroads in over and through the same to be set out by our Governor for the time being of our said Colony or some person by him authorized in that respect and also all sand clay stone gravel and indigenous timber and all other materials the natural produce of the said land which may be required at any time or times hereafter for the construction and repair of any public ways bridges canals and railroads or any fences embankments dams sewers or drains necessary for the same together with the right of taking and removing all such materials and we do hereby further reserve unto us our heirs and successors the right of full and free ingress egress and regress into out of and upon the said land for the several purposes aforesaid In testimony whereof we have caused this our grant to be sealed with the seal of our said Colony.

Witness our right trusty and well-beloved Councillor Sir John Young Baronet Knight Commander of our Most Honorable Order of the Bath Knight Grand Cross of our Most Distinguished Order of St. Michael and St. George our Captain-General and Governor-in-Chief of our Colony of New South Wales at Government House Sydney in New South Wales aforesaid this ninth day of December in the twenty-fifth year of our reign and in the year of our Lord one thousand eight hundred and sixty-one.

(L.S.) JOHN YOUNG.

Recorded

Recorded and enrolled in the General Registry Office at Sydney, New South Wales, in the Register of Land Purchases A, page 2,242, this fourteenth day of July, 1862.

CHRIS. ROLLESTON,
Registrar General.

Entered in the Register of Land Purchases A, folio in the Surveyor General's Office, Sydney,
this day of 186

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,
Sydney, 31st day of May, 1879.

E. G. WARD,
Registrar General.

(34.)

New South Wales.

A.—LAND PURCHASE—61/2,243.

County—Cumberland. Parish—Botany. Date of purchase—11th September, 1861. Area—3 acres
1 rood 20 perches.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth.

To all to whom these presents shall come greeting: Whereas in conformity with the Regulations now in force for the sale of Crown Lands in our Colony of New South Wales Thomas Cooper of Sydney has become the purchaser of the land hereinafter described for the sum of sixty-seven pounds ten shillings sterling now know ye that for and in consideration of the said sum for and on our behalf well and truly paid into the Colonial Treasury of our said Colony before these presents are issued and in further consideration of the quit rent hereinafter reserved we with the advice of our Executive Council of New South Wales have granted and for us our heirs and successors do hereby grant unto the said Thomas Cooper his heirs and assigns subject to the several and respective reservations hereinafter mentioned all that piece or parcel of land in our said Colony containing by admeasurement three acres one rood twenty perches be the same more or less situated in the county of Cumberland and parish of Botany part of the Church and School Estate near Coogee suburban allotment eight of section three commencing on the east side of Long Bay Road at the south-western corner of allotment nine and bounded thence on the west by that road bearing south six degrees forty-two minutes east two chains and thirty-five links and south three degrees thirty-five minutes east two chains and sixty-five links on the south and south-east by the north and north-western boundary lines of allotment seven bearing east five chains and north forty-five degrees east four chains and thirty links respectively to the sea on the east by the sea northerly to the south-eastern corner of allotment nine aforesaid and on the north by the south boundary line of that allotment bearing west six chains and eighty links to the point of commencement being the land sold as lot 15 in pursuance of the proclamation of 6th August 1861 with all the rights and appurtenances whatsoever thereto belonging to hold unto the said Thomas Cooper his heirs and assigns for ever yielding and paying therefor yearly unto us our heirs and successors the quit rent of one peppercorn for ever if demanded Provided nevertheless and we do hereby further reserve unto us our heirs and successors all such parts and so much of the said land as may hereafter be required for making public ways canals or railroads in over and through the same to be set out by our Governor for the time being of our said Colony or some person by him authorized in that respect and also all sand clay stone gravel and indigenous timber and all other materials the natural produce of the said land which may be required at any time or times hereafter for the construction and repair of any public ways bridges canals and railroads or any fences embankments dams sewers or drains necessary for the same together with the right of taking and removing all such materials and we do hereby further reserve unto us our heirs and successors the right of full and free ingress egress and regress into out of and upon the said land for the several purposes aforesaid. In testimony whereof we have caused this our grant to be sealed with the seal of our said Colony.

Witness our right trusty and well-beloved Councillor Sir John Young Baronet Knight Commander of our Most Honorable Order of the Bath Knight Grand Cross of our Most Distinguished Order of St. Michael and St. George Captain-General and Commander-in-Chief of our Colony of New South Wales at Government House Sydney in New South Wales aforesaid this ninth day of December in the twenty-fifth year of our reign and in the year of our Lord one thousand eight hundred and sixty-one.

(L.S.) JOHN YOUNG.

Recorded and enrolled in the General Registry Office at Sydney, New South Wales, in the Register of Land Purchases A, page 2,243, this fourteenth day of July, 1862.

CHRIS. ROLLESTON,
Registrar General.

Entered in the Register of Land Purchases A, folio in the Surveyor General's Office, Sydney,
this day of 186

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

Registrar General's Office,
Sydney, 31st day of May, 1879.

E. G. WARD,
Registrar General.

(35.)

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith and so forth.

To all to whom these presents shall come greeting Know ye that we of our special grace have granted and for us our heirs and successors do hereby grant unto Daniel Cooper of the city of London Great Britain his heirs and assigns subject to the conditions reservations and provisoes hereinafter mentioned All that piece or parcel of land in our said territory containing by admeasurement five acres three roods and thirty-six perches be the same more or less situated in the county of Cumberland and parish of Alexandria at the village of Double Bay commencing on the west boundary of Cooper and Levey's one thousand one hundred and thirty acres and bounded on the north by a line bearing west one degree ten minutes south twelve chains eighty-two links to Ocean-street on the west by that street bearing south seventeen degrees fifteen minutes west four chains fifty-three links on the south by an easterly line of fourteen chains sixteen links dividing it from Cooper and Levey's one thousand one hundred and thirty acres and on the east by part of the west boundary of that land four chains sixty links northerly to the commencing corner And also all that other piece or parcel of land in our said territory containing by admeasurement nine acres two roods and nine perches be the same more or less situated in the county and parish aforesaid at the village of Double Bay aforesaid commencing at the old crossing-place over Double Bay Creek and bounded on the south by a road one chain wide separating it from Cooper and Levey's one thousand one hundred and thirty acres westerly sixteen chains twenty-five links to the north-east intersection of William-street with Adelaide-place east on the west by Adelaide-place east bearing north forty-five minutes east five chains sixty links to the high-water-mark of Double Bay on the north by the waters of Double Bay easterly to its confluence with Double Bay Creek and on the east by that creek dividing it from John Piper's one hundred and ninety acres southerly to the crossing-place aforesaid with all the right and appurtenances whatsoever thereto belonging to hold unto the said Daniel Cooper his heirs and assigns for ever yielding and paying therefor yearly unto us our heirs and successors the quit rent of one peppercorn for ever (if demanded) Provided nevertheless and we do hereby reserve unto us our heirs and successors all such parts and so much of the said land as may hereafter be required for a public way or public ways in over and through the same to be set out by the Governor for the time being of our said territory or some person by him authorized in that respect and also all stone and gravel all indigenous timber and all other materials the natural produce of the said land which may be required at any time or times hereafter for the construction and repair of ways and bridges for naval purposes and for public works together with the right of taking and removing the same And also all mines of gold and of silver with full and free liberty and power to search for dig and take away the same And also the right of full and free ingress egress and regress into out of and upon the said land for the several purposes aforesaid Provided always that if the conditions reservations and provisoes herein contained or any part thereof be not duly observed and performed by the said grantee his heirs and assigns then the said land shall be forfeited and revert unto us our heirs and successors and these presents and every matter and thing herein contained shall cease and determine and become absolutely void to all intents and purposes And it shall be lawful for us our heirs and successors by our Governor for the time being of our said territory or some person by him authorized in that behalf to re-enter upon the said land or any part of the same and the said grantee his heirs and assigns and all occupiers thereof therefrom wholly to remove In testimony whereof we have caused this our grant to be sealed with the seal of our said territory.

Witness our trusty and well-beloved Sir Charles Augustus Fitz Roy Knight Companion of the Royal Hanoverian Guelphic Order Governor-General of all our Australian possessions and Captain-General and Governor-in-Chief of our territory of New South Wales and its dependencies at Government House Sydney in New South Wales aforesaid this seventh day of April in the sixteenth year of our reign and in the year of our Lord one thousand eight hundred and fifty-three.
CHAS. A. FITZ ROY.

Entered on record by me in Register of Grants No. 105, pages 300 to 305 inclusive, this eighteenth day of April, one thousand eight hundred and fifty-three.

E. DEAS THOMSON,

Colonial Secretary and Registrar.

Enrolled in the Office for Registry of Deeds, Supreme Court, Sydney, this twenty-ninth day of April, 1853.

In the absence of the Chief Clerk of the Supreme Court,—

THEO^{RE}. JAS. JAKES,

Deputy Registering Officer.

I certify the foregoing to be a true copy of the entry or copy of the original deed of grant from the Crown kept as of record or for public or official purposes in the Office of the Registrar General of the Colony of New South Wales.

E. G. WARD,

Registrar General.

Registrar General's Office,

Sydney, 31st day of May, 1879.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

GRANTS OF LAND CONTAINING SPECIAL RESERVATIONS.

(PAPERS, &c.)

Ordered by the Legislative Assembly to be printed, 1 July, 1879.

The Surveyor General to The Under Secretary for Lands.

Old Grants containing Special Reservation.

IN compliance with the directions contained in the minute of the 3rd April, 1879, it is reported for the information of the Minister for Lands that search into the conditions under which many of the old grants in the vicinity of Sydney are held, has resulted so far in ascertaining the fact that the four grants noted in margin, particulars of which are set forth in the accompanying schedule, contain each, amongst other conditions, one reserving any quantity of water and any quantity of land *not exceeding 10 acres* in any part of the said grant as may be required for public purposes: Provided such water or land so required shall not interfere with or in way injure or prevent the due working of the water mills erected or to be erected on the land and water-course hereby granted.

ROBERT FITZGERALD,

For Sur. Genl.—B.C., 1 July, '79.

Schedule referred to.

Four Grants reserving land not exceeding 10 acres in any part, &c., for use of the Crown.

Vol. of Grant.	No. of Grant.	Number of Register.		Grantees' Names.	Area.	County of Cumber-land.	When granted.	Annual quit rent.	Date when quit rent commences.	Name of Farm.	Witnesses' names.	Reservations.		
		No.	Folio.									Roads or Road.	Water frontage.	Other reservations.
Vol. 4 folio 27.	161	10	171	W. Hutchinson.	1,400 grant.	....	27 May, 1823, by Sir Thos. Brisbane.	£ s. d. 1 8 0	27 May, 1823	Waterloo Mills.				
"	162	10	170	Samuel Terry ..	570	....	do.	£ 11 0	27 May, 1823	Lachlan Mill.				
28	163	10	169	T. W. M. Winder	417	....	do.	0 9 0	27 "					
66	388	10	184	Simeon Lord....	600	....	do.	0 12 0	27 "					

Remarks.—Conditioned—Not to sell, alienate, assign, or set over, within the term of five years from the date hereof, reserving to Government the right of making public roads through the same, and also reserving for the use of the Crown all such timber as may be deemed fit for Naval purposes; and further, any quantity of water and any quantity of land, *not exceeding 10 acres*, in any part of the said grant as may be required for public purposes: Provided such water or land so required shall not interfere with or in any way injure or prevent the due working of the water mills erected or to be erected on the lands and water-courses hereby granted. The grantee, his heirs, and assigns, shall use their best endeavours to procure to be assigned to them convicts who are to be clothed and victualled until the expiration or remission of their respective sentences, the said convicts to be employed exclusively on the grant agreeably to the Government Regulations for the time being, and that if required the grantee shall execute a bond for the fulfilment of the above conditions, the whole being subject to the approval of His Majesty.

Memo. for The Deputy Surveyor General.

2 April, 1879.

WITH reference to the old grants that have other conditions and reservations than are usually made, I think that three persons should be employed in searching through the books, as there the lands are now becoming very valuable and the public require the reservations in many cases. One of the three should have a perfect knowledge of the old maps and the other two clerks to copy out the names of the grantees, dates of grants, situation, and conditions. It may take some months or perhaps longer. The books at the Registrar General's are the ones that should be looked through; in fact, the interests of the public require looking after as regards these reservations in case of compensation.

If you desire it, I could look through one book at the Registrar General's Office, and give you an idea or the Minister what I consider desirable.

THOMAS H. LEWIS.

Looking at the *Sydney Morning Herald* last night I saw that something similar to this was being mooted.—T.H.L., 3 April, /79.

Submitted for the consideration of the Secretary for Lands.—ROBT. FITZGERALD, for Sur. Genl., 3 April, /79. Approved, but the researches in the first instance should be made respecting grants in the neighbourhood of Sydney.—J.H., 3/4/79.

Mr. Lewis,—Report progress as regards grants out of which reservations have been made in the neighbourhood of Sydney, giving descriptions of the reservations and terms of resumption.—R.D.F., 12 May, /79.

The enclosed list shows four grants that have reservations of 10 acres each within them, as explained under the column of remarks. The other grants that I have looked at besides the usual conditions, have building conditions (chiefly those at Randwick, Lachlan Swamp) respecting erection of one residence with the necessary out-houses.—T.H.L., 12 May, 1879.

Date of Grant, 27 May, 1823. William Hutchinson, 1,400 acres.

Usual reservations, &c. Any quantity of land not exceeding 10 acres in any part of the said grant as may be required for public purposes: Provided such water or land so required shall not interfere with or in any manner injure or prevent the due working of the water mills erected or to be erected on the lands and water-course hereby granted. It is now proposed to resume the 10 acres; and Mr. Woolrych was instructed on the 23rd January, 1879, to report on the most suitable site within the 1,400 acres, Waterloo Estate, to resume 10 acres.

27 May, 1823. Samuel Terry, 570 acres.


“Usual conditions including all the other conditions in the forgoing grant.” This may or may not intend a similar reservation of 10 acres.

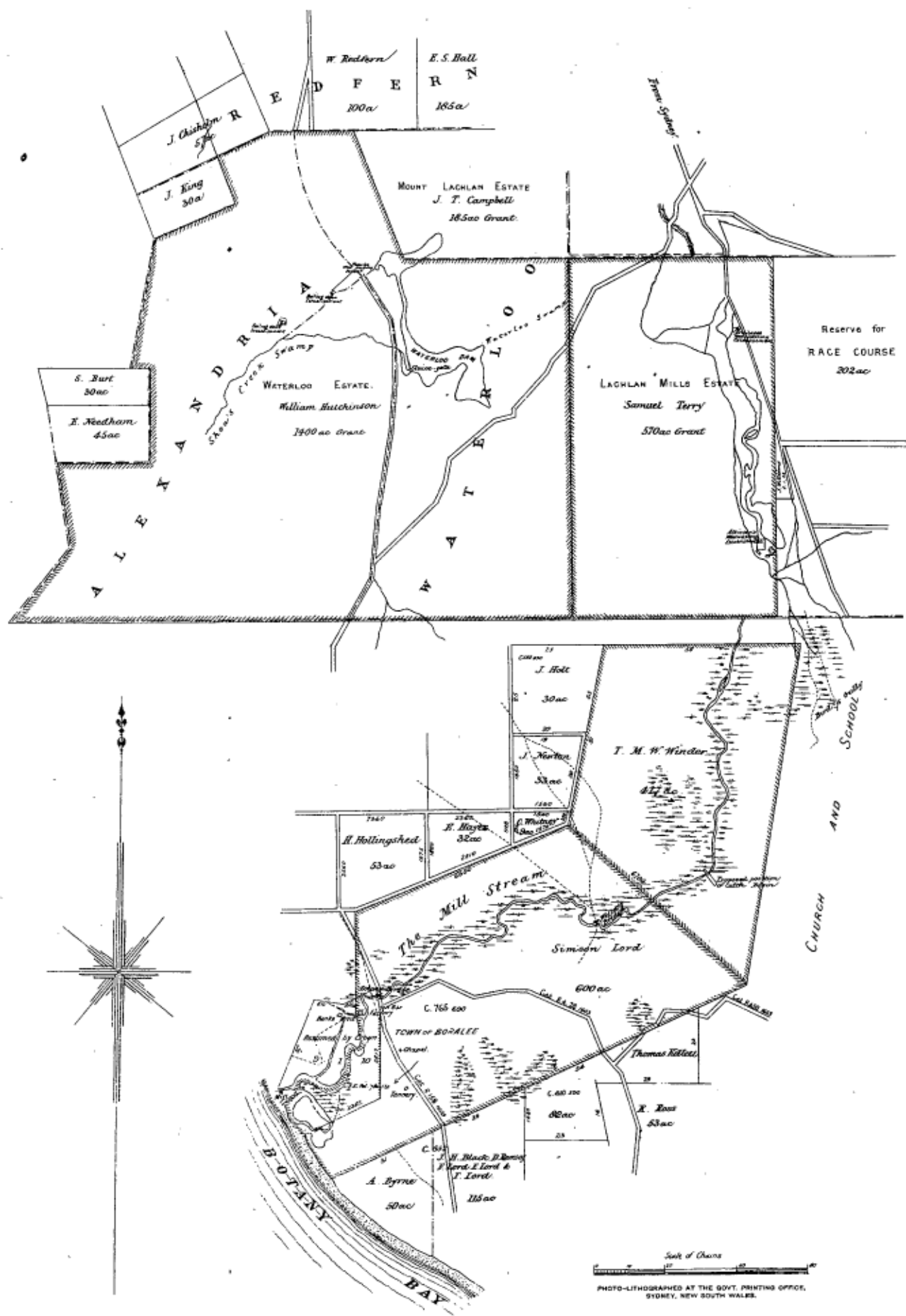
[Two Plans.]

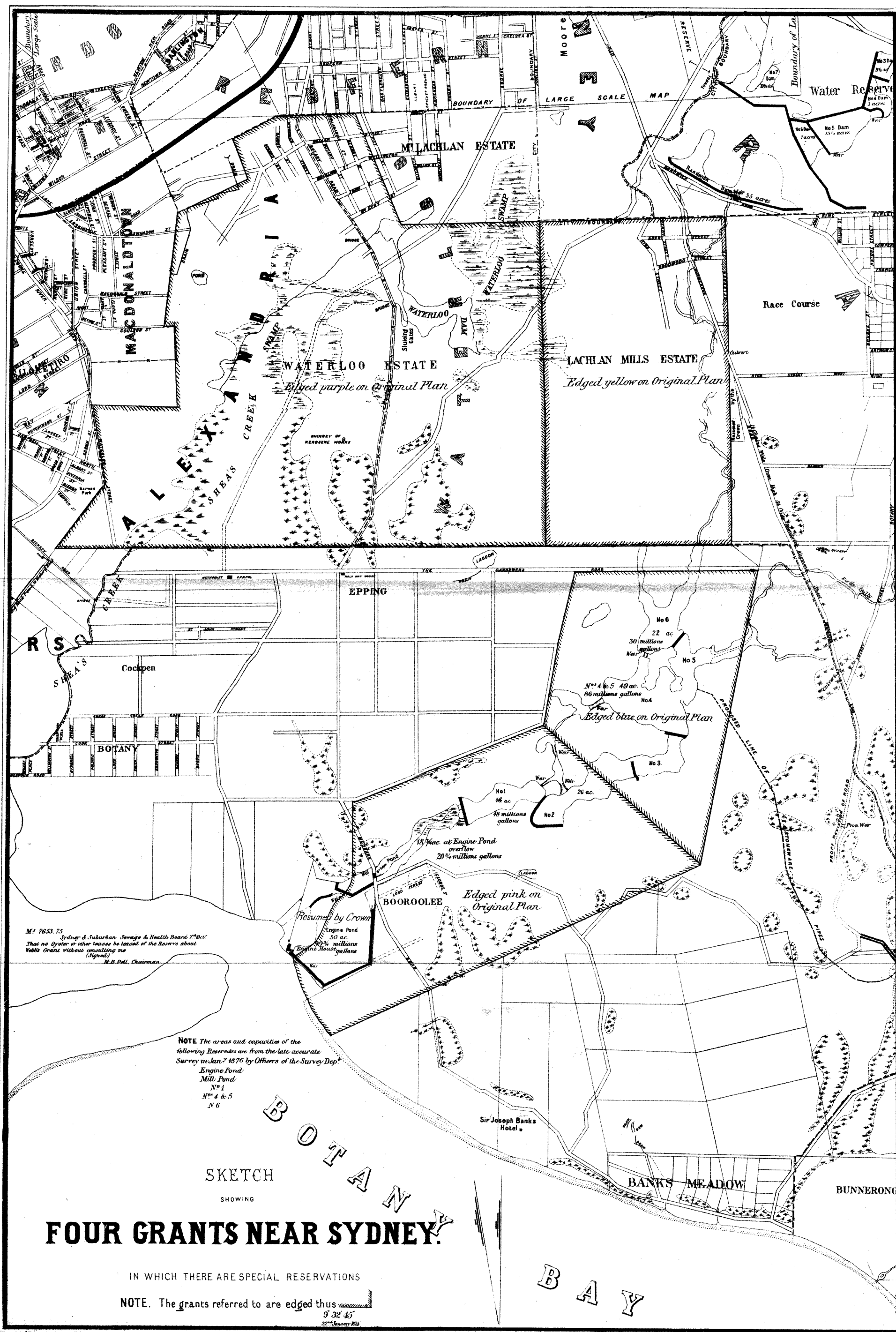
Sydney : Thomas Richards, Government Printer.—1879.

[9d.]

PLAN SHOWING FOUR GRANTS NEAR SYDNEY — IN WHICH THERE ARE — SPECIAL RESERVATIONS.

Note The grants referred to are shown thus 





1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

PATRICK CAVANAGH'S PRE-EMPTIVE LEASE, GININDERRA.

(APPLICATIONS, CORRESPONDENCE, &c.)

Ordered by the Legislative Assembly to be printed, 24 January, 1879.

RETURN to an *Order* of the Honorable the Legislative Assembly of New South Wales, dated 12 November, 1878, That there be laid upon the Table of this House,—

“Copies of all Applications, Correspondence, Minutes, Reports, and other
 “Documents relating to the granting to, and subsequent cancellation of,
 “Mr. Patrick Cavanagh's pre-emptive lease of 960 acres, in the parish of
 “Gininderra, county of Murray.”

(Mr. Murphy for Mr. Thompson.)

NO.	SCHEDULE.	PAGE.
1.	Application by Patrick Cavanagh to lease Crown lands (960 acres), parish of Gininderra, county of Murray, with minutes thereon. 31 May, 1876	2
2.	Under Secretary for Lands to Patrick Cavanagh, intimating approval of his pre-emptive lease. (See No. 1). 27 October, 1876	2
3.	Same to Land Agent, Queanbeyan, transmitting similar information. 27 October, 1876.....	2
4.	Same to same, forwarding tracing of lease in question. 14 July, 1877	3
5.	Same to Patrick Cavanagh, intimating the above. (See No. 4.) 14 July, 1877	3
6.	Henry Freeman to the Minister for Lands, on behalf of Mr. Henry Hall, requesting cancellation of Patrick Cavanagh's pre-emptive lease, with minutes thereon. 16 September, 1877	3
7.	Under Secretary for Lands to Patrick Cavanagh, intimating cancellation of his pre-emptive lease. 20 November, 1877	3
8.	Same to Land Agent, Queanbeyan, transmitting similar information. 20 November, 1877.....	3
9.	Same to Under Secretary for Finance and Trade, requesting refund to be made to P. Cavanagh of rent paid on his pre-emptive lease. 20 November, 1877	4
10.	J. B. Thompson to the Minister for Lands, on behalf of P. Cavanagh, applying for refund of three years rent. 14 February, 1878	4
11.	Under Secretary for Lands to Under Secretary for Finance and Trade, requesting refund to be made to P. Cavanagh of rent for the year 1878, on his cancelled pre-emptive lease. 7 March, 1878	4
12.	Same to J. B. Thompson, in reply to above (No. 10). 7 March, 1878	4
13.	Joseph Sutton to the Minister for Lands, on behalf of P. Cavanagh, requesting restoration of his pre-emptive lease, with minutes thereon. 23 April, 1878	4
14.	F. Fitzpatrick to the Minister for Lands, with reference to David Johnstone's pre-emptive leases, with minutes thereon. 24 June, 1878.....	5
15.	List of sums received by Land Agent, Yass, for rent of Crown land, from 1 to 30 September, 1877	5
16.	Under Secretary for Lands to F. Fitzpatrick, in reply to above (No. 14). 4 September, 1878	7
17.	F. Fitzpatrick to the Minister for Lands, further respecting David Johnstone's leases. 11 September, 1878	7
18.	Under Secretary for Lands to Joseph Sutton, in reply to above (No. 13). 31 October, 1878	7
19.	Same to F. Fitzpatrick, in reply to above (No. 17). 31 October, 1878	8

PATRICK CAVANAGH'S PRE-EMPTIVE LEASE, GININDERRA.

No. 1.

Application of Mr. P. Cavanagh.

(M.)

["Occupation Act, 1861," and "Lands Acts Amendment Act, 1875."]

To be used in claiming to lease adjoining lands under pre-emptive right.

RECEIVED this 31st day of May, 1876, at 1:20 o'clock, together with the sum of £3.

District of Queanbeyan.

O. WILLANS,
Land Agent.

Sir,

Exchange, Sydney.

In pursuance of the provisions of the "Crown Lands Occupation Act of 1861," and the "Lands Acts Amendment Act, 1875," and Regulations thereunder, I, Patrick Cavanagh, by his agent, J. Sutton, do hereby apply to be allowed to lease the sections or portion of Crown lands hereunder described, at the fixed rent of £2 per section, which I hereby tender.

320 acres C.P.
62/1,254.

The land in virtue of which I claim to exercise a right of pre-emption, is situated as follows, and is now in my possession, viz. :—

County of Murray, parish of Gininderra, situated at One-tree Hill, containing 320 acres.

Conditional purchase, on the 11th day of February, 1862, by Thomas Cavanagh, at Queanbeyan.

Balance paid and deed issued.

I am, &c.,

JOSEPH SUTTON,
Agent for PATRICK CAVANAGH.

Description of the sections or portion applied for:—

960 acres to the north of the above conditional purchase.

Minutes on No. 1.

960 acres. Gazetted 31 Aug., 1876. Has D. Johnstone renewed his pre-lease; 1 and 2 of 45 of 49 renewed, and 5/17/69 not renewed.—A.S., 31/1/77. W.H.H. (for J.S.), 31 Jan., 1877. Charted 960 acres, Queanbeyan. This is granted to the west of appt's. C.P., as the land applied for is already under lease to D. Johnstone.—J.S., 26 June, '77.

No. 2.

The Under Secretary for Lands to Mr. P. Cavanagh.

Sir,

Department of Lands, Sydney, 27 October, 1876.

I am directed to inform you that your claim to a pre-emptive lease has been approved by notice in the Government Gazette of 31 August, 1876, subject to the provisions of the "Crown Lands Occupation Act of 1861," and the "Lands Acts Amendment Act, 1875," and Regulations thereunder.

2. The rent specified in the notice referred to, namely, £1 10s., will be for the period from 1st July to 31st December, 1876.

3. The lease will be renewable by payment of the rent for the ensuing year, between 1st and 30th September.

4. In communicating with this Department, or the Treasury, on the subject of your lease, you are requested to give the following particulars in your letter, which are supplied to you for that purpose, namely :—

Pre-emptive lease No. 76/46, 960 acres, district of Queanbeyan, notified in the Government Gazette of 31st August, 1876.

I have, &c.,

CHAS. A. BROWN,
(For the Under Secretary).

No. 3.

The Under Secretary for Lands to The Land Agent, Queanbeyan.

Sir,

Department of Lands, Sydney, 27 October, 1876.

I am directed to draw your attention to the notice of approved claims to pre-emptive leases, published in the Government Gazette of 31st August, 1876.

2. The rent specified in the notice referred to will be for the period from 1st June to 31st December, 1876, and must be paid in full before the lease will have effect. Credit will be allowed for the amounts already paid, on deposit of the applications.

I have, &c.,

CHAS. A. BROWN,
(For the Under Secretary.)

3

No. 4.

The Under Secretary for Lands to The Land Agent, Queanbeyan.

Sir,

Department of Lands, Sydney, 14 July, 1877.

With reference to the pre-emptive lease particularized in the margin, which was notified on the 31st August, 1876, I am directed to transmit to you herewith a tracing of the lease in question for public inspection.

I have, &c.,

CHAS. A. BROWN,

(For the Under Secretary).

No. 5.

The Under Secretary for Lands to Mr. P. Cavanagh.

Sir,

Department of Lands, Sydney, 14 July, 1877.

With reference to the pre-emptive lease particularized in the margin, which was approved in your favour by notice in the Government Gazette of 31st August, 1876, I am directed to inform you that a tracing of the lease in question has been forwarded to the local land office for public inspection.

I have, &c.,

CHAS. A. BROWN,

(For the Under Secretary).

No. 6.

Mr. H. Freeman to The Secretary for Lands.

Sir,

16, Bridge-street, Sydney, 18 September, 1877.

On behalf of Mr. Henry Hall, the Crown tenant of the pre-lease noted in the margin, I have the honor to beg that you will cause necessary action to be taken with a view to speedy cancellation of a pre-lease held by P. Cavanagh (as per margin) which intrudes upon the lease held by Mr. Hall.

I have, &c.,

H. FREEMAN,

per C.H.B.

Minutes on No. 6.

Mr. Brown,—Have the leases mentioned above been renewed?—W.H.H., for J.S., 8 Oct., /77.

Renewed.—C.A.B., 8/10/77.

After careful examination, it is found that P. Cavanagh's prelease 460/76, 960 acres, gazetted 31st August, 1876, should be cancelled, as the land is already under prelease to H. Hall, and there is no other available land to satisfy Cavanagh's claim. The error arose through Hall's pre-leases not being charted on the lease map of the county of Murray.—J.S., 10 Oct., /77.

No. 7.

The Under Secretary for Lands to Mr. P. Cavanagh.

Sir,

Department of Lands, Sydney, 20 November, 1877.

I am directed to inform you, that the Colonial Treasurer has been authorized to refund to you the sum of £4 10s., being the rent paid on the pre-emptive lease particularised in the margin, as the land applied for is already under pre-emptive lease to H. Hall.

2. I am to add that when the money is ready for payment notice to that effect will be forwarded to you from the Treasury.

I have, &c.,

CHAS. A. BROWN,

(Pro Under Secretary).

No. 8.

The Under Secretary for Lands to The Land Agent, Queanbeyan.

Sir,

Department of Lands, Sydney, 20 November, 1877.

I am directed to inform you that Mr. Patrick Cavanagh's leases, as shown in the annexed schedule, have been cancelled, and to request that you will note such cancellation in the records of your office, and return the schedule to me, duly dated and signed by you.

I have, &c.,

CHAS. A. BROWN,

(For the Under Secretary).

SCHEDULE of Mr. Patrick Cavanagh's leases cancelled.

County.	District.	Abstract No.	Lot.	Date of Sale or Pre. Notice.	Auction or Pre.	Area.	Remarks.
Murray	Queanbeyan	76/46	...	31 Aug., 1876 ...	Pre.	960 acres	Cancelled, as the land applied for is already under pre-emptive lease to H. Hall

No. 9.

No. 9.

The Under Secretary for Lands to The Under Secretary for Finance and Trade.

Papers No. L.A. 76/2,148.

Revenue Refunded.

Pay Voucher No.

Sir,

Lands Department, Sydney, 20 November, 1877.

£4 10s. I am directed to request that you will be good enough to refund to Mr. Patrick Cavanagh, care of Jos. Suttor, Esq., of Exchange, Sydney, the sum of £4 10s. credited at the Treasury on the 7th June and 5th October, 1876, being the rent paid on the pre-emptive lease particularised in the margin, as the land applied for is already under pre-emptive lease to H. Hall.

76/46, 960 acres, dist. Queanbeyan. Notified 31 Aug., 1876.

I have, &c.,

CHAS. A. BROWN,
(Pro Under Secretary.)

The Auditor General for verification, B.C., 22 November, 1877.—JAMES THOMSON (for the Under Secretary.)

The above amount of £4 10s. was credited to the Consolidated Revenue Fund on the 7th June and 5 October, 1876.

Department of Audit, Sydney, B.C., 27 November, 1877.—C.R., Auditor General. The Under Secretary for Finance and Trade.

Received on the day of March, 1878, the above sum of £4 10s. sterling, on behalf of Patk. Cavanagh.

No. 10.

J. B. Thompson, Esq., M.P., to The Secretary for Lands.

Sir,

Sydney, 14 February, 1878.

With reference to a pre-lease of 960 acres in the district of Queanbeyan, granted to Mr. P. Cavanagh, and recently cancelled, as the land had been previously under lease to Mr. W. R. M'Carthy, I have on behalf of Mr. Cavanagh to apply to you for a refund of three years' rent paid in error by that gentleman.

I have, &c.,

J. B. THOMPSON.

No. 11.

The Under Secretary for Lands to The Under Secretary for Finance and Trade.

Papers No. 78/483 Lds.

Revenue Refunded.

Pay Voucher No.

Sir,

Lands Department, Sydney, 7 March, 1878.

I am directed to request that you will be good enough to refund to Mr. Patrick Cavanagh, care of J. B. Thompson, Esq., M.P., of Sydney, the sum of £3, credited at the Treasury on the 5th October, 1877, being the rent paid for the year 1878, on the cancelled pre-emptive lease particularized in the margin.

76/46, 960 acres, district Queanbeyan. Notified 31 Aug., 1876.

I have, &c.,

CHAS. A. BROWN,
(Pro Under Secretary.)

The Auditor General, for verification, B.C., the Treasury, 9 March, 1878.—JAMES THOMSON (for Under Secretary).

The above amount of £3 was credited to the Consolidated Revenue Fund on the 5th October, 1877.—Department of Audit, Sydney, B.C., 15 March, 1878.—C.R., Auditor General. The Under Secretary for Finance and Trade.

Received on the day of March, 1878, the above sum of £3 on behalf of Patrick Cavanagh.

No. 12.

The Under Secretary for Lands to J. B. Thompson, Esq., M.P.

Sir,

Department of Lands, Sydney, 7 March, 1878.

With reference to your letter of the 14th ultimo, applying on behalf of Mr. Patrick Cavanagh for a refund of the rent paid on his cancelled pre-emptive lease, 76-46, 960 acres, district of Queanbeyan, notified on the 31st August, 1876, I am directed to apprise you that the Colonial Treasurer was authorised to refund to Mr. Cavanagh the sum of £4 10s. on the 20th November last, and authority has now been given to refund the balance to him, namely, £3.

I have, &c.,

W. W. STEPHEN.

No. 13.

Mr. J. Sutton to The Secretary for Lands.

Sir,

Exchange, Sydney, 23 April, 1878.

Referring to your letter of November 20, 1877, and subsequent dates, on the subject of Patrick Cavanagh's pre-emptive lease, as specified in the margin, wherein is stated the land applied for is under pre-emptive lease, and there is no other available land to satisfy his claim,—

La. 76-46, 960 acres, district of Queanbeyan. Notified Aug. 31, 1876. D. Johnstone's original lease 1, 2, and 3-45-49 not paid for 1877.

I have to inform you that the rent for the land formerly leased by Mr. David Johnstone, as particularized in the margin, is not paid for 1877.

I also wish to add that it does not either appear at this date that the rent for the lease transferred from Mr. Henry Hall to Mr. W. R. M'Carthy is paid.

I have the honor, therefore, to request that you may be pleased to restore the pre-emptive lease to Mr. Patrick Cavanagh as originally gazetted.

I have, &c.,

JOSEPH SUTTON.

W. R. M'Carthy's
lease 1 and 2 9-72
does not appear
to be paid.

Minutes on No. 13.

Leases 1 and 2, 45-49, and 2 of 9 of 72, have been renewed; lease lot 1 of 9 of 72, 3 of 45 of 49, have not been renewed.—T.W., 23 May, /78.

Upon further examination it is found that D. Johnston's pre-lease 3 45-49, 640 acres, has not been renewed, and therefore there is sufficient available land to satisfy P. Cavanagh's claim for pre-lease in virtue of his C.P. of 320 acres.

Charted 960 acres, Queanbeyan.

See action on Ls. 78-2,673, annulling the above—A.J., 14 Oct., /78.

No. 14.

Mr. F. Fitzpatrick to The Secretary for Lands.

Sir,

251, George-street, Sydney, 24 June, 1878.

I have the honor to draw your attention to the following rather curious case:—

Mr. David Johnstone, of Nanima, held for the year 1877 some pre-emptive leases; some of these he wished to renew for 1878, but through some mistake, either of the local Land Agent or of the Department in Sydney, the money was credited to leases, which were alienated, and which Mr. Johnstone did not require, while the leases which he actually paid for he is now in danger of losing.

The leases which he paid for were 2, 45, 49, and 3, 45, 49; the money has been credited for 1, 45, 49, instead of for 3, 45, 49.

May I further request that this matter may receive early attention.

I have, &c.,

F. FITZPATRICK.

Minutes on No. 14.

The Land Agent should perhaps be asked to report as to the leases for which the rent was tendered.—C.A.B., 10/7/78. The Crown Lands Agent, Queanbeyan, B.C., 18 July, 1878.—W.W.S.

The Land Agent, Queanbeyan, does not know anything of this. Mr. David Johnston never paid here the leases mentioned. 2, 45, 49, and 3, 45, 49, form a part of nine sections. The last report that I had from the department as to a payment is dated 16th October, 1873, and reported to me on the 30th May, 1874. Since then no report of payment.—O. WILLIAMS, C.L.A., B.C., Queanbeyan, 20/8/78. The Under Secretary for Lands, &c.

The Crown Lands Agent at Yass will be good enough to report as to whether any payments on account of the leases in question were made to him.—CHAS. A. BROWN (for the Under Secy.), B.C., 24 July, 1878.

On the 29th September last rent for current year was paid for the following leases, viz., No. 2, 45, 49, and No. 3, 45, 49; the rent for No. 1, 45, 49, was not renewed.—LEOPOLD YATES, C.L.A., B.C., Yass, 25/7/78. The Under Secretary, for Lands, Sydney.

The necessary alteration has been made in the lease register, and this paper should be forwarded to the Auditor General for his information.—W.W.S., B.C., 19 September, 1878.

No. 15.

List of sums received by Land Agent, Yass.

(M.)

Defined Pre-emptive Leases—(Renewals.)

ACCOUNT of Sums received by Leopold Yates, Agent for the Sale of Crown Lands for the District of Yass, from 1st September to 30th September, 1877, inclusively, for rent of Crown Lands, under the Regulations of the "Crown Lands Occupation Act of 1861."

Abstract Number.	Lots.	Date of Notice.	Lessees.	County.	Period for which Rent is paid.	No. of Acres.	Amount.
10-66	1	31-7-68	Saml. Jetts	King	1878	960	£ s. d. 3 0 0
162	...	13-12-76	Thos. Glover	Harden	"	960	3 0 0
62-76	...	1-7-76	John Lawton	King	"	1,200	3 15 0
1 of 70	...	12-8-70	Alex. Shaw	Cowley	"	750	2 7 0
1 of 10 of 69	...	18-5-69	Thos. Madden	Murray	"	1,035	3 4 8
76-76	...	1-7-76	Abraham Wade	Buccleugh	"	720	2 5 0
88-76	...	"	Alexr. M'Bean	"	"	1,260	3 18 10
69-76	...	"	Willm. M'Bean	"	"	960	3 0 0
2-70	1	17-3-70	John Cook	King	"	640	2 0 0
5-67	1	9-10-67	William Carter	Murray	"	700	2 3 10
6-67	2	"	"	"	"	900	2 16 4
7-76	...	(sic.) 30-9-75	E. D. Jordan	Harden	"	960	3 0 0
134	...	29-1-76	Martin Collins	"	"	1,200	3 15 0
2-74	1	10-11-76	Jas. Collison	Cowley	"	660	2 1 4
53-76	...	15-9-74	Ed. J. Wheeler	King	"	960	3 0 0
		20-5-76					

Defined-Pre-emptive Leases (Renewals)—continued.

Abstract Number.	Lots.	Date of notice.	Lessees.	County.	Period for which Rent is paid.	No. of Acres.	Amount.
							£ s. d.
77-24 147 (sic.)	18	13-3-77	Jerem. M'Anliffe	Murray	Bal. 1878	1,320	2 1 3
77-20	1	25-2-70	James Ledger	King	1878	660	2 1 3
12-75	1	13-3-77	Edwd. Clark	Cowley	Bal. 1878	960	1 10 0
10-71	1	20-7-75	Jno. Boulding	Harden	1878	918	2 17 4
1 of 3-62 4 (sic.)	1	16-6-71	W. J. Grogan	"	"	960	3 0 0
3 of 76	1		Owen Ryan	King	"	1,280	4 0 0
69-13	2	22-9-76	"	"	"	696	2 3 6
69-13	3	13-8-69	John Byrne	"	"	640	2 0 0
69-13	1	"	"	"	"	640	2 0 0
69-13 15 (sic.)	4	13-8-69	"	"	"	750	2 7 0
16	5	"	"	"	"	680	2 2 6
4-71	1	15-12-71	John Brassil	Murray	"	680	2 2 6
4-77	1	9-2-77	Henry Barber	Harden	"	756	2 7 4
65	1	19-6-77	Jno. Johnson	Murray	"	1,380	4 6 3
9-69	1	18-5-69	Chas. A. Massey	King	"	640	2 0 0
"	2	"	"	"	"	860	2 13 10
"	3	"	"	"	"	960	3 0 0
"	4	"	"	"	"	1,000	3 2 6
"	5	"	"	"	"	1,000	3 2 6
"	6	"	"	"	"	1,200	3 15 0
"	7	"	"	"	"	750	2 7 0
"	66	19-6-77	"	"	"	640	2 0 0
(sic.) 1	1	15-7-68	(sic.) D. Holdsworth	Murray and King	1877 & 1878	11,850	74 1 4
2-74	1	15-9-74	M. M. J. M'Callum	King	"	1,120	3 10 0
4-74	2	"	James Davis	Murray	1878	640	2 0 0
"	3	"	"	"	"	1,150	3 11 10
"	4	"	"	"	"	640	2 0 0
9-76	1	29-1-76	"	"	"	1,160	3 12 6
1-75	142	19-1-75	Hugh Maguire	Murray	"	640	2 0 0
"	1	10-11-76	J. T. Lade	"	"	640	2 0 0
"	2	26-11-72	Geo. Elliott	"	"	1,038	3 4 10
"	3	"	Willm. Petty	"	"	960	3 0 0
1 of 71	1	9-1-71	"	"	"	702	2 3 10
1 of 13-68	1	18-12-68	"	"	"	750	2 7 0
1 of 74	1	24-4-74	"	"	"	640	2 0 0
1 of 3-62	1	"	"	"	"	640	2 0 0
2 of 3-62	1	"	Allan Campbell	"	"	1,228	3 16 10
75-76	1	1-7-76	"	"	"	900	2 16 4
93-76	1	29-9-77	Thos. Willis	"	"	800	2 10 0
70	1	"	Henry Barber	"	"	820	2 11 4
"	1	"	Matthew Grieves	"	"	1,200	3 15 0
1 of 77	1	20-3-77	"	"	"	960	3 0 0
69-117	1	"	J. T. Best	"	"	640	2 0 0
49-245	1	"	D. Johnston	"	"	640	2 0 0
244	1	"	"	"	"	640	2 0 0
59-217	1	"	"	"	"	640	2 0 0
69-517	1	"	"	"	"	640	2 0 0
"	1	"	"	"	"	640	2 0 0
49-345	1	"	"	"	"	640	2 0 0
53-317	1	"	"	"	"	640	2 0 0
49-46	1	"	Robt. Johnston	"	"	640	2 0 0
"	2	"	"	"	"	640	2 0 0
"	3	"	"	"	"	640	2 0 0
"	4	"	"	"	"	640	2 0 0
49-47	2	"	"	"	"	640	2 0 0
"	3	"	"	"	"	640	2 0 0
49-48	1	"	"	"	"	640	2 0 0
"	2	"	"	"	"	640	2 0 0
"	3	"	"	"	"	640	2 0 0
49-49	1	"	"	"	"	640	2 0 0
"	2	"	"	"	"	640	2 0 0
"	3	"	"	"	"	640	2 0 0
49-50	2	"	"	"	"	640	2 0 0
49-51	3	"	"	"	"	640	2 0 0
50-2	1	"	"	"	"	640	2 0 0
"	2	"	"	"	"	640	2 0 0
"	4	"	"	"	"	640	2 0 0
"	5	"	"	"	"	640	2 0 0
"	6	"	"	"	"	640	2 0 0
"	7	"	"	"	"	640	2 0 0
"	8	"	"	"	"	640	2 0 0
49-29	1	"	"	"	"	850	2 13 4
"	2	"	"	"	"	640	2 0 0
66-7	1	"	"	"	"	1,150	3 8 9
"	2	"	"	"	"	960	3 0 0
49-34	1	"	"	"	"	640	2 0 0
49-37	3	"	"	"	"	640	2 0 0
38	1	"	"	"	"	640	2 0 0
39	1	"	"	"	"	640	2 0 0
"	2	"	"	"	"	640	2 0 0
"	3	"	"	"	"	640	2 0 0

Defined Pre-emptive Leases (Renewals)—*continued*.

Abstract Number.	Lots.	Date of notice.	Lessees.	County.	Period for which Rent is paid.	No. of Acres.	Amount.
40	1	.....	Robt. Johnston	Murray	1878	640	£ s. d. 2 0 0
	3	.....	"	"	"	640	2 0 0
41	2	.....	"	"	"	640	2 0 0
49-74	13	.....	"	"	"	640	2 0 0
	15	.....	"	"	"	800	2 10 0
	16	.....	"	"	"	640	2 0 0
	17	.....	"	"	"	640	2 0 0
48-77	...	15-5-77	"	"	"	640	2 0 0
27-77	...	"	"	"	"	1,920	6 0 0
1 of 76	...	14-1-76	J. F. Castle	Cowley	"	960	3 0 0
92-76	...	1-7-76	"	"	"	6,960	21 15 0
12-69	1	13-8-69	H. Hume	Murray	"	1,060	3 6 4
"	2	"	"	"	"	1,060	3 6 4
5-74	1	15-9-74	R. A. Barber	"	"	640	2 0 0
"	2	"	"	"	"	1,000	3 2 6
Total							£ 396 3 7

Amounting in all to the sum of three hundred and ninety-six pounds three shillings and seven-pence.
3 October, 1877.

LEOPOLD YATES, Agent.

Credited at the Treasury on 4th October, 1877.

No. 16.

The Under Secretary for Lands to Mr. F. Fitzpatrick.

Sir,

Department of Lands, Sydney, 4 September, 1878.

With reference to your letter of the 24th June last, respecting an alleged error in regard to the credit of the rent paid by Mr. David Johnston, on account of certain leases held by him, I am directed to apprise you that as it appears after reference to the Land Agent, Yass, that the amount tendered by Mr. Johnston was intended for rent of his leases 2, 45, 49, and 3, 45, 49, for the current year, the rent of 1, 45, 49 being omitted, the error has been rectified in the books.

I have, &c.,

W. W. STEPHEN.

No. 17.

Mr. F. Fitzpatrick to The Secretary for Lands.

Sir,

251, George-street, Sydney, 11 September, 1878.

I have the honor to draw your attention to the following case:—An error was made by your department in some leases of David Johnstone, of Nanima, Yass. The department cancelled leases (as per margin) which should not have been cancelled, and upon representation has now rectified the error; but in the meantime the same leases had been granted to other persons, viz., Samson, Southwell, Cavanagh, and others.

I have now the honor to request that you will cause Mr. Johnstone to be fully re-instated in the said leases, and in the meantime have Southwell, Cavanagh, &c., warned from interfering with the land, pending inquiry.

I have, &c.,

FRANCIS FITZPATRICK.

Minutes on No. 17.

The above paper was sent to the Auditor General on 19th ultimo. He should be asked to return it.—C.A.B., 8/10/78. Paper now herewith.—C.A.B., 9/10/78.

In consequence of the action taken on Ls. 78/1,811 herewith, it is found necessary to cancel P. Cavanagh's pre-lease 46 of 76, 960 acres, gazetted 31 Augt., 1876; Sampson Southwell's pre-lease 59 of 76, and Saml. Southwell's pre-lease 54 of 76, 960 acres, should not be cancelled, as they do not in any way encroach upon land already held under pre-lease by Mr. Johnston.—A.G., 14 Oct., 78.

78/1,811 Ls.
2, 45, 49
3, 45, 49
and others.

No. 18.

The Under Secretary for Lands to Mr. J. Sutton.

Sir,

Department of Lands, Sydney, 31 October, 1878.

With reference to your letter of the 23rd April last, requesting that Mr. Patrick Cavanagh's pre-emptive lease of 960 acres may be restored to him, as you allege there is available land to satisfy his claim, on account of the non-renewal of certain leases, I am directed to apprise you that there is no land available for Mr. Cavanagh's lease. The local Land Agent reported in the first instance that Mr. D. Johnson had not renewed his pre-emptive lease 3 of 45 of 49, 640 acres, but as it had been ascertained on subsequent investigation that the amount had been duly paid.

I have, &c.,

W. W. STEPHEN.

No. 19.

No. 19.

The Under Secretary for Lands to Mr. F. Fitzpatrick.

Sir,

Department of Lands, Sydney, 31 October, 1878.

With reference to your letter of the 11th ultimo, requesting, on behalf of Mr. David Johnson, that certain pre-emptive leases claimed by Messrs. Southwell and Cavanagh may be disallowed, as they include his leased land, I am directed to apprise you that Mr. P. Cavanagh's pre-emptive lease 46 of 76, 960 acres, approved on 31st August, 1876, has been cancelled, on account of its interference with the pre-emptive lease held by Mr. Johnston, and he has been apprised to that effect.

2. I am to state that there are no grounds for the cancellation of Sampson Southwell's pre-emptive lease 59 of 76 and Samuel Southwell's pre-emptive lease 54 of 76, as they do not in any way encroach upon the land already held under pre-emptive lease by Mr. Johnston.

I have, &c.,

W. W. STEPHEN.

[6d.]

Sydney : Thomas Richards, Government Printer.—1879.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LAND SOLD AT NARRANDERA TO MESSRS. CLARK
AND MACLEAY.

(CORRESPONDENCE, MINUTES, &c.)

Ordered by the Legislative Assembly to be printed, 13 February, 1879.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 29 October, 1878, That there be laid upon the Table of this House,—

“ Copies of all Papers referring to land sold at Narrandera to Messrs. Clark and Macleay, date 31 July, and Correspondence and Minutes respecting withdrawal of the request of the Darlington Point Free Selectors’ Association.”

(Mr. McElhone.)

SCHEDULE.

NO.	PAGE.
1. John M’Calman, Hon. Secretary, Darlington Point and Murrumbidgee Selectors’ Association, to the Under Secretary for Lands, requesting that certain land in the parishes of Uri and Waddi, county of Boyd, be reserved from sale on account of timber. 10 July, 1878	2
2. A. Armstrong to the Minister for Lands, on behalf of the Darlington Free Selectors’ Association, requesting as above, with minutes thereon. 26 July, 1878	2
3. Same to same, drawing attention to letter No. 2, with minutes thereon, and enclosure. 31 July, 1878	2
4. Same to same, again drawing attention to letter No. 2, with statutory declaration enclosed. 6 August, 1878	2
5. J. McElhone, M.P., to Minister for Lands, complaining of the sale at Narrandera of the above-mentioned land, and censuring the action of the department in the matter, with minutes thereon. 6 August, 1878	3
6. John M’Calman to the Minister for Justice, with reference to same, with minutes thereon. 13 August, 1878.....	3
7. Memo. by W. C. Edwards, in reference to the sale in question. 20 August, 1878	4
8. Minute by the Under Secretary for Lands, in explanation of the action of the department in regard to said sale, with enclosure. 21 August, 1878.....	4
9. A. Armstrong to the Under Secretary for Lands, further respecting same, with minute thereon and Minister’s decision. 7 September, 1878	5
10. Memo. by W. C. Edwards, for the Under Secretary, as to report re timber on the land in question, with minutes thereon, and enclosure. 31 October, 1878	5
11. Explanation by W. C. Edwards of his action in foregoing matter, with minute by the Under Secretary thereon. 31 October, 1878.....	7
12. Memorandum by the Under Secretary for Lands, further respecting same.....	7

LAND SOLD AT NARRANDERA TO MESSRS. CLARK AND MACLEAY.

No. 1.

Mr. J. M'Calman to The Under Secretary for Lands.

Sir, Darlington Point and Murrumbidgee Selectors' Association, 10 July, 1878.

I am directed to bring under your notice that the land between Uri Creek and the Murrumbidgee River, parish of Uri and Waddi, in the county of Boyd, for sale at Narrandera on the 31st instant, is a dense forest of magnificent red gum timber, suitable for railway sleepers, and therefore in the interests of the public it is absolutely necessary that the land in question be withdrawn from sale, and be reserved from sale for timber purposes.

I am, &c.,

JOHN M'CALMAN, Hon. Sec.

No. 2.

Mr. A. Armstrong to The Secretary for Lands.

Sir, Land Agency Office, 26 Bridge-street, Sydney, 26 July, 1878.

I have the honor, on behalf of the Darlington Free Selectors' Association, to draw your attention to the fact that the following portions,—109–110, parish of Waddi, county Boyd, also portions 74 to 76, and 79 to 94, parish of Uri, county Boyd, advertised as lots D and E, and G to V, for sale at Narrandera on the 31st instant, consist of a dense forest of red gum, useful as a source of supply for railway sleepers, which in the interest of the growing population, and contemplated railway extension, should be preserved. I have therefore to request that the same may be withdrawn from sale.

I have, &c.,

A. ARMSTRONG,

Agent for Darlington Free Selectors' Association.

Minutes on No. 2.

For decision.—W.W.S., 27th.

Under these representations the land should be withdrawn from sale, pending inquiry as the timber, and as to whether the timber, if it exists, should be reserved.—J.S.F., 26/7/78.

Withdrawal revoked. Sale of the land to be postponed for one week.—W.C.E., 31/7/78.

No. 3.

Mr. A. Armstrong to The Under Secretary for Lands.

Sir, Land Agency Office, 26 Bridge-street, Sydney, 31 July, 1878.

Referring to my letter of date 26th July, respecting the auction lots noted in the margin, I have the honor to hand herewith letter from the Secretary of Free Selectors' Association at Darlington, describing such lots as a dense "red gum forest," and have to request that full inquiry be effected respecting the truth of this assertion before such lands be again offered for sale, with a view to the reservation of such timbered lands as are necessary to be preserved in the interest of the selectors and general public.

I have, &c.,

A. ARMSTRONG,

Agent for F. S. Association, Darlington.

Minutes on No. 3.

This letter is dated on the day of the date of the sale, and was sent to me unregistered on the same evening, therefore too late for any action for the withdrawal of the land from sale, even supposing that there was sufficient reason for the withdrawal. The sale has been postponed.—J.S.F., 1/8/78.

May be informed,—P.F.R., 5/8/78.

[Enclosure to No. 3.]

Mr. J. M'Calman to Mr. A. Armstrong,

Dear sir,

Darlington Point and Murrumbidgee Selectors' Association, 20 July, 1878.

I am directed to communicate with you, and to request that you interview the Minister for Lands, and urge the necessity of withdrawing the following lots of land which are to be sold at Narrandera, on the 31st instant, from sale, viz.:—Portions 109, 110, in the parish of Waddi, and portions 74, 75, 76, 79, 80, 81, 82, 83, 84, 86, 87, 88, 89, 90, 93, and 94, in the parish of Uri, all in the county of Boyd.

The land referred to is a dense forest of red gum—timber suitable for railway sleepers and other purposes. Therefore, in the interest of the public, it is absolutely necessary that the land in question be withdrawn from sale and reserved from sale for timber purposes.

I am, &c.,

JOHN M'CALMAN,

Hon. Sec.

No. 4.

Mr. A. Armstrong to The Secretary for Lands.

Sir, Land Agency Office, 26 Bridge-street, Sydney, 6 August, 1878.

I have the honor to draw your attention to my letter of date 26th ult., a copy of which I enclose herewith, upon the original of which a minute was made by you upon date of same in the presence of Mr. McElhone, M.L.A., and myself, approving of the lands referred to being withdrawn from auction sale at Narrandera on the 31st July, 1878. Upon inquiring at the Auction Branch of your department, I was informed that no instructions were transmitted to Narrandera until the morning of the sale, and that the

Crown

Plan
Nos. B 422-1, 908.
" 400 "
" 401 "
" 402 "

See No. 2.
Lots D and E.
Lots G to V.
Sale at Narran-
dera, July 31st,
1878.

See No. 2.

Lots D and E,
G to V, sale at
Narrandera, 31
July, 1878.

Crown Lands Agent there has replied by wire stating that such instructions were received by him too late, and that the lots referred to were sold previous to the receipt by him of any notice of withdrawal. I have therefore to request that the delay in attention to your minute may form the subject of a strict investigation at your hands, with a view to the prevention of similar cases of gross abuse of the public interest in the future.

In support of my letter previously mentioned, I have further the honor to hand herewith statutory declaration of five residents in the vicinity declaring such lands to be well-timbered, and in proof of the desirability of the same being reserved.

I have, &c.,

A. ARMSTRONG,

Agent for Darlington Free Selectors' Association.

[Enclosure to No. 4.]

Statutory Declaration.

Darlington Point and Murrumbidgee Selectors' Association.
We, John M'Calman, Robert H. Firth, John F. Woodlock, John Lander, and Duncan M'Calman, of Darlington Point, do seriously and solemnly declare that portions No. 109 and 110, parish of Waddi, and portions No. 74, 75, 76, 79, 80, 81, 82, 83, 84, 86, 87, 88, 89, 90, 93, and 94, parish of Uri, all in county of Boyd, which lots were advertised for sale by auction at Narrandera, on July 31st, 1878, are densely covered with red gum and other timber suitable for railway purposes, and the sale of land referred to would be a public calamity, as the nature of the country generally in this neighbourhood is open plains. We make this solemn declaration conscientiously believing the same to be true, and by virtue of an Act made and passed in the ninth year of the reign of Her present Majesty, intituled, "*An Act for the more effectual abolition of Oaths and Affirmations taken and made in various Departments of the Government of New South Wales and for the substitution of Declarations in lieu thereof.*"

JOHN M'CALMAN.
ROBERT H. FIRTH.
J. F. WOODLOCK.
JOHN LANDER.
DUNCAN M'CALMAN.

Taken and declared at Darlington Point, this 3rd day of
August, 1878, before me,—
JOHN ROSS, J.P.

No. 5.

J. McElhone, Esq., M.P., to The Secretary for Lands.

Sir,

Sydney, 6 August, 1878.

I have the honor to forward you letter from Mr. Armstrong in reference to an application he made you to withdraw certain lands from sale, which were to be sold at Narrandera on 31st July, 1878. Mr. Armstrong made this application on the 26th July, and you, in my presence, made a minute on the application to stop the sale and withdraw the land. Mr. A. states that the telegram was not sent until the 31st, and too late to stop the sale. It was stated to you there was no timber on this land. I enclose a solemn declaration made by several persons that the land is covered by red gum forest, and the timber is wanted by selectors, as most of the country is open plains. In my opinion a gross dereliction of duty has been committed by some of the officers of your department, and I have the honor to request that a strict inquiry may be held in the case, as I think the party who neglected to obey your instructions should be dismissed the Public Service, I care not who he may be, as I think there is something in this case even worse than neglect of duty—as some rich squatters were interested in having this land sold, and I believe used some undue influence to stop the telegram from being sent, to let the persons who wanted this land get it. See No. 4.
See Enclosure to No. 4.

Unless something is done to punish the persons who neglect their duty, there is no safety for the public or fair play to be had in the Lands, and I shall feel bound to bring this matter before Parliament when it meets.

I have, &c.,

J. McELHONE.

Minutes on No. 5.

For explanation, in reference to the non-withdrawal of the land from auction.—J.S.F., 9/8/78.

The sale of the land in question was postponed by telegram. The telegram was taken to the Telegraph Office by myself, marked "very urgent," and left there in ample time to reach the Narrandera land office before the sale took place.—W.C.E., 12/8/78.

No. 6.

Mr. J. M'Calman to The Minister of Justice.

Sir,

Darlington Point, 13 August, 1878.

I would respectfully beg to draw your attention, on behalf of the Darlington Point and Murrumbidgee Free Selectors' Association, to the sale of land on the 31st ultimo, at Narrandera, consisting of a valuable tract of country in the county of Boyd, parish of Waddi and Uri. Upon this land being advertised for sale a meeting of the above-named Association was called, and it was decided that, as this land consisted of magnificent red gum timber, suitable for railway sleepers and other public purposes, and would have been of absolute necessity in the matter of railway extension here, to urge the necessity of its being withdrawn from sale and reserved for timber purposes. According to instructions, I wrote to the Minister for Lands, through Mr. Armstrong, land agent, urging its withdrawal. He received the Minister for Lands' approval to that effect five days previous to the date on which the land was to be sold, and was given to understand that a telegram was forwarded to the Land Officer at Narrandera, stopping the sale. I have since received a communication from Mr. Armstrong, in which he informs me that the Land Officer at Narrandera had telegraphed to the Under Secretary for Lands, that owing to his message arriving too late the land had been sold. This telegram was supposed to have been sent at 10:40 a.m. on the 26th ultimo,

ultimo, five days before the land sale. Taking these circumstances as they stand, a certain amount of suspicion has been created; and I have been requested to call your attention, as Member for this District, to the matter, and to respectfully ask you to endeavour to thoroughly investigate it.

I would wish it to be clearly understood that this is not a subject actuated by party feelings, and to the selectors in this district the reservation of these lands would have been of very little pecuniary service; but the question is wholly one of public interest, and is viewed by the inhabitants in that light. And these valuable lands, containing products which should be reserved for use by the Government when occasion should require for public purposes, being sold wholesale in this manner occasions great concern in the minds of those who have the public interest at heart.

I am, &c.,
JOHN M'CALMAN,
Hon. Sec.

Minutes on No. 6.

My honorable colleague will kindly favour me with a reply that I may send to the writer of this letter.—J.L., 23/8/78. Acknowledged.—28 Aug., '78. The Under Secretary for Lands, B.C., 28 Aug., '78.—W.E.P.

No. 7.

Memo. by Mr. W. C. Edwards.

Auction Sale at Narrandera, 31st July, 1878.—Lots J to T inclusive.

THE sale of these lots was directed by the Minister to be postponed for one week (see memo. in Catalogue 78,5690) in order to allow of a report being received as to whether there were sufficient grounds to warrant their being withdrawn.

The telegram authorizing such postponement was personally lodged at the Telegraph Office, marked "very urgent," in ample time to reach the Land Agent before the sale took place, but it would seem did not do so.

Lots referred to having been sold, the report intended to have been obtained as to the alleged quantity and value of the timber on the land is not now perhaps necessary.

W.C.E., per P.F.R., 20/8/78.

No. 8.

Minute by the Under Secretary for Lands.

Auction Sale, Narrandera.—78-6,765 Al.

As this matter was dealt with by me (in the absence of the Minister), I think it right that, in submitting Mr. Edwards's explanation, I should explain to Mr. Farnell the action which I took in reference to it. On the day the Minister decided that the lands should be withdrawn from sale, Mr. Clark (of Clark & Macleay, the applicants to purchase) called and represented that, as some months had elapsed since the land was applied for, and the lots had been for some time under advertisement, and no official information had ever been furnished to the department as to the existence of any valuable timber (as alleged in Mr. Armstrong's letter), he thought that the sale ought to be allowed to proceed.

I of course informed Mr. Clark that I could not authorize this in the face of the Minister's instructions. I arranged, however, as there was plenty of time to withdraw the land by telegram (the way in which, in the majority of cases, lands are withdrawn from sale), that I would see Mr. Leary, who was acting for the Minister for Lands, and represent the circumstances to him.

I accordingly waited upon Mr. Leary at his office, and I suggested that Mr. Farnell's instructions would be met, and all parties satisfied, by a postponement of the sale for a short period, as this would admit of inquiry being made, and obviate the delay which must ensue under the Regulations by a formal withdrawal of the lands from sale before they could be offered for auction.

Mr. Leary stated that he believed that Mr. Farnell would be back the next morning, but that if he was not, and I would bring him the papers, he would deal with the case. Mr. Farnell arrived at the office the next day, and shortly before 11 a.m. Mr. Clark and Mr. Raymond had an interview with him, during which, for the most part of the time, I was present, when Mr. Clark stated that if the land was to be reserved in the public interest he should not urge his objections to the withdrawal.

Eventually the Minister decided to postpone the sale for a week, to admit of inquiry being made as to whether the land contained valuable timber, as represented. A telegram was immediately prepared, communicating this decision to the Land Agent, and was sent specially to the Telegraph Office, marked "Very urgent," and the enclosed copy of the telegram as furnished by the Telegraph Office shows that it was lodged there at 11h. 5m. a.m., in ample time to reach the Land Agent before the hour of sale, viz., 12 o'clock. The delay therefore which led to the non-receipt of the telegram until after the sale was over clearly does not rest with this department.

I do not purpose to make any comment on the charges levelled against the officers of this department in the enclosed letters. I have only to say that, as far as my own individual action is concerned, I followed the course which I believed to be just and right, as also in accordance with that which the Minister would himself approve of, viz., to give both sides interested the opportunity of being heard before carrying out a decision, based upon what was, on the face of it, imperfect information. And with this belief I should deem it my duty, under similar circumstances, to take the same course again, taking care of course, if the necessity had arisen (as I should have done in this instance), to see that the original instruction was acted upon, if it was found there was no time to consult the Minister beforehand.

W.W.S.—21.

[Enclosure to No. 8.]

Telegram from Under Secretary for Lands to Crown Lands Agent, Narrandera.

[Very urgent.]

POSTPONE for one week the sale of lots J to T, portions 79 to 90, parish Uri, county Boyd.

31 July, 1878.

Sent at 12h. 10m.

W. C. EDWARDS,

Pro Under Secretary for Lands,
11h. 5m. a.m.

No. 9.

No. 9.

Mr. A. Armstrong to The Under Secretary for Lands.

Sir,

Land Agency Office, 26, Bridge-street, Sydney, 7 September, 1878.

I have the honor to draw your attention to the auction lots, noted in the margin, sold contrary to the express desire of the Hon. Minister for Lands, and to submit that sale under such circumstances has not been legally effected, and to request that cancellation of Messrs. Clark and Macleay's purchase may be effected, in order to enable the ministerial minute upon my letter of date July 26th last to be carried into effect.

I have, &c.,

A. ARMSTRONG,
Agent for Darlington F.S. Association.

Minute on No. 9.

The facts of this case are stated upon previous papers enclosed. Is it the intention of the Minister to annul the sale as requested by Mr. Armstrong?—W.W.S., 10 Sept. Decision of the Minister on separate paper.

Decision of the Minister.

IN the absence of the necessary information relative to the character and quality of the timber on the lots sold I cannot at present decide as to the propriety of annulling the sale, even supposing I have the power. In my memo. of the 26th July last I directed an inquiry as to the timber growing on the lots, in order that I might be able to judge of the desirability of reserving the land. These papers do not disclose that anything has been done in the matter.

If no inquiry has been had there should be an immediate inquiry, for many reasons. Now, as to the land not being withdrawn from sale in accordance with my minute of the 26/7/78, no explanation has been given for not carrying out that memo., except that Mr. Clark and Mr. Raymond called upon the Under Secretary, and urged certain reasons against the withdrawal of the land from sale by auction.

The officers of the department who dealt with this matter have not performed their duty, in neglecting to carry out my instructions of the 26th July. The delaying of the withdrawal of the land for the purpose of resubmitting the matter to me on the 31st July is inexcusable.

If I remember rightly the case was again submitted on the morning of the 31st July, when I again decided that the sale should be postponed, and an inquiry made relative to the timber said to be growing on the land. On account of gross negligence this decision was not carried out, and the land was sold at auction. No good or substantial reason has been given for delaying and disregarding my decisions in this case.

It appears to me that the officers whose duty it was to act on my decision have been guilty of neglect of duty.

In future should any officer of this department so far neglect his duty as has been done in this matter, I will feel it my duty to mete out such punishment as the nature of the offence deserves.—J.S.F., 29/10/78.

No. 10.

Memo. by Mr. W. C. Edwards, for the Under Secretary.

THE enclosed case was delayed, as it was not thought necessary to make the inquiry as to the valuable timber on the land, the land being sold before the telegram to postpone the sale reached Narrandera. The Minister desires now that an immediate report be obtained as to whether the land in question is timbered or not.

W. C. EDWARDS,
(For the Under Secretary).

Survey Department, 31/10/78.

Minutes on above.

MR. District Surveyor Bolton will be good enough to report immediately upon the character of the timber upon lots J to T, as per list enclosed.—ROBT. D. FITZGERALD, for Surveyor General.

Urgent.—District Surveyor Bolton, 1 November, 1878.

Report by Mr. District Surveyor Bolton.

THE land between Uri Creek and the Murrumbidgee is timbered with gum and box, and, as far as my memory serves me, the gum timber is of good quality. The sale herein referred to was postponed for one week, from 31st July, and papers sent to me 5th November, 1878. I believe the sale took place in the meantime.

C. T. BOLTON, D.-S.,
15 November, 1878.

Mr. G. Lewis.

Memo. by the Under Secretary.

THE surveyor (Mr. Bolton) states that "as far as my memory serves me the gum timber is of good quality." I wish to observe that this report was submitted by me to the Minister, who stated that the information was hardly sufficient to admit of his deciding whether there were any grounds for reserving the land as requested.

W.W.S., 25th.

[Enclosure

[Enclosure to No. 10.]

SALE at the Police Office, Narrandera, on Wednesday, the 31st day of July, 1878.—Country Lots.

Lot.	No. of Portion.	Area.	Price per acre.	County.	Parish.	Situation.	Remarks.
		a. r. p.	£ s. d.				
A	245	49 2 0	1 5 0	Boyd	Clifford	Adjoining the southern boundary of portion No. 44 of 184 acres 3 roods, and adjacent to part of the western boundary of Messrs. Wm. Macleay and John Kerr Clark's portion No. 33 of 320 acres in the parish of Duderbang. Uratta Run. Aln. 76-34,230; B. 229-1,908 Roll	
B	72	129 1 0	1 5 0	do	Cararbury	Adjacent to the eastern boundary of Timothy Carey's portion No. 63 of 240 acres. Uratta Run. Aln. 75-85,656; B. 160-1,908 Roll	
C	93	79 0 0	1 5 0	do	do	On the left bank of Murrumbidgee River, extending southerly about 1½ mile, and adjoining the eastern boundaries of portions 24, 92, and 94. Kerarbury Run. Aln. 78-1,470; B. 419-1,908.	
D	109	225 0 0	1 5 0	do	Waddi	Adjoining and near the north boundaries of Wm. Macleay and Walter Clark's portions Nos. 8, 9, and 10, and the south boundary of J. S. Flood's conditional purchase No. 67 of 100 acres. Aln. 78-1,467; B. 422-1,908.	
E	110	225 1 0	1 5 0	do	do		
F	35	160 0 0	1 5 0	do	Uri	Adjoining part of the south boundary of W. Clark and W. and A. Macleay's portion No. 2-66 of 640 acres, and adjacent to part of the north boundary of Margaret Woodlock's conditional purchase No. 39 of 320 acres. Kerarbury Run. C.S. 78-6,202; B. 404-1,908.	Conditional purchase of Agnes Clark, withdrawn.
G	74	178 0 0	1 5 0	do	do	On the right bank of Uri Creek, at its junction with the Ana-branch, and opposite Macleay and Clark's portions 1-66, 2, 6, and 22. Kerarbury Run. Aln. 78-1,471; B. 400-1,908 Roll.	
H	75	198 0 0	1 5 0	do	do		
I	76	206 0 0	1 5 0	do	do		Exclusively of a road 1 chain wide.
J	79	150 0 0	1 5 0	do	do	Lying between Uri Creek and the Murrumbidgee River, and opposite Macleay and Clark's portions 7 to 11, and portions 85, 88, 92, and 93. Kerarbury Run. Aln. 78-1,473; B. 401-1,908 Roll.	do do
K	80	78 0 0	1 5 0	do	do		
L	81	159 0 0	1 5 0	do	do		
M	82	92 0 0	1 5 0	do	do		
N	83	68 0 0	1 5 0	do	do		
O	84	99 0 0	1 5 0	do	do		
P	86	106 0 0	1 5 0	do	do	On the right bank of Uri Creek, and the left bank of the Ana-branch, and adjoining and near the southern boundaries of mineral conditional purchase portions 91 and 92, and opposite Macleay and Clark's portions 14, 18, 21, and 22. Kerarbury Run. Aln. 78-1,472; B. 402-1,908 Roll.	
Q	87	74 0 0	1 5 0	do	do		
R	88	154 0 0	1 5 0	do	do		
S	89	69 0 0	1 5 0	do	do		
T	90	115 0 0	1 5 0	do	do		
U	93	88 0 0	1 5 0	do	do	On the left bank of the Ana-branch of Uri Creek, and the right bank of Uri Creek, and adjoining the northern boundary of portion 85, and opposite Macleay and Clark's portion 12. Kerarbury Run. Aln. 78-1,472; B. 402-1,908 Roll.	
V	94	116 0 0	1 5 0	do	do	Lying between the right bank of the Ana-branch of Uri Creek and the left bank of the Murrumbidgee River, and opposite Macleay and Clark's portions 7 and 8 of 40 acres each, and about 10 chains westerly from portion 84, lot O of this sale. Kerarbury Run. Aln. 78-1,473; B. 401-1,908 Roll.	do do

* Postpone from J to T inclusive for one week. Let a report be obtained as to whether there is valuable timber on these lots; and if so, whether the land ought to be reserved for timber.—J.S.F., 31/7/78.

Urgent.—Mr. E.,—Postpone, and send on for immediate report as to timber, &c.—W.W.S., 30 July.

Lots J to T postponed for one week.—C.B.J., 31/7/78.

No. 11.

Memo. by Mr. W. C. Edwards.

I THOUGHT I had already explained my action in this matter; however, if such is not the case, which I infer, as the papers have been returned to me by the Under Secretary, I will endeavour to make myself more clearly understood.

Mr. Armstrong handed me his letter, upon which the minute of the Minister was written authorizing the withdrawal of the land from sale. Before withdrawing the land, I sent the paper to records, to be registered in the usual course, as it is the practice of this branch to enter the registration number of any withdrawal papers in the butt of the telegram book before despatching the message. Before the paper was returned to me from records, I received instruction from the Under Secretary not to withdraw the lands for the present, as certain statements had been made to him which necessitated an inquiry into the matter, and subsequently was told by him that the case was before the Minister for Justice, as the Minister for Lands had left town. No further communication was received by me until the morning the Minister returned to his office, when I received instructions to postpone the sale for a week.

A telegram was written immediately, marked very urgent, and left by myself at the Telegraph Office, at five minutes past 11 o'clock on the day of sale, and in ample time to reach Narrandera before the sale took place; but from the records in the Telegraph Office, the telegram was not despatched from there until ten minutes past 12 o'clock, too late to stop the sale.

W. C. EDWARDS,
31/10/78.

Minute by the Under Secretary on No. 11.

IN submitting this further explanation from Mr. Edwards, I can only express my regret at the censure conveyed by the minute of the Secretary for Lands. I had hoped that the explanation and memoranda already submitted had shown that (whatever error in judgment I may be deemed to have committed) no negligence was at any rate attributable to the officers of this department whose duty it was to carry out the decision, more especially as the Minister had not in any way expressed his dissatisfaction at the course taken when he decided to postpone the sale, instead of to withdraw the lands, on which occasion the facts, and also all the papers, were before him.—W.W.S., 12/12/78.

No. 12.

Memorandum by the Under Secretary for Lands.

As this case has assumed a shape certainly never thought of or anticipated by me, and has, I am aware, been alluded to in other places besides the Assembly, I would ask permission, in justice to the department, if not to myself, to add one or two observations on points to which I did not, in my previous memoranda, think it necessary to make any reference.

In the first place, with reference to Mr. Armstrong's applications to withdraw the lands from sale, with a view to their being reserved in the public interest, on account of the valuable timber alleged to exist thereon, I wish to point out that, whilst the Minister can by his own act withdraw lands from sale by auction, land can only be reserved from conditional sale by a formal reservation under the authority of the Executive Council, and by notification thereafter in the Government Gazette.

This action would have taken some days at any rate to carry out; the sale by auction, therefore, having been fixed for the 31st July, which was a Wednesday, there would have been nothing to prevent the whole of the lands from being conditionally purchased on the very next day, that being a land office day. Any such conditional purchases would be before the notification of the reserve, and would be perfectly legal, so that the Government would have been obliged to sustain them.

I did not make any written representation to the above effect at the time, but after the charges which have been made against the department in this matter, I feel no hesitation in pointing out how the land might have all been taken up by conditional purchase, with an unquestionable legal right to do so, the very day after it had been withdrawn from sale by auction on the plea of the land being required for a reserve for the public benefit, and that, in that event, no such reserve as was asked for could have been made.

In the second place, I would explain, as another reason which influenced my action (but which I should not otherwise have mentioned), that at about this very same time Mr. Armstrong (the writer of the letter of the 6th August last) had, in two distinct cases, on the eve almost of an approaching land sale, applied for lots to be withdrawn, on grounds which were proved, on reference to the Survey Office, to have no existence, and it was only by very prompt action that the withdrawal from sale was prevented. It was then that Mr. Farnell expressly told me to be very careful in future in dealing with applications for withdrawing lands from auction (as was becoming a frequent practice) at the last moment, without full and sufficient information as to the alleged reasons for withdrawal.

I cannot, therefore, as far as my action was concerned, attach any blame to myself, in the absence of any official information in confirmation of the statements made in the present case, and in view of the strong protest made by the applicants for the land, against its withdrawal, for taking the course I did, with the sole desire of both sides of the question being fairly represented, and of doing justice to all parties. In fact Mr. Farnell's decision to postpone the sale for a week, after hearing the other side, instead of withdrawing the lands, seems to me a justification of my action, and his own minute of the 1st August (on Mr. Armstrong's letter of 31 July) indicates that he had himself a doubt as to the validity of the reasons before given him for the withdrawal. It will be seen that, in referring to Mr. Armstrong's letter as being too late to act upon, he (Mr. Farnell) says, "Even supposing that there was sufficient reason for withdrawal," &c., &c.

I could not possibly anticipate that out of the hundreds of cases in which sales have, without mistake, been withdrawn or postponed, in exactly the same way, *i.e.*, by telegram (often later than the time at which the telegram in this instance was left at the Telegraph Office), there should have been a failure in this particular case, through the delay at the Telegraph Office, to carry out the Minister's instructions.

I submit, with deference, that it is this latter circumstance, and that only (and not any neglect on the part of any one in the department), which was the cause of the sale not having been postponed, as directed by Mr. Farnell.

The fact of my waiting upon Mr. Leary is a proof, I think, of my endeavour to obtain the advice or decision of the Minister representing Mr. Farnell, and the fact of Mr. Farnell having been consulted immediately on his arrival at the office, after his return to town, shows that there was no delay in getting the matter settled.

If however it be held, after perusal of these papers and my explanation of the case, that I acted erroneously, or am in any way amenable to censure (and I can draw no other inference from the terms of Mr. Farnell's minute), I must of course bow to that decision, merely repeating that I was simply actuated all through the proceedings, and in the somewhat responsible position I was placed during the absence of the Minister, by the desire to do what I conscientiously believed to be proper.

W. W. STEPHEN,
12 Feb., /79.

Sydney: Thomas Richards, Government Printer,—1879.

[6d.]

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

PURCHASES ON MUTTAMA RUN.

(UNDER SECTION 7 OF CROWN LANDS ALIENATION ACT OF 1861.)

Ordered by the Legislative Assembly to be printed, 21 February, 1879.

MUTTAMA RUN—Purchases under sec. 7, C. L. A. Act of 1861.

Memo.

MUTTAMA Run, as held under "Orders in Council" (up to 31 December, 1865) contained an area of 131,000 acres (8 blocks of 25 square miles), entitling the lessee to apply for and purchase eight portions of (not exceeding) 640 acres each, under the provisions of the 7th clause of the Crown Lands Alienation Act of 1861.

The following purchases have been made, are being carried out, or have been forfeited on account of non-payment of the purchase money, viz. :—

1. 640 acres, forfeited	...	...	...	...	640 acres.
2. 320	}	purchase complete	...	...	1,012 "
3. 372					
4. 320					
5. 160	}	purchase being carried out	...	...	1,120 "
6. 640					
7. 320					
Total				...	<u>2,772 acres.</u>

It may, therefore, be seen that the lessee has purchased, or still has the opportunity of purchasing, 2,132 acres under clause 7 of the Alienation Act of 1861, whereas he was entitled to apply for and purchase 5,120 acres.

In addition to the cases referred to above, the lessee applied for other portions, but his applications, for various reasons, were refused.

R.D.F., 21 Feb., 1879.

This may be placed with papers 79/1,593 Ms.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LAND OFFICE AT ALBURY.

(CORRESPONDENCE, &c., RELATING TO IRREGULARITIES.)

Ordered by the Legislative Assembly to be printed, 11 March, 1879.

RETURN to an *Order* of the Legislative Assembly of New South Wales, dated 4th March, 1879, That there be laid upon the Table of this House,—

“Copies of any Reports, Minutes, or Correspondence relating to irregularities in the Land Office at Albury, rendering inspection of that office necessary last November, and copies of any Reports thereon by the “Inspector of Land Offices.”

(*Mr. Thompson.*)

NO.	SCHEDULE.	PAGE.
1.	Minute by the Minister for Lands, calling upon Mr. Oliver, Inspector of Lands Offices, for an explanation respecting the report, &c., on irregularities in the Albury Land Office. 1 March, 1879	2
2.	Report by the Inspector of Land Offices, as requested by the Minister for Lands. 3 March, 1879	2
3.	Report by the Inspector of Land Offices on the Albury Land Office. 10 June, 1878	3
4.	Minute by the Under Secretary for Lands, submitting the report in question, with Minister's decision thereon. 11 June, 1878	3
5.	Under Secretary for Lands to the Land Agent, Albury, for explanation in reference to said report. 13 June, 1878	3
6.	Land Agent, Albury, to the Under Secretary for Lands, asking to be furnished with a copy of the report, with minutes thereon. 17 June, 1878	4
7.	Under Secretary for Lands forwarding copy of report as requested. 25 June, 1878	4
8.	Land Agent, Albury, in explanation, as called upon. (See No. 5.) 29 June, 1878	4
9.	Minute by the Under Secretary for Lands respecting the case of the Land Agent, Albury, with Minister's approval thereon. 5 July, 1878	5
10.	Minute by the Executive Council, respecting the Land Office at Albury. 8 July, 1878	5
11.	Under Secretary for Lands to the Under Secretary for Finance and Trade, conveying the decision of Executive Council in the case in question. 19 July, 1878	6
12.	John J. Eaton, Inspector of Public Accounts, to the Under Secretary for Finance and Trade, respecting report on Albury accounts by Mr. Pinhey, with minutes thereon. 18 June, 1878	6
13.	Charles Pinhey, Examiner of Accounts, to the Under Secretary for Finance and Trade, reporting on the Albury accounts. 13 June, 1878	6
14.	Minute by the Under Secretary for Lands, for a further report on the Albury Land Office, with Minister's approval thereon. 24 October, 1878	6
15.	Further report by the Inspector of Land Offices on the office in question, with Under Secretary's recommendation, and Minister's approval thereon. 21 November, 1878	7
16.	John K. Duguid to the Inspector of Land Offices, forwarding declaration in reference to leave granted to him (the Inspector). 14 February, 1879	7
17.	Minute by the Minister for Lands, for information respecting Treasury Inspectors' travelling expenses, with minutes thereon. 1 March, 1879	7
18.	Inspector of Land Offices to the Under Secretary for Lands, enclosing cheque for the amount of certain travelling expenses charged by him (the Inspector). 1 March, 1879	7
19.	Railway Passes (2) granted to the Inspector of Land Offices. 31 October, 1878, and 19 November, 1878	8

MR. CHARLES OLIVER, INSPECTOR OF LAND OFFICES.

No. 1.

Memo. by The Secretary for Lands.

[Urgent.]

IN consequence of certain statements made in the Legislative Assembly last night by Mr. Day, M.P., impugning the truthfulness and accuracy of the explanation made by Mr. C. Oliver, Inspector of Land Offices, to the effect that that gentleman was required to leave Sydney on October 25th, 1878, for Albury, to inspect the local Land Agents' books, &c., in consequence of grave irregularities having been discovered therein, Mr. Day having represented that such allegations were not well founded—indeed Mr. Day stated that the Land Agent at Albury is one of the most efficient officers in the Public Service,—I require to be furnished by Monday next, the 3rd instant, with a report from Mr. Oliver, stating in specific terms what were the nature of the irregularities in the Albury Land Office which he was required to investigate.

I also wish to be furnished with a copy of the report he sent into the department, of the results of his investigations, and any recommendations Mr. Oliver may have made upon the subject; *also the reason why Mr. Oliver left Sydney on October 25th to perform this duty.*

I further wish to be furnished with a written statement to show, for the information of the Legislative Assembly, whether Mr. Oliver's application for leave of absence in Melbourne was made in writing, and if so I wish to be furnished with a copy of the said application, and the Under Secretary's approval of the same.

It was further stated in the Assembly, by Mr. Barbour, M.P., that the journey which Mr. Oliver made ought to have been finished in fourteen days instead of twenty-one days which it occupied, and as Mr. Barbour is familiar with the locality I shall require to be furnished in detail with a statement of the manner in which the twenty-one days were taken up in the trip of the Inspector.

The report or statement made in writing will have to be verified in all its substantial features by the Under Secretary. J.H.

Department of Lands, Sydney, 1 March, 1879.

Report herewith.—W.W.S., 3 March.

No. 2.

Report of Inspector of Land Offices.

IN accordance with your direction of the 1st instant, I beg to state that I reported Mr. Brown, the Land Agent at Albury, on the 10th June last, for permitting his work to drift into an unwarranted state of arrear, and for *intemperance*, chiefly the latter, which fact is indisputable (see copy of report marked A). So serious did the late Minister consider the nature of the report that he directed Mr. Brown's suspension from office, as will be seen from the decision upon the Under Secretary's minute of the 11th June, marked B. Desiring to afford Mr. Brown every opportunity of reformation, and having been privately informed that he had since the date of my inspection become a total abstainer, I begged the Under Secretary to urge Mr. Farnell to withdraw his direction of suspension for a time and call upon Mr. Brown only to explain; this was eventually done, and so the alteration shown in the Ministerial direction of 12th June is accounted for.

Mr. Brown's reply having been received, the Under Secretary wrote the minute (Copy marked C) of 5th July, and therein alluded to my report having been confirmed by the Treasury Inspector, and of which Mr. Farnell approved. The matter was then placed before the Executive Council for confirmation (see copy of minute marked D), and here I beg to draw special attention to the wording of the concluding portion of that minute, viz.:—"And the continuance in office of Mr. Brown be conditional upon a future investigation and report by the Inspector of Land Offices or other officer appointed for the purpose." It is obvious why the direction "or other officer appointed for the purpose" was given, in so far as I might have been at the time such further report was required in some distant part of the Colony, and therefore unable to proceed to Albury.

Upon the 24th October the Under Secretary wrote the following memorandum: "Three months having expired since the date of Mr. Brown's appointment as Land Agent at Albury (apart from the office of C.P.S.), Mr. Oliver may be instructed to report as to Mr. Brown's general conduct during the above period, and the state of his work, as approved by the Executive Council minute of 8th July last," and this memo. Mr. Farnell approved of upon the following day. (See copy E.)

The papers were in due course sent to me, and I left for Albury on the morning of the 31st October, being the earliest date by which I could complete business in hand at Head Quarters. The result of my inspection was satisfactory, but having to return by Albury, and deeming it inadvisable to report at once, considering it absolutely necessary to make perfectly sure, as far as possible, of Mr. Brown's temperate habits, I deferred reporting until I had another opportunity of seeing him. On my return I was glad to find that to all appearances the opinion I had formed at first was correct. Upon reaching Sydney, and after a consultation with the Under Secretary, I made my report (see copy marked F), and he thereupon wrote the recommendation of the 23rd November, which was approved of by Mr. Farnell on the 26th (see copy marked G), and Mr. Brown was placed upon full pay.

As previously stated, I left Sydney upon the morning of the 31st October, and not on the 25th preceding, proof of which I have already supplied in the shape of a certified copy of a railway pass; also one showing that I returned on the 20th November, making in all an absence of 21 days, and not, as I have been led to believe, has been most positively asserted 27 days.

With

See No. 3.

See No. 4.

See No. 9.

See No. 10.

See No. 14.

For papers F and G see No. 15.

See No. 19.

With regard to the leave of absence, I beg to state that it was applied for and granted verbally. Upon leaving the Under Secretary on the afternoon of the 30th October, I stated that I should pass through Melbourne, *en route* to Moama and Deniliquin, and inquired whether he would have any objection, should official duties permit, to my remaining in Melbourne a day or two, to which he replied that he saw no objection, or words to that effect. So much have my statements recently been impugned, that I deem it advisable to place this one beyond the pale of doubt, and do so by attaching a letter and declaration received, *unsolicited*, from Mr. J. K. Duguid when notice of the first questions were given and publicly discussed in a manner most unjust and damaging to me. See No. 16.

With reference to Mr. Barbour's assertion that my journey ought to have been finished in fourteen days, I have to state that the time occupied by me in actual travelling was one day, a night, and a half-a-day to Albury, a day to Melbourne, another to Deniliquin, two hours to Moama, a day to Melbourne, the following day and a greater part of the night to Corowa, a day to Albury, and two nights and a day to Sydney; making in all, say seven days and four nights. Seven days engaged in inspecting—add to this three Sundays, a general holiday, two Saturdays (half-days); in all five days; bringing the total to nineteen days and four nights. My charge was for twenty-one days.

In my previous statement I estimated the actual time not occupied on public business at three days, being the very utmost; but from the foregoing it will be seen that I could have very fairly stated it to be two.

3rd March, 1879.

CHARLES OLIVER,
Inspector.

No. 3.

Report of The Inspector of Land Offices.

A.

Sir,

Sydney, 10 June, 1878.

In view of the proposed establishment of the Albury Land Office upon a distinct footing, I took the opportunity when returning from Corowa of examining the state of the business. The work particularly connected with this department I found it to be in arrear, especially that relating to the examination and recording of notifications of alienations of conditional purchases. There were other arrears I was informed in connection with the account books. Considering it essential that the land work should be up to date at the time of the office being established as above mentioned, I, as reported by telegram, deemed it desirable to make every effort to place it in that position, and I succeeded in doing so before leaving Albury.

There is no doubt that a very considerable rush of business takes place in the month of March which demands that additional efforts should be made to cope with it, yet I cannot state that the arrears mentioned, notwithstanding the temporary absence since the 16th May of the Assistant Land Agent at Corowa, are warranted in the month of June.

The arrears of work I attribute wholly to the intemperate and irregular habits of the Land Agent, and I feel compelled to report most distinctly that if Mr. Brown continues them he will render himself unfit for his position. I quite realize the responsibility of reporting in such terms an old and hitherto valued officer, but I should deem myself wanting in my duty were I not to represent irregularities which so recently came prominently under my notice.

Before leaving Albury I desired the Police Magistrate, Captain Brownrigg, to report to you immediately he considered that Mr. Brown's habits were again prejudicially affecting the business of the office, but I venture to state I consider that nothing short of a distinct assurance from the latter of his intention to abstain from intemperance, and to strictly attend to his duties, to be confirmed by future inquiry and report, would warrant forbearance from extreme steps in the present instance.

I have, &c.,

CHARLES OLIVER,
Inspector.

No. 4.

Minute of The Under Secretary for Lands.

B.

I VERY much regret having to submit a report of this character against one who has hitherto been looked upon as an efficient and valued public officer, especially at a time when the question of relieving him of a portion of his duties (which he has long represented to be beyond his powers) at a mere nominal reduction of salary is under the consideration of the Government. I conclude that he must be called upon for an explanation. W.W.S., 11 June, 1878.

Mr. Brown to be suspended and called upon to explain.—J.S.F., 12/6/78.

No. 5.

The Under Secretary for Lands to The Crown Lands Agent, Albury.

Sir,

Department of Lands, Sydney, 13 June, 1878.

The Inspector of Land Offices having reported that there were large arrears of work in your office which had been caused principally by your intemperate and irregular habits, I am directed to inform you that the Minister for Lands desires that you will at once furnish an explanation of your own personal conduct thus complained of, and of the causes which have led to the arrears in question being allowed to accumulate.

I am to add that Mr. Secretary Farnell had directed that you should be suspended, but in view of your former services such an extreme step has been waived for the present, pending the receipt of your explanation.

I have, &c.,

W. W. STEPHEN.

No. 6.

No. 6.

The Crown Lands Agent, Albury, to The Under Secretary for Lands.

Sir,

Crown Lands Office, Albury, 17 June, 1878.

Referring to your letter of the 13th instant, calling upon me to furnish an explanation in regard to Mr. Inspector Oliver's report that there were large arrears of work in my office, &c. (with a view to my explaining), I do myself the honor, as a matter of common justice where the charges are of so general a nature to ask the favour of a perusal of the Inspector's report, or to be furnished with a copy of it, if the request is one that can be granted.

I have, &c.,

EDWARD BROWN,

C.L.A.

I beg to suggest that Mr. Brown be furnished with an extract from that portion of my report referring to his intemperate habits.—C.O., 21/6/78.

Approved.—J.S.F., 22/6/78.

No. 7.

The Under Secretary for Lands to The Crown Lands Agent, Albury.

Sir,

Department of Lands, Sydney, 25 June, 1878.

In reply to your letter of the 17th instant, I am directed to forward you an extract from Mr. Inspector Oliver's report as to the arrears of work in your office having been caused by your intemperate and irregular habits, and I have to request that you will be good enough to furnish without delay, for the information of the Minister for Lands, the explanation called for in my letter of the 13th instant with reference thereto.

I have, &c.,

W. W. STEPHEN.

No. 8.

The Crown Lands Agent, Albury, to The Under Secretary for Lands.

Sir,

Crown Lands Office, Albury, 29 June, 1878.

Referring to your letters of the 13th and 25th instant, respecting arrears of work, &c., reported by Mr. Inspector Oliver, and requesting my explanation, I do myself the honor to point out that the Inspector not having mentioned what the alleged arrears consist of, I find it difficult to answer the charge, as the only arrears, so far as I am aware of, affecting your department, were a number of alienation notices, some only partially dealt with, which have been lodged I believe during the months of April and May, or might rather be said to be current work on hand received in a short period, the extent and nature of which not only compelled delayed action, but could not be immediately attended to owing to distress caused by overwork during the excess of business which took place in the fierce summer months of January, February, March, and part of April. Towards the end of May, when Mr. Oliver arrived, every arrear was being rapidly disposed of, and would at that time have been wholly cleared off if I had not been deprived of the services of my assistant at an awkward juncture, and left alone to attend to the public and perform so many duties. As proof of this, although Mr. Oliver was here but a few days (with his aid) all these matters were all cleared off.

Having accounted during the time Mr. Oliver was here to the Inspector of Accounts from the Treasury for the whole of the moneys received by me in every capacity from the time of last inspection, and worked the books of account up to enable the last-mentioned officer to complete his investigation, it may perhaps be unnecessary further to allude to these books being behind-hand previously; however my subsequent remarks will apply to this subject also.

As to irregular and intemperate habits, I would state that (having for weeks previously nearly every night worked from a quarter to 8 until 11, 12 p.m., and half-past 1 a.m., after a hard and long day's work) towards the close of the examination of my matters here, I was suffering great pain from temporary illness. This, coupled with the anxieties of my position and the severity of two Inspectors dealing with different office matters, and the responsibility appertaining to the large sums I had to account for, composed of a great number of small items, deprived me of rest and sleep for nearly three nights, and possibly my nervousness and a state of exhaustion caused a wrong conclusion to be formed.

Now being relieved of the anxiety and pressure of inspection and with restored health, the public wants at this office have been punctually attended to, and by again working late hours at night and upon Sundays (my assistant still being absent) the work of the various offices has been kept well up, the moneys regularly banked and remitted, and upon the 1st prox. I will be enabled to furnish vouchers and remit collections to the Treasury under the several heads for this month. I trust it will not be thought out of place for me to mention that up to the time of Mr. Inspector Oliver's arrival there were received over 200 letters from 1st January all answered and attended to.

No arrears in regard to correspondence.

All forfeitures noted—the same with all notices of selections declared void.

Copies of all descriptions of leases entered in lease application register.

All leases Gazetted entered in general lease register; all sums paid by leaseholders registered.

Auction sales entered up in sales book.

Separate account of every selector in the district credited with the amount of interest, instalments, or balance paid by him; final reports to Department of Lands; eleven auction sales conducted and deposits and vouchers to Treasury.

Sale lists filled in, completed, and forwarded.

Every blank cover and communication from your department dealt with and answered.

Returns of every nature furnished to the different departments.

Copies of all applications entered in the conditional purchase register.

Indexes kept up.

Attested accounts to Auditor General.

Abstract of auction sales (D), moneys banked, drafts obtained and remitted.

Dates

Dates of all previous purchases searched for and noted upon C.P.'s., 21st section.

Notations in regard to non-residents on conditional purchases and alienees informed.

A great number of alienations noted and despatched.

Receipts to conditional purchasers for selections, interest, lease rent, and every variety of work in my several capacities attended to.

I trust I may also be excused under the circumstances in forwarding copies of my vouchers for interest received during the month of March and one out of eleven of the butts of receipt book used during that month for the purpose of giving an idea of what *this portion* of my duty was *alone*, and it must be borne in mind searches had to be made for dates and all changes of names discovered and money received, and change given to selectors, and all the items had to pass through the cash book with other collections. I had also to attend the Police Court in heavy criminal cases—the cases altogether amounting to several hundred.

My assistant being sick, had leave during January (the whole month). Upon my arrival in Albury sixteen years since, having been transferred from Tumut, I found 685½ acres of land sold under conditional purchase. Since then I have disposed of 951,038 acres under conditional purchase alone. My accounts have been inspected five times, and up to the late investigation I have faithfully accounted for a quarter of a million to £400,000 (approximately) sterling, and attended up to the present time to the (almost inconceivable) constant and burdensome business, and inquiries of the public caused by the extensive transactions, and I trust the Honorable the Minister for Lands, taking all the circumstances into consideration, will be pleased to consider my explanation (supported by the documents forwarded, and the fact of there being now no arrears) satisfactory, and that every exertion was made to keep pace with the work.

I have, &c.,

EDWARD BROWN,
Crown Lands Agent.

No. 9.

Minute of The Under Secretary for Lands.

C.

Case of Land Agent at Albury, 78/3181, ML.

THE Land Agent's explanation is directed chiefly to the matter of *arrears*, and he encloses voluminous documents, and copies of vouchers, &c., showing the amount of work done.

No question has ever been raised as to the immense quantity of work in the Lands Office at Albury; in fact it has been universally admitted. At the same time the very documents transmitted are in themselves evidence that the whole of the work represented by them has actually been performed by his *assistant*. This may, no doubt, be accounted for by the pressure of his business as C.P.S., Registrar, &c., and in view of which the separation of the offices of C.P.S. and Land Agent was lately authorized by the Cabinet.

The main charge, however, against the Land Agent, was that of intemperance, and the irregularity of his attendance at office caused thereby.

His explanation on this head is that he was suffering from temporary illness, in addition to a nervous state of exhaustion caused by over-work.

I feel bound, however, in justice to Mr. Oliver, the Inspector of Land Offices (who I am sure has had a most painful duty to perform in making the report he has done against an old public officer), to state that the same charge has been preferred, in more indirect terms by the Treasury Inspector of Accounts, Mr. Pinhey, who reports as follows:—

"There should be some guarantee that an important office collecting a large revenue, is controlled by an officer not subject to sudden loss of powers, from removable causes."

I think, however, that Mr. Brown's explanation, and assurance as to the future, may be accepted, this being the first charge *officially* made against him during his long period of service.

Should the Minister for Lands think it necessary to visit him with any special mark of disapproval, in addition to a severe reprimand, and a warning as to the future, I would submit that a reduction of the salary recently fixed upon for his offices as Land Agent for a period of three months, from £500 to £400, would meet the case, its restoration to the higher amount and Mr. B's. consequent continuance in office being made conditional upon a future investigation and report by the Inspector of Land Offices, or other officers appointed for the purpose.

Appd.—J.S.F., 8/7/78.

W.W.S.,

5 July, '78.

No. 10.

Minute Paper for the Executive Council.

D.

Subject:—Respecting the Lands Office at Albury.

Department of Lands, Sydney, 8 July, 1878.

IN accordance with the decision of the Cabinet of the 12th ultimo, noted in the enclosed papers (78/2,798), it is recommended to His Excellency the Governor and the Executive Council that the office of Crown Lands Agent at Albury be established on a distinct footing from that of Clerk of Petty Sessions and other minor offices with which it is at present held by Mr. Edward Brown, and that he be appointed Land Agent.

It is further recommended, owing to Mr. Brown having recently been reported for certain irregularities, that the salary be for the first three months at the rate of £400 per annum, and that its restoration to the amount approved of by the Cabinet on the papers before quoted (*viz.*, £500), and the continuance in office of Mr. Brown be conditional upon a future investigation and report by the Inspector of Land Offices, or other officer appointed for the purpose.

JAMES S. FARNELL.

The Executive Council advise for the reasons set forth in the accompanying papers that authority be granted for the separation of the office of Crown Lands Agent in Albury from the office of Court of Petty Sessions, &c., there, and that Mr. Edward Brown be appointed to the said office of Land Agent, with the salary, and upon the conditions specified.—ALEX. C. BUDGE, Clerk of the Council. Min. 78/29, 8th July, 1878. Approved.—H.R., 8/7/78. Confirmed.—15th July, 1878.

No. 11.

The Under Secretary for Lands to The Under Secretary for Finance and Trade.

Sir,

Department of Lands, Sydney, 19 July, 1878.

Papers herewith
returned. See
Nos. 12 and 13.

Referring to your blank cover communication of the 20th ultimo, transmitting the papers in connection with the recent inspection of the accounts of the Land Agent at Albury, and drawing attention to his irregular and unsteady habits, I am directed to inform you that your Inspector's report, and that of the Inspector of Land Offices, together with Mr. Brown's explanation on the charges made, have been submitted to the Minister for Lands, and all the circumstances of the case having been carefully considered, it has been determined that instead of the salary of £500 per annum, which amount had been decided to be paid to Mr. Brown as Land Agent at Albury upon the separation of the office from that of Clerk of Petty Sessions, he shall only be entitled to receive salary at the rate of £400 per annum for the first three months after such alteration has been made, and that his salary shall be raised to the full sum of £500 at the end of that period, provided it be deemed advisable after a future report by the Inspector of Land Offices, or other officer appointed for that purpose, to continue him in his office.

I am to add that the separation of the offices in question will be carried into effect as soon as the Minister for Justice and Public Instruction has appointed a successor to Mr. Brown as Clerk of Petty Sessions, when a further communication will be addressed to you.

I have, &c.,

W. W. STEPHEN.

No. 12.

The Inspector of Public Revenue Collectors' Accounts to The Under Secretary for Finance and Trade.

Report on the Albury accounts by Mr. Pinhey.

The Treasury, 8 June, 1878.

ALTHOUGH it is satisfactory to note that the collections for the period embraced in this inspection have been duly accounted for, it is very evident from this report that the habits of Mr. Brown for some time past have been very irregular and unsteady, and his neglect in keeping the books of account posted to date, failing to deposit the collections regularly, and his inattention and irregular attendance at the office, are deserving of severe censure. It is also painful to note these irregularities in an officer who, until lately, performed his duties in a very efficient manner, giving but little trouble to the Treasury, and who has been in the service since August, 1857.

As this is the first occasion that I am aware of that Mr. Brown has been reported for neglect of duty, I would recommend a severe reprimand being administered, and informed that severer punishment will follow a repetition of similar negligence.

JNO. J. EATON,

For C.I.

Submitted. The Secretary for Lands.—H.E.C., 19/6/78. The Under Secretary for Lands.—G.E., 20/6/78.

No. 13.

The Examiner of Accounts to The Under Secretary for Finance and Trade.

Sir,

Treasury, Sydney, 13 June, 1878.

In forwarding a report on the accounts of the Clerk of Petty Sessions at Albury, I feel it incumbent on me to state that there has been an evident want of consistent effort on the part of Mr. Brown to keep pace with the work.

The considerable arrears at the time of my visit were explained as having been caused by the great pressure of payments of interest in March. There could be no question as to the quantity of work during that month, but it is undeniable that personally Mr. Brown had done little towards either drawing receipts, keeping the cash-book, noting payments in the conditional purchase register, or preparing the revenue vouchers.

His irregular attendance at the office is the cause of considerable inconvenience to the public, as is the difficulty they often experience in having their business promptly attended to.

If the office of Land Agent were made distinct, and Mr. Brown appointed without an assistant, there would, in my opinion, unless more energy and regularity in the prosecution of his duties were shown, be danger of the work becoming much involved and considerably more in arrear than the efforts of the assistant have permitted it to fall.

In former years Mr. Brown has proved himself an able and efficient officer, but when under exciting or depressing influences he becomes practically useless.

There should be some guarantee that an important office, collecting a large revenue, is controlled by an officer not subject to sudden loss of powers from removable causes.

I have, &c.,

CHAS. PINHEY.

No. 14.

Minute of The Under Secretary for Lands.

E.

THREE months having expired since the date of Mr. Brown's appointment as Land Agent at Albury (separate from the office of C.P.S.), Mr. Oliver may be instructed to report as to Mr. Brown's general conduct during the above period, and the state of his work, as approved by Executive Council Minute of 8th July last.

W.W.S., 24 Oct., /78.

Approved.—J.S.F., 25/10/78.

No. 15.

No. 15.

Further Report of the Inspector of Land Offices.

F.

The Land Office at Albury.

Sir,

Sydney, 21 November, 1878.

Having, in accordance with your minute of the 24th ultimo, inspected the Land Office at Albury, I have the honor to report that since separation of the office from that of Clerk of Petty Sessions and others recently held by Mr. Brown, the business appertaining to the position of Land Agent has been most satisfactorily transacted by him, and that his general conduct has been all that could be desired.

So far as I could judge and from inquiries made, the causes which brought about my previous adverse report have been removed.

I have, &c.,

CHARLES OLIVER,
Inspector.

G.

RECOMMENDED under this report that Mr. E. Brown's salary be paid at the full rate of £500, as approved by the Executive Council, from the date of his appointment as Land Agent.

W.W.S., 23 Nov.

Approved.—J.S.F., 26/11/78.

No. 16.

Mr. J. Duguid to The Inspector of Land Offices.

My dear Oliver,

Exchange Corner, Sydney, 14 February, 1879.

My attention having been drawn to certain questions to be asked in the House by Mr. McElhone, and being also informed that you did not receive written permission from your superior officer to remain in Melbourne for the Cup races, I beg to enclose herewith my statutory declaration to the effect that verbal permission, at all events, was most certainly given in my presence. I therefore trust that the enclosure will be of some service to you.

Yours, &c.,

JNO. K. DUGUID.

I, John Kendall Duguid, of Exchange Corner, Sydney, do solemnly and sincerely declare that I was present when the Under Secretary for Lands distinctly gave Mr. Charles Oliver, the Inspector for Lands Offices, permission to be present at the Melbourne Cup races, and I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the ninth year of the reign of Her present Majesty, intituled "*An Act for the effectual abolition of oaths and affirmations taken and made in various departments of the Government of New South Wales, and to substitute declarations in lieu thereof, and for the suppression of voluntary and extra-judicial oaths and affidavits.*"

JNO. K. DUGUID.

Made and signed before me, at Sydney, this }
14th day of February, 1879,—

FRANK SENIOR, J.P.

No. 17.

Minute of The Under Secretary for Lands.

[Very urgent.]

I wish Mr. Stephen to ascertain from the Treasury Department, by *Monday next, the 3rd instant*, what is the practice of that department in respect to the furnishing of vouchers by their inspectors for travelling expenses, and especially whether the department pays any travelling allowance to their inspectors on days when such officers are not actually travelling but are away from head quarters on a tour of official inspection.

Department of Lands, Sydney, 1 March, 1879.

J.H.

The Under Secretary for Finance and Trade.—W.W.S., B.C., 1 March, 1879.

The Treasury Inspectors have hitherto received travelling allowance, when on a tour of inspection, from the time of their departure from head quarters until their return, even although such period may have embraced leave of absence for a few days to recruit health, a privilege which has, however, only occurred once or twice during the last ten years.

The Treasury, 3 March, 1879.

The Secretary for Lands.—J.W., 3/3/79.

The Under Secretary for Lands, B.C.—G.E., 3/3/79.

No. 18.

The Inspector of Land Offices to The Under Secretary for Lands.

Sir,

Department of Lands, Sydney, 1 March, 1879.

There having been so much discussion as to certain travelling expenses charged by me, I beg to enclose my cheque for the amount questioned to be disposed of as the Minister may direct.

£4 10s. enclosed.

I take this step, after having awaited the full investigation of the matter, and with a desire to afford Mr. Hoskins an opportunity, without his taking the initiative, of deciding as he may think fit upon the merits of the case; at the same time I desire to state that, by the course now pursued, I admit no error.

I have, &c.,

CHARLES OLIVER,
Inspector of Land Offices.

No. 19.

No. 19.

Railway Passes.

First Class—Government Railways.

31 October, 1878.

PLEASE give Mr. Charles Oliver, Inspector of Land Offices, a railway ticket from Sydney to Wagga Wagga, and return, and charge the same to "Lands" Department.

Why granted?—On service.

W. W. STEPHEN.

I certify the above to be a true copy of the original now in this office.—J. J. WICKHAM, Accountant Railways, 20th Feb., 1878.

Government Railways.

19 November, 1878.

[Sleeping berth only.]

PLEASE give Mr. Charles Oliver, Inspector of Land Offices, a ticket from Wagga to Sydney, and charge the same to "Lands" Department.

Why granted?—On service.

W. W. STEPHEN,
Under Secretary.

I certify this to be a true copy of the original.—J. J. WICKHAM, Accountant, Railways, 20th Feby., 1879.

Sydney: Thomas Richards, Government Printer.—1879.

[6d.]

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LANDS ACTS AMENDMENT ACT.

(COMMISSIONERS OF INQUIRY UNDER.)

Ordered by the Legislative Assembly to be printed, 2 May, 1879.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 14th February, 1879, That there be laid upon the Table of this House,—

- “(1.) The names and districts allotted to each of the Commissioners of Inquiry under the Lands Acts Amendment Act of 1875.
- “(2.) The date of each Court of Inquiry held during 1878, number of days sitting, name of place, and presiding Commissioner.
- “(3.) The number of cases investigated during the year 1878 by each Commissioner, particularizing the Court where investigation was held.
- “(4.) The number of cases in which forfeiture was recommended, by which Commissioner, and the number of cases in which each recommendation was carried into effect by the Minister for Lands.
- “(5.) Amount of salary and allowance for travelling expenses paid to each Commissioner.”

(Mr. Thompson.)

I HAVE the honor to enclose a Return embodying the information called for by the Legislative Assembly, on the motion of Mr. Thompson.

I desire respectfully to state that no record has been kept to distinguish the cases in which forfeiture has been recommended from those in which it has taken place by the decision of the Minister; the information could only therefore be given by an examination in detail of all the various reports, which would hardly, I presume, be considered necessary; but I may state that in one or two cases only have the facts as disclosed in the evidence been held to require forfeiture where not recommended by the Commissioner, and that the number of cases in which a forfeiture has been recommended but not carried out has also been inconsiderable.

Conditional Sale Division,
Department of Lands.

A.O.M.,
2 May, 1879.

LANDS ACTS AMENDMENT ACT.

Name of Commissioner.	Districts.	Places at which Courts were held.	Dates on which Courts were held.	Number of days sitting.	Number of cases investigated.	Number of cases forfeited.	Salary.	Travelling allowance.
Henry Burne, Esq.	Braidwood	Bega	19 March	4	17	40	£ s. d. 500 0 0	£ s. d. 150 0 0
			11 June.....					
	Bega	Eden	18 September ..	4	12			
			2 December..					
	Broulee.....	Milton	22 March	1	1			
			20 June.....					
	Dowling	Braidwood	24 September ..	3	16			
			6 December..					
	Eden	Moruya.....	2 April	2	3			
			3 June.....					
	Kiama	Candelo	9 September ..	3	11			
			17 December..					
	Shoalhaven	Nowra	6 June.....	1	2			
			27 November ..					
	Wollongong.....		15 June.....	3	11			
			21 September ..					
			28 September ..	1	2			
			21 November ..					
			18	62				
Geo. O'M. Clarke, Esq.	Burrowa	Burrowa	1 March	4	9	115	500 0 0	102 0 0
			12 June.....					
	Cootamundra	Cootamundra ...	28 August ..	4	34			
			22 November ..					
	Gundagai	Gundagai	19 March	4	17			
			18 June.....					
	Narrandera	Tumut	17 September ..	4	7			
			29 November ..					
	Tumut!.....	Urana	30 March	6	44			
			1 July					
	Urana	Wagga	30 September ..	4	15			
			30 November ..					
	Wagga Wagga.....	Young	29 March	6	95			
			29 June.....					
	Young		2 December..	4	15			
			25 November ..					
			24 June.....	6	44			
			21 September ..					
			16 December..	4	15			
			21 March					
			20 June.....	6	95			
			24 September ..					
			14 December..	6	95			
			27 February...					
		10 June.....	6	95				
		26 August ..						
		18 November ..	31	221				
John Delaney, Esq.	Bourke	Narrabri	16 October ...	5	32	139	500 0 0	102 0 0
			23 May					
	Gunnedah.....	Breeza	5 October	3	20			
			8 October					
	Tamworth	Tambar Springs	9 October	5	26			
			30 March					
	Walgett	Manilla.....	8 June.....	3	18			
			11 December..					
	Wee Waa.....	Coey Polly.....	4 April	3	15			
			11 June					
		Woolomin	5 September ..	3	9			
			13 December..					
		Tamworth	23 March	3	13			
			24 June					
		Currabubula ...	12 December..	2	9			
			7 June					
		Somerton	2 December..	1	3			
			10 December..					
		Wee Waa	17 June.....	1	2			
			28 August					
		Boggabri	21 December..	1	5			
			3 June.....					
			26 August	3	13			
			23 December..					
		5 June.....	2	9				
		31 August						
		1 October	1	3				
		7 October						
		3 October	1	5				
		3 October						
			30	152				

Name of Commissioner.	Districts.	Places at which Courts were held.	Dates on which Courts were held.	Number of days sitting.	Number of cases investigated.	Number of cases forfeited.	Salary.	Travelling allowance.			
							£ s. d.	£ s. d.			
Thomas J. Hawkins, Esq. ...	Cassilis	Dubbo	4 April	4	18	61	500 0 0	69 0 0			
			6 August								
	Coonabarabran ...	Denison Town.....	27 September	1	25						
	Dubbo	Mudgee	8 April	2	12						
			15 April	2	7						
	Mudgee.....	Rylstone	10 October								
			19 April	3	6						
	Rylstone	Cassilis.....	12 October								
	Wellington	Wellington	10 April	2	3						
		Coonabarabran ...	8 August	2	5						
		25 September	2								
		3 October	16	76							
Whittingdale Johnson, Esq..	Bathurst	Sydney.....	29 July.....	2	2	23	500 0 0	175 0 0			
			6 March	2	3						
	Carcoar	Windsor	1 May	2	3						
			11 December..	1	2						
	Cowra	Penrith	30 January	1	2						
	Forbes	Picton	10 September..	1	2						
			1 February.....	3	17						
	Grenfell	Berrima	13 September..								
			13 December..	2	8						
	Hartley.....	Grenfell	3 April								
			20 September..	2	28						
	Molong.....	Forbes	20 March								
			23 September..	1	1						
	Orange	Parkes	22 March								
			26 March	2	13						
	Berrima	Condobolin	26 September..								
			15 March	2	3						
	Brisbane Water ...	Molong.....	3 October								
			13 March	2	6						
	Camden	Orange	6 November..								
			5 April	2	6						
	Campbelltown.....	Cowra	16 October								
			9 October	2	3						
	Parramatta	Bathurst	26 November..								
	Penrith.....	Lithgow	3 November ..	1	1						
	Sydney										
	Windsor			25	95						
Johnson G. King, Esq.	Bombala	Goulburn	22 February...	5		50	500 0 0	138 0 0			
			3 June.....								
			30 September..	2							
	Cooma	Gunning	5 June.....								
			2 October	3							
	Goulburn	Yass	26 February...								
			7 June.....	3							
			4 October								
			12 June.....	3							
	Gunning	Queanbeyan.....	14 October ...								
			13 December..	1							
	Queanbeyan	Micilago	14 June.....								
			7 February...	8							
	Yass	Cooma	10 April								
			17 October	3							
			9 December..								
		Bombala	16 April	1							
		Delegate	22 October ...								
			20 April	26	122				50	500 0 0	138 0 0
	A. C. S. Rose			21 January ...	14				104	175	500 0 0	223 10 0
			20 May								
			17 June.....								
			19 August								
			30 October ...								
			1 November ..	4	18						
			2 December..								
			25 January ...								
			21 June								
			25 October ...								
			6 December..	34	126						
			31 January ...								
			1 February...								
			30 March								
			1 May								
			26 June.....	9	35						
			29 August								
			2 September..								
			8 February...								
			24 April								
Hay		Hay	3 July	1	1						
			19 February...								
			6 April								
			9 September..								
			3 April								
Moama		Moama		2	3						
Balranald.....		Wentworth		1	3						
Wentworth		Balranald.....									
Mitchell				65	291						

Name of Commissioner.	Districts.	Places at which Courts were held.	Dates on which Courts were held.	Number of days sitting.	Number of cases investigated.	Number of cases forfeited.	Salary.	Travelling allowance.			
							£ s. d.	£ s. d.			
Sydney Blythe, Esq.	Armidale	Armidale	23 March	4	15	20	500 0 0	153 0 0			
			25 June								
			18 September								
			31 December								
	Bingera	Walcha	21 March	7	13						
			21 June								
			21 May								
			26 October								
	Glen Innes	Glen Innes	19 November	5	11						
			27 March								
			28 May								
			22 October								
	Tenterfield	Tenterfield	28 December	6	24						
			11 October								
	Walcha	Uralla	20 March	4	12						
			20 June								
	Warialda	Inverell	20 September	6	16						
			3 April								
			18 October								
			18 December								
			24 September						2	4	
			15 March						3	4	
			30 September						1	2	
			9 April								
					38	101					
Henry James Bolding, Esq.	Scone	Paterson	27 February	1	2	51	500 0 0	183 0 0			
	Dungog	Murrurundi	26 March	1	2						
	Grafton	Quirindi	27 March	3	10						
			28 March								
	Macleay River	Grafton	4 September	4	27						
			5 April								
			6 April								
			7 October								
	Maitland	Ulmara	8 October	1	3						
			8 April								
	Manning River	Rocky Mouth	10 April	2	6						
			4 October								
	Murrurundi	Casino	13 April	2	9						
			14 October								
	Muswellbrook	Lismore	16 April	4	13						
			17 April								
			29 April								
			16 October								
	Newcastle	Woodburn	18 April	2	2						
			23 October								
	Paterson	Ballina	20 April	2	6						
			19 October								
	Patrick's Plains	Tweed River, Murwillumbah	25 April	2	1						
			30 October								
	Port Macquarie	Singleton	4 June	2	4						
			6 September								
	Port Stephens	Newcastle	6 June	1	1						
	Raymond Terrace	West Maitland	7 September	1	1						
	Richmond River	Sydney	9 September	1	1						
	Tweed River	Kempsey	13 September	2	4						
			14 September								
Wollombi	Port Macquarie	18 September	1	4							
		9 October				1	0				
				33	96						

1878-9.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LAND SOLD AT AUCTION.

(FROM 1 JANUARY TO 31 MARCH, 1879.)

Ordered by the Legislative Assembly to be printed, 25 April, 1879.

RETURN showing the area of land sold at auction from the 1st January to 31st March, 1879, and the deposits and balances paid during the same period.

Country.	Balances.	Suburban.	Balances.	Town.	Balances.	Total Amount.
a. r. p.	£ s. d.	a. r. p.	£ s. d.	a. r. p.	£ s. d.	£ s. d.
286,746 2 0	273,020 8 11	70 1 6	526 3 3	179 1 4	2,418 19 6	275,965 11 8
Country.	Deposits.	Suburban.	Deposits.	Town.	Deposits.	Total Amount.
a. r. p.	£ s. d.	a. r. p.	£ s. d.	a. r. p.	£ s. d.	£ s. d.
156,391 2 0	52,200 6 6	168 3 3	511 2 9	11 1 12	78 19 11	52,790 9 2
						£328,756 0 10

The difference of £59 8s. between the above statement and that made by the Colonial Treasurer is accounted for by overpayments since refunded.

1878-9.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

AFTER AUCTION SELECTIONS.

(OPINION OF ATTORNEY GENERAL)

Ordered by the Legislative Assembly to be printed, 10 June, 1879.

COPY of the Opinion of the Honorable the Attorney General on a protest by Hew Blackwood Patterson against the present practice in dealing with applications to select land under the 25th section of the Crown Lands Alienation Act of 1861.

ALTHOUGH this matter is not free from doubt, I cannot advise that the practice pursued in the Department, founded upon the decision of the late Minister for Lands, should be departed from.

W. C. WINDEYER.

28/3/79.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LAND SOLD NEAR JERILDERIE.

(PARTICULARS OF, WITHIN A RADIUS OF FIFTY MILES.)

Ordered by the Legislative Assembly to be printed, 2 July, 1879.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated the 7th May, 1879, That there be laid upon the Table of this House,—

“ A Return showing the quantity of land sold by conditional purchase,
“ and other ways than by conditional purchase, within a radius of 50 miles
“ from the town of Jerilderie during the last seven years.”

(Mr. Barbour.)

RETURN showing the quantity of land sold by conditional purchase, and other ways than by conditional purchase, within a radius of 50 miles from the town of Jerilderie during the last seven years :—

Conditional purchases...	...	...	...	...	545,072	acres.
Improvement „	...	...	...	...	128,941	„
Conditional improvement purchases	...	...	...	...	1,896	„
Sold by auction	...	...	...	...	1,705,009	„
Selection after auction	...	...	...	...	61,788	„
Volunteer Land Orders	...	...	...	...	15,100	„
Special purchases	...	...	...	...	5,247	„
Total	...	...	...	...	2,463,053	„

1878.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

CROWN LANDS BILL.

(MESSAGE No. 7.)

Ordered by the Legislative Assembly to be printed, 23 October, 1878.

HERCULES ROBINSON,

Governor,

Message No. 7.

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 to regulate the Alienation, Occupation, and Administration of Crown Lands in New South Wales.

Government House,

Sydney, 23rd October, 1878.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LANDS ACTS FURTHER AMENDMENT BILL.

(MESSAGE No. 15.)

Ordered by the Legislative Assembly to be printed, 6 May, 1879.

ALFRED STEPHEN,

Lieutenant-Governor.

Message No. 15.

In accordance with the provision contained in the 54th clause of the Constitution Act, the Lieutenant-Governor recommends to the Legislative Assembly, to make provision for the expenses in connection with the Bill further to amend the Land Acts of 1861 and the Act of 1875.

Government House,

Sydney, 6 May, 1879.

1878.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

CROWN LANDS BILL.

(PETITION FROM RICHARD SADLEIR, R.N.)

Received by the Legislative Assembly, 6 November, 1878.

To the Honorable the Legislative Assembly of New South Wales.

The Petition of Richard Sadleir, R.N.,—

HUMBLY SHOWETH :—

That your Petitioner was a member of your honorable House in 1861 in passing the Land Act of that period.

That he upheld the opinion that the pastoral and agricultural interest should be kept distinct by a system of agricultural areas, and that the experience of the past confirms the same.

That without this distinction and the facility of selection and certainty of tenure no mere modification of our land policy will effect a radical and special change in the system.

That reserves for agricultural and pastoral pursuits may now be made on the report of the surveyors of districts, and be so defined on the maps as to secure the obvious distinction, and to provide for the advance of population similar reserves should be made as leaseholds expire.

That the present system of surveying, owing to the random style of settlement, must be both expensive, tedious, and questionable.

That, therefore, the system adopted in the United States and Canada of blazed lines from one fixed point to another fixed point, with off-sets and mileage marks, would secure facility of choice and security of boundaries.

That the administration of the land to be placed in Local Boards, and a Control Board in Sydney; the latter to provide for national reserves, and to be a Board of appeal in cases of disputed decisions.

That the minimum price of lands for auction be regulated according to locality, timber, and quantity.

That improvements should not be of less value than £500, and the compensation in land allowed be taken adjoining to the freehold, if there be any such, and not be disconnected from the leasehold, and not allowable after ten years construction.

That declarations as to residence, &c., be discontinued, and certificates of the local land Board be substituted.

That improving leases may be granted as in Canada and Queensland, with power to purchase within a term of years.

That grants of free selection may be extended to 1,280 acres, so as to enable persons in this uncertain climate to combine pastoral pursuits with agricultural, and to encourage the settlement of persons qualified for the offices of Magistrates, Mayors, and other official positions.

That the tenure of squatters may be extended so as to encourage improvements and to protect them against intrusions, but subject on expiration of lease to reserve being made as aforesaid.

Your Petitioner therefore humbly prayeth that your honorable House will take the foregoing premises into your most favourable consideration when the new Land Bill, about to be introduced by the Government, is under your consideration.

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

28 October, 1878.

RICH. SADLEIR.

1878.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

THE LAND LAW.

(PETITION FROM FREE SELECTORS AND OTHER RESIDENTS OF THE DISTRICT OF YOUNG.)

Received by the Legislative Assembly, 27 November, 1878.

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

The humble Petition of the undersigned Free Selectors and other residents of the District of
Young,—

SHOWETH :—

That in the opinion of your Petitioners the present Land Law of New South Wales may be rendered just and equitable, provided the following alterations be made therein, in reference to improved conditional purchases, namely :—

- 1st. That the minimum value of improvements shall be ten shillings per acre instead of one pound per acre, as now required on all lands conditionally purchased under the 13th, 14th, 21st and 22nd sections of the Crown Lands Alienation Act of 1861.
- 2nd. That all improvements upon conditional purchases which shall lapse or be forfeited, shall be deemed to be the property of the original selector or his or her transferee, and shall be paid for to him or her by any person to whom the land may revert; the value of such improvements to be determined by arbitration.

Your Petitioners therefore humbly pray that a Bill may be introduced into your Honorable House, as early as possible, to remedy the said defects in the Land Law, or give such relief to your Petitioners as to your Honorable House shall seem expedient.

And your Petitioners will ever pray, &c.

[Here follow 52 signatures.]

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LANDS ACTS FURTHER AMENDMENT BILL.

(PETITION—CROWN TENANTS OF THE UPPER DARLING.)

Received by the Legislative Assembly, 26 March, 1879.

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

The humble Petition of the undersigned,—

RESPECTFULLY SHOWETH:—

That your Petitioners, being Crown Tenants in the Upper Darling Districts, view with alarm especially the 14th and 15th Clauses of the Amending Land Bill now before the House.

With regard to the appraisalment, it is manifestly unfair that no appeal should be allowed from a decision by an appraiser appointed by the Minister alone; thus, no matter how great the grievance of the Crown tenant in this respect may be, he must abide by the decision or relinquish his country and improvements thereon however valuable.

Then, with regard to the rent being fixed at a minimum rate of one pound per section of 640 acres, this your Petitioners know is too high a rate and must lead to the abandonment of much country, which in many cases has been held from year to year, no chance having occurred to improve it except at ruinous expense; in some cases the difficulties have been insurmountable, however anxious the Crown tenant may have been to turn the country to profitable account.

Your Petitioners would point out that, supposing the country in which they are interested to have been fully improved, its average capability does not amount to more than (say) 10,000 sheep per block of 64,000 acres, this being country which in its natural state is absolutely useless, and which is only brought into bearing by the expenditure of large sums of money—not less than £5,000 for each block of the size referred to. The interest on this amount reaches a large sum, and, as the public estate is benefited to no small extent by the permanent occupation of the country, this large outlay unnecessary in more favoured localities should be considered.

The extreme dryness of many seasons has necessitated a much increased outlay for working expenses; as, for instance, no later than a few months ago many of your petitioners had to pay £50 and £60 per ton for flour, all the necessaries of life being high in proportion; in many cases also, the produce, wool, &c., having been carried in, has lain on the bank of the river for two seasons, thus no returns were secured, while expenses actually increased.

Your Petitioners therefore think that the proposed large increase of rent for country which includes the back blocks should not be arbitrary, but that circumstances and position should determine the value, which in many instances is only nominal.

Your Petitioners, therefore, humbly pray that your Honorable House will give its favourable consideration to the subject matter of this Petition.

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

[Here follow 44 signatures.]

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LANDS ACTS FURTHER AMENDMENT BILL.

(PETITION AGAINST—CITIZENS OF SYDNEY.)

Ordered by the Legislative Assembly to be received, 21 May, 1879.

To the Honorable the Speaker and Members of the Legislative Assembly.

The humble Petition of the Citizens of Sydney, from a meeting held at the Haymarket, on the 17th May, 1879,—

RESPECTFULLY SHOWETH :—

That your Petitioners—alive to the calamitous results of the Lands Act of 1861 and the Lands Act of 1875, which have led to the accumulation of enormously large estates into the hands of a few rich individuals, and the almost total extinction of *bond fide* free selectors—view with alarm the present Lands Amending Bill, which if allowed to become law, would not only aggravate the evil a hundred-fold, but cause the Country to lose many millions pounds sterling.

That for these and other reasons, your Petitioners particularly object to clauses 2, 3, 4, 6, and 12 of the said Bill.

Your Petitioners therefore pray your Hon. House to throw out the said Lands Amending Bill on its third reading, and grant the Country enlarged representation before the great question of the lands is taken into consideration.

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

HENRY BROWN,
Chairman.

1878.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MESSRS. HACKET AND ARMSTRONG.

(PETITION OF.)

Ordered by the Legislative Assembly to be printed, 29 October, 1878.

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

The Petition of T. R. Hacket, of Queensland, and Andrew Armstrong, of 26, Bridge-street, Sydney,—

HUMBLY SHOWETH:—

That one Francis Horace Stubley, of Darlinghurst, near Sydney, in the Colony of New South Wales, applied for, early in the month of January, 1878, to purchase portions 18 and 19, consisting of 640 acres respectively, in the parish of Merran, county of Wakool, which lots had been offered at auction at Deniliquin, as lots A and B, on September 26th, 1877, and purchased by the then applicants, Messrs. Hunt and Brown, who paid deposit thereon under the 23rd clause of "Crown Lands Act of 1861," but who failed to complete the purchase by not paying the balance due thereon at its proper date.

That, in accordance with the meaning of the 25th and 26th clauses of said Act, such failures rendered the lots in question available for auction selection, at sold price, less the amount of deposit paid.

That such price of £960 with deed fee of £2 was duly paid by the said Francis Horace Stubley to the Crown Lands Agent at Deniliquin, and clear receipt for such money and land sold was given to the said Francis Horace Stubley.

That, subsequent to acceptance of the purchase money for the portions named, Francis Horace Stubley applied for a pre-emptive lease of 3,840 acres, and paid one year's rent, amounting to £12, thereon, and that in due course and after departmental inquiry, respecting the nature of the holding in virtue of which such pre-lease was applied for, notification duly appeared in the *Government Gazette* granting such pre-emptive lease.

That your Petitioners have purchased the right, title, and interest in and to such land, and that since having done so the Department of Lands have declared such purchase void, on the grounds that, at the time of the purchase by the said Francis Horace Stubley, the Executive Council had not declared the deposit paid by Messrs. Hunt and Brown forfeited to the Crown, as also the pre-emptive lease has been cancelled, and your Petitioners officially informed of such cancellation.

That since the passing of the Alienation Act of 1861, a considerable number of alienations similar in every respect to those tendered by the said Francis Horace Stubley, have been applied for and such applications allowed.

That, believing the purchase for Francis Horace Stubley to be strictly in accordance with the terms and meaning of the Act of 1861, and that the holding thereunder by your Petitioners is perfectly legal, your Petitioners had entered into arrangements which were almost completed with reference to the disposal of such lands, which arrangements cannot now through the action complained of be carried into effect, thereby entailing a loss to your Petitioners which they estimate at sixteen hundred pounds.

Your Petitioners therefore humbly pray that your Honorable House will take this case into your earnest consideration, and in its justice decide that their title to such lands shall stand, or that they shall be compensated for the loss sustained in the cancellation of such purchase.

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

T. R. HACKET.
A. ARMSTRONG.

1878.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MESSRS. LAKEMAN AND ARMSTRONG.

(PETITION OF.)

Ordered by the Legislative Assembly to be printed, 29 October, 1878.

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

The Petition of Allen Lakeman, of Hay, and Andrew Armstrong, of 26, Bridge-street, Sydney,—

HUMBLY SHOWETH:—

That on June 20th, in the year 1878, seven thousand one hundred and twenty-one acres in the parish of Windowan, county Wakool, were offered at auction as Lots S to W and CC to WW, and sold to one Lachlan M'Bean, at £1 per acre.

That the said Lachlan M'Bean paid deposit of 25 per cent. thereon, and that balance of purchase money was not paid upon its proper date.

That previous to its being paid and while such lots were still available for purchase under the 25th clause of the Crown Lands Act of 1861, your Petitioners tendered applications with the sum of fifteen shillings per acre, being the price of such land, in accordance with the terms of the said 25th clause (as well as with previous departmental precedents), together with deed fees at £1 each.

That the right of your Petitioners to purchase the land under the circumstances has been denied, and their applications after consideration have been refused by the Department of Lands.

That such lands were not withdrawn from operation of the 25th clause until after your Petitioners were informed that such lands were not open to auction selection at the date of their application.

That your Petitioners, through such action of the Lands Department, suffer a loss which they estimate at nine thousand pounds, in the belief that their applications have been legally and properly tendered.

Your Petitioners therefore humbly pray that your Honorable House will take this case into your earnest consideration, and in its justice decide that their title to such land stand, or that they shall be compensated for the loss sustained in the cancellation of such purchase.

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

ALLEN LAKEMAN.
A. ARMSTRONG.

1878.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

ALEXANDER COUPER.

(PETITION OF.)

Received by the Legislative Assembly, 12 November, 1878.

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

The Petition of Alexander Couper, of Woolloomooloo, Sydney,—

HUMBLY SHOWETH :—

That your Petitioner applied for (early in the month of December, 1877) the purchase of portion 101, area 160 acres 2 roods, in the county Bourke, parish Berembed, which lot had been offered at auction at Wagga Wagga as lot E, on July 12, 1876, and purchased by one James Hood, who failed to pay the balance of purchase money thereon, and that at the date of your Petitioner's applications the plan of such portion B, No. 256, 1,803, was distinctly marked—sale void, deposit forfeited.

That in accordance with the meaning of the 25th and 26th clauses of said Act, such failure rendered the lot in question available for auction selection at sold price, less the amount of deposit paid.

That such price with deed fee was paid by your Petitioner to the Crown Lands Agent at Wagga Wagga, and clear receipt for such money and land sold was given therefor.

That issue of deed of grant is refused to him by the Crown.

That your Petitioner believes that his purchase of such land is in accordance with existing land laws.

That your Petitioner therefore humbly prays that your Honorable House will take his case into serious consideration, and decide such purchase be allowed or award to him such decision as in its wisdom may seem fit.

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

(Signed)

ALEXANDER COUPER.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MR. ANDREW M'DOUGALL.

(PETITION OF.)

Received by the Legislative Assembly, 9 July, 1879.

Unto the Honorable the Members of the Legislative Assembly, in Parliament assembled, the Memorial of Andrew M'Dougall, of Kelso Place, Singleton,—

MOST RESPECTFULLY SHOWETH:—

That on the 23rd day of May, 1823, your Memorialist was promised by His Excellency Sir Thomas Brisbane a grant of two thousand acres of land, on condition that he should take therewith certain convict servants and cattle, and on this condition only.

That your Memorialist on taking certain convict servants and cattle, and on doing this only, did actually receive one thousand acres of the above grant.

That His Excellency promised that the remaining thousand acres should be available whenever your Memorialist was in a position to comply with the same condition in respect of them.

That your Memorialist, shortly after His Excellency had left the Colony, applied for convict servants and cattle, that he might be able to take up the thousand acres in question.

That your Memorialist received notice from the Honorable the Colonial Secretary that the thousand acres in question would be available upon payment of five shillings per acre.

That your Memorialist waited upon the Honorable the Colonial Secretary and stated that the only condition attached to the grant of the two thousand acres (of which the thousand acres presently in question were a part) was that your Memorialist should take certain convict servants and cattle, for which your Memorialist had applied but which he had been unable to obtain.

That the Honorable the Colonial Secretary informed your Memorialist that the case should be inquired into.

That so far as your Memorialist is aware no inquiry was made. Your Memorialist never got the thousand acres of land, the balance of the grant of two thousand.

That it is evident from the record that your Memorialist was granted not one thousand but two thousand acres of land in one grant, and at the same time.

That it is evident from the record that the whole grant was promised on only one condition.

That it is a fact that your Memorialist received one thousand acres, a part of the whole two thousand, on condition simply of your Memorialist's having taken certain convict servants and cattle.

That therefore the balance of the two thousand acres must have been granted on the same condition and on no other.

That the inability of the Government to supply the convict servants and cattle ought not to prejudice my right.

That although the name of your Memorialist appears in a "List of the names of individuals indebted to the Government for price of land sold under the Regulations of Sir Thomas Brisbane dated 5th November, 1823, but on which no deposit has been paid" (and for failing to pay which the balance of my grant was subsequently declared forfeited), yet these Regulations cannot possibly apply to the case of your Memorialist, since as is evident from fact no price was attached to my grant of two thousand acres and that therefore by these Regulations your Memorialist's right cannot possibly have been forfeited or affected.

That your Memorialist therefore humbly prays that your Honorable House may be pleased to take these premises into your favourable consideration, and to grant such relief as to your Honorable House may seem meet.

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

ANDW. M'DOUGALL.

1878.

NEW SOUTH WALES.

CROWN LANDS.

(RESERVED FROM SALE UNTIL SURVEYED, FOR THE PRESERVATION OF WATER SUPPLY OR OTHER PUBLIC PURPOSES.)

Presented to Parliament, pursuant to Act 25 Vic. No. 1, sec. 4.

ABSTRACT of Crown Lands reserved from Sale until surveyed, for the preservation of Water Supply or other public purposes, in accordance with the 4th section of the Act 25 Victoria No. 1.

No. of Papers.	No. of Reserve.	Locality.	Area.	Government Gazette in which the description is published.	Folio.
Ms. 78- 3632	706	County of Burnett, parish of Blue Nobby	197ac. 2r.	13 May, 1878 ...	1907
"	1383	County of Clarendon, parish of Boree	160 acres	" " " "	"
"	1171	County of Jamison, parish of Tulladunna	333ac. 3r.	" " " "	"
"	1964	County of Townsend, parish of Blackwood	415ac. 3r.	" " " "	"
"	1965	Do. parish of Warrawool	634ac. 1r.	" " " "	"
"	1966	County of Cairn, parish of Monkem	315ac.	" " " "	1908
"	1967	County of Wakool, parish of Mallan	294ac. 3r.	" " " "	"
"	1968	County of Waradgery, parish of Eurodie	320 acres	" " " "	"
"	591	County of Vernon, parish of St. Clair	222ac. 1r.	" " " "	"
"	592	County of Hawes, parish of Conatwang	169 acres	" " " "	"
"	41	County of Cunningham, parish of Monomie	640 "	" " " "	"
" 3629	1963	County of Wakool, parish of Gunie and Moorongatta.	3,600 "	" " " "	"
8079	498 E. ex.	County of Sandon, parish of Enmore	103 "	" " " "	"
3628	820	County of Lincoln, parish of Dubbo	163 "	" " " "	"
"	52	County of Cook, parish of Irvine	5 "	20 " " " "	2011
"	53	Do. do.	5 "	" " " "	"
"	88	County of Durham, parish of Savoy	225 "	" " " "	"
77-12840	1170	County of Buckland, parish of Werrie	1,076 "	" " " "	"
"	9632	County of Camden, parish of Bundanoon	25 "	" " " "	2012
78- 2632	24 E. ex.	County of Cooke, parish of Irvine	12ac. 23p.	" " " "	"
"	51	County of Northumberland, parish of Cosgrove..	2 acres	" " " "	"
739	52	County of Durham, parish of Wallarobba	2ac. 1r.	" " " "	"
C. S. 77- 6415	87	County of Gowen (Tonderburn Run)	640 acres	" " " "	"
ML 4370	833	County of Murchison, parish of Tange	160 "	" " " "	"
Aln. 78-37820	687	County of Baradine (Wittenbra and Wittenbra N. Ran.)	5sq. mls.	" " " "	"
Ms. 78- 4474	1175	County of Sandon, parish of Exmouth	150 acres	" " " "	"
"	581	County of Gough, parish of Fletcher	640 "	" " " "	"
Aln. 77- 483	586	County of Gough, parish of Rusden	100 "	" " " "	"
C. S. 14928	589	County of Gregory, parish of Willie	5½sq. mls.	" " " "	"
Aln. 7186	906	County of Gregory, parish of Mara and Morbella	2,043 acres	" " " "	"
"	8613	County of Cooke, parish of Lett	640 "	" " " "	2013
Ms. 13026	50	County of Pottinger, parish of Gunnedah	1,205 "	" " " "	"
"	13565	County of Vernon, parish of Aberbaldie	360 "	" " " "	"
78- 4473	579	County of Gough, parish of Ditmas	11½ "	" " " "	"
C. S. 9357	337 ex.	County of Leichhardt, parish of Willaga	2,600 "	" " " "	"
Ms. 5389	831	Do. do.	1,280 "	" " " "	"
"	1172	Do. do.	2,500 "	" " " "	"
"	1173	County of Gough, parish of Paradise	16 "	" " " "	2014
"	582	Do. parish of Rusden	640 "	" " " "	"
"	584	County of Brisbane, parish of Mackenzie	120 "	" " " "	"
"	98	County of Stapylton, parish of Tulocona	350 "	" " " "	"
"	1356	County of Franklin, parish of Papekura	334 "	" " " "	"
"	1939	County of Wakool, parish of Gynong	367ac. 2r.	" " " "	"
"	1940	Do. parish of Jimaringle	389 "	" " " "	"
"	1941	County of Townsend, parish of Tumudgery	420 "	" " " "	"
"	1942	County of Wakool, parish of Puah	198 "	" " " "	"
"	1943	County of Townsend, parish of Wollamai	640 "	" " " "	"
"	1944	Do. do.	472ac. 3r.	" " " "	"
77-13330	585	County of Gough, parish of Ditmas	920 "	" " " "	2015
78- 558	1353	County of Monteagle, parish of Cadgymaguntry	540 "	" " " "	"
"	3498	County of Bland, parish of Jingerangle	640 "	" " " "	"
77-12840	1169	County of Buckland, parish of Wallabadah	335 "	" " " "	"
78- 4284	1176	County of Denham, parish of Berryabar	69 "	" " " "	"
77- 4054	49	County of Macquarie, parish of Kinchela	2ac. 2r.	" " " "	"

No. of Papers.	No. of Reserve.	Locality.	Area.	Government Gazette in which the description is published.	Folio.
Ms. 78- 3498	1357	County of Bland, parish of Jingerangle	1,584 acres	20 May, 1878 ...	2015
C. S. 15607	1970	County of Cadell, parish of Bama	202ac. 3r.	" " " "	2016
Ms. 4829	707	County of Jamison and Courallie	7,600 acres	" " " "	"
Aln. 9372	1355	County of Gipps, parish of Moora Moora	270 "	" " " "	"
Ms. 77- 5716	654	County of Stapylton, parish of Tulloona	about 560 acres	" " " "	"
78- 5171	902	County of Kennedy, parishes of Kookarie and Mombin.	640 "	" " " "	"
"	903	County of Kennedy, parish of Mombin	640 "	" " " "	"
"	904	Do parish of Benanaguy	640 "	" " " "	"
Aln. " 18	378	County of Dampier, parish of Bodalla	40 "	" " " "	"
77- 9372	1354	County of Gipps, parish of Gibrigal and Wilber-troy.	585 "	" " " "	2017
Ms. 13719	45	County of Bathurst, parish of Galbraith	1,570 "	" " " "	"
78- 2153	40	County of Camden, parish of Belanglo	1,573 "	" " " "	"
4276	54	County of Cook, parish of Wolgan	3 "	" " " "	"
4312	585	County of Gough, parish of Paradise	21 "	" " " "	"
2287	21	County of Georgiana, parish of Tyri Tyri	568 "	" " " "	"
2286	22	Do parish of Laggan	724 "	" " " "	2018
77-13298	86	County of Durham, parish of Underbank	8 "	" " " "	"
5682	587	County of Clive, parish of Glenzon	6 "	" " " "	"
11575	.....	County of Cooper, parish of Narrandera	4,910 "	" " " "	"
78- 3296	385	Counties of Wellesley and Auckland	1,440 acres	3 June, " "	2181
3552	379	County of Wallace, parish of Gordon	about 700 "	" " " "	"
2726	384	County of Wellesley, parish of Wellesmore	" 530 "	" " " "	"
2288	68	County of King, parish of Kenyn	" 100 "	" " " "	2182
77- 4831	383	County of Auckland, parish of Wallagoot	" 10 "	" " " "	"
78- 2289	.....	County of Leichhardt, parish of Borgara	840 "	" " " "	"
9788	800	Do	" 3,300 "	" " " "	"
77- 5302	211 E. ex.	County of Rous, parishes of N. Codrington and S. Gundurimba.	" 116 "	" " " "	"
"	301	County of Rous, parishes of N. Codrington and S. Gundurimba.	" 72 "	" " " "	"
Aln. 76-15263	653	County of Benarba	" 500 "	" " " "	"
77- 8127	688	County of Murchison, parish of Durham	3r. 8p.	" " " "	"
	1366	County of Waljeers, parishes of Mossiel and Simpson.	5,360 acres	" " " "	"
Ms. 77- 4551	1962	County of Hume, parish of Buckaringah	7½ "	" " " "	"
78- 2155	388	County of Yanda (Palpula Spring)	160 "	" " " "	"
1666	912	County of Ashburnham, parish of Manildra	670 "	" " " "	2183
Aln. 76-12322	380 ex.	County of Gordon, on Hyandra Creek	500 "	" " " "	"
	388 ex.	County of Ashburnham, parishes of Gregra and Dulladerry.	1,500 "	" " " "	"
Ms. 78- 5262	1179	County of Wandewar, parish of Boggabri	960 "	" " " "	"
Aln. 1560	67	County of King, parish of Numby	51ac. 2r.	" " " "	"
Ms. 77- 4918	62	County of Argyle, parish of Bourke	78ac. 2r.	" " " "	"
76- 2455	1972	County of Mitchell, parish of Mundowry	160 acres	" " " "	"
77- 4440	1973	Do parish of Westby	360 "	" " " "	2184
78- 3540	1363	County of Monteaale, parish of Brundah	about 17½sq. mls.	" " " "	"
"	1364	Do do	50 acres	" " " "	"
"	821	County of Gowen, parish of Pibbon	1,280 "	" " " "	"
"	822	Do parishes of Bone Bone and Caigan.	1,600 "	" " " "	"
"	823	Do parishes of Tarambegal and Quandong.	3,000 "	" " " "	"
"	824	Do parish of Bone Bone	1,360 "	" " " "	"
Aln. 77- 7211	825	Do parish of Pibbon	960 "	" " " "	2185
78- 2016	1367	County of Waljeers, parish of Lowan	4½sq. mls.	" " " "	"
"	1368	County of Bourke, parish of Mimosa	240 acres	" " " "	"
"	1369	County of Bland, parish of Balabla	239½ "	" " " "	"
"	1370	Do parish of Milong	282 "	" " " "	"
Ms. " "	1371	County of Cooper, parish of Cudjello	392½ "	" " " "	"
Aln. " "	1372	Do do	356 "	" " " "	"
"	1373	Do parish of Moura	320 "	" " " "	"
"	1374	Do parish of Moombooldool	320 "	" " " "	"
"	1375	Do parish of Bolaro	344½ "	" " " "	"
"	1376	Do do	320 "	" " " "	"
"	1377	County of Franklin, parish of Florabel	441½ "	" " " "	"
"	1378	Do parish of Papekura	480 "	" " " "	"
Ms. 76- 9675	9 ex.	Do parish of Thononga	320 "	" " " "	"
78- 4611	242 ex.	County of Clyde, parish of Langmore	about 240 "	10 " "	2295
3540	1946	County of Finch, parish of Euminbah	" 1,550 "	" " " "	"
"	1947	County of Wynyard, parish of Adelong	850 "	" " " "	"
C.S. 77-37350	46	Do do	abt. 3,526 "	" " " "	"
Ms. 78- 1160	837	County of Bathurst, parish of Three Brothers	8 "	" " " "	2296
Aln. 2125	334	County of Ewenmar	about 256 "	" " " "	"
Ms. 3192	349	County of Richmond, parish of Wyandah	41 "	" " " "	"
"	350	County of Wentworth (Tarangar Run)	4½sq. mls.	" " " "	"
"	351	Do do	abt. 3½ "	" " " "	"
"	353	Do parish of Para	" 3½ "	" " " "	"
3868	67	County of Cairn, parish of Ballah Penaire	518 acres	" " " "	"
Aln. 2087	1971	County of Dudley, parish of Tanban	296 "	" " " "	"
76-20726	886 ex.	County of Townsend, parish of Tumudgery	700 "	" " " "	"
Ms. 78- 2279	381	County of Waradgery, parish of Toogimbie	25 "	" " " "	"
2278	382	County of Clyde	2½sq. mls.	" " " "	"
2752	383	Do parish of Cowya	2½ "	" " " "	"
77-11502	384	County of Finch (Wilkie Plains Run)	160 acres	" " " "	2297
78- 1106	386	Do parish of Warribilla	about 3sq. mls.	" " " "	"
Aln. 77- 3534	884	County of Gundabooka	640 acres	" " " "	"
	1934	County of Ashburnham, parish of Barton	about 11 "	" " " "	"
		County of Selwyn, parish of Mundaroo	270ac. 3r.	" " " "	"

No. of Papers.	No. of Reserve.	Locality.	Area.	Government Gazette in which the description is published.	Folio.
Ms. 78- 1302	329	County of Buller, parish of Elerslie	700 acres	10 June, 1878 ..	2297
1303	331	Do. parish of Mearimb	about 600 "	" " " "	"
"	332	Do. (Unnamed)	800 "	" " " "	"
77-10182	23	County of Westmoreland, parishes of Alfred and Bindo.	18sq. mls.	" " " "	"
78- 3669	590	County of Buller, parish of Acacia	500 acres	" " " "	"
142	352	County of Caira, parish of Pitarunga	about 5sq. mls.	" " " "	2298
4836	143 S. ex.	County of Dowling, parish of Merri Merrigal ..	2 "	" " " "	"
"	146	Do. do.	1½ "	" " " "	"
"	154	Do. parish of Carilla	5 "	" " " "	"
77-10183	22	County of Westmoreland, parishes of Koonan-garoo and Genolan.	24 "	" " " "	"
78- 1003	1359	County of Gipps, parish of Merrimarotherie	3,200 "	" " " "	"
988	1361	Counties of Gipps and Forbes, parishes of Tallabunga and Carawandool.	19 "	" " " "	"
4624	364	County of Wentworth, parish of Burtundy	about 310 acres	" " " "	"
1844	365	County of Tara, parish of Moorna	" 1,690 "	" " " "	"
77- 8840	1177	County of Denham, parish of Manilla	" 1,177 "	" " " "	2299
78- 4816	1178	Do. parishes of Terribie and Manilla.	390 "	" " " "	"
77-13466	1945	County of Goulburn, parish of Albury	about 110 "	" " " "	"
78- 1304	330	County of Buller, parish of Bonalbo	80 "	" " " "	"
1130	1611 E. ex.	County of Goulburn, parish of Pullitop	190 "	" " " "	"
C.S. 12572	1961	Counties of Wynyard and Selwyn, parish of Hindmarsh, &c.	100sq. mls.	" " " "	"
Ms. 3949	1362	County of Harden, parish of Burra	196 acres	" " " "	"
3493	35	County of Phillip, parish of Wilbertree	about 140 "	" " " "	"
77- 7398	684	County of Courallie, parishes of Mia Mia and Moree.	665 "	" " " "	"
78- 2214	389	County of Culgoa, parish of Ginrera	640 "	" " " "	"
5576	1969	County of Cowley, parish of Cavan	640 "	" " " "	2300
77- 7398	703	County of Courallie, parish of Carore	200 "	" " " "	"
78- 3948	1391	County of Franklin, parish of Ideraway	8sq. mls.	" " " "	"
2156	390	County of Clyde, Tarian Creek	640 acres	" " " "	2301
3193	347	County of Wentworth	100 "	" " " "	"
C.S. 77- 4903	700	County of Courallie, parishes of Caron and Moree.	40 "	" " " "	"
23488	1360	County of Gipps, parish of Moonbia	34 "	" " " "	"
Ms. 14502	702	County of Benarba, parish of Colymangoal	960 "	" " " "	"
1665	70	County of King, parish of Lecida	8 "	" " " "	"
2771	385	County of Cowper	4sq. mls.	" " " "	2302
2905	386	County of Rous, parish of Terrandra	40 acres	" " " "	"
4189	.....	County of Parry, parishes of Dungowan and Nundle.	13,120 "	" " " "	230
1801	.....	County of Parry, parish of Dungowan	5,000 "	" " " "	"
10013	.....	County of Baradine, parish of Walgett	3,478 "	" " " "	"
"	1978	County of Waradgery, parish of Lang	210 "	18 " " " "	2384
"	1984	Do. parish of Mungadall	340 "	25 " " " "	2467
MI. 76- 555	210 ex.	County of Cowper	1,920 "	" " " "	"
78- 6547	1986	County of Townsend, parish of Boorooban	12 "	" " " "	"
Ms. 4061	345	County of Drake, parish of Ogilvie	about 550 acres	8 July, " " " "	2635
"	346	Do. parish of Hamilton	400 "	" " " "	"
"	348	County of Gresham, parish of Camelback	200 "	" " " "	"
"	347	County of Drake, parish of Carnham	300 "	" " " "	"
"	349	County of Gresham, parish of Camelback	125 "	" " " "	"
"	350	Counties of Drake and Gresham, parishes of Cooraldooral and Drake.	750 "	" " " "	"
1824	333	Counties of Young and Killara (Tallandra Run) ..	3½sq. mls.	" " " "	2636
"	334	Do. do.	2 "	" " " "	"
"	335	Do.	about 416 acres	" " " "	"
"	336	County of Killara (Tallandra Run)	2sq. mls.	" " " "	"
"	337	Do. (at Panara Waterhole)	12 "	" " " "	"
2016	325	County of Yangowinnia (Stephens's Creek Run) ..	160 acres	" " " "	"
4266	326	County of Yantarra	16sq. mls.	" " " "	"
2719	845	County of Leichhardt (Colony Run)	about 2,500 acres	" " " "	"
2718	846	Do. (Pollybrewang Run)	3,100 "	" " " "	"
77- 4601	50	County of Camden, parish of Berrima	47 "	" " " "	"
C.S. 16137	53	County of Northumberland, parish of Milbrodale ..	1ac. 3r. 5p.	" " " "	"
R.S.B. 76- 2044	89	County of Durham, parish of Collonna	about 480 acres	" " " "	"
Aln. 77- 8114	847	County of Gregory, parish of Gardiner	6sq. mls.	" " " "	"
Ms. 78- 1650	722 S. ex.	County of Ewenmar, parish of Kellendoon	104 acres	" " " "	2637
2181	337	County of Fitzroy, parishes of Blaxland and Nymboida.	100 "	" " " "	"
2984	337	County of Fitzroy, parish of Jardine	640 "	" " " "	"
2180	339	Do. parish of Nymboida	about 46 "	" " " "	"
1127	340	County of Drake, parish of Timbarra	80 "	" " " "	"
1126	341	Do. parish of Pikapene	284 "	" " " "	"
2539	352	County of Richmond, parish of Hogarth	about 14 "	" " " "	"
3268	373	County of Buller, parish of Kangaroo	320 "	" " " "	"
Aln. 552	344	County of Richmond, parish of Camira	33 "	" " " "	"
Ms. 3268	374	County of Buller, parish of Kangaroo	270 "	" " " "	"
4020	357	County of Tailla, parish of Matalong	1½sq. mls.	" " " "	"
"	358	Do. parish of Mallee Cliffs	2 "	" " " "	"
"	359	Do. parish of Bengallow	2 "	" " " "	"
779	1180	County of Nandewar, parish of Lindesay	320 acres	" " " "	"
907	734 ex.	County of Nandewar, parish of Moan	162 "	" " " "	2638
Aln. 77- 7139	466 ex.	County of Harden, parish of Mooney Mooney ..	260 "	" " " "	"
C.S. 34180	1382	County of Monteagle, parish of Woodonga	6ac. 2r. 23 p.	" " " "	"
Aln. 78- 44	1386	County of Bland, parish of Yeira	65ac. 1r.	" " " "	"

No. of Papers.	No. of Reserve.	Locality.	Area.	Government Gazette in which the description is published.	Folio.
Ms. 78- 3923	66	County of Dudley, parish of Barraganyatti	80 acres	8 July, 1878	2638
3924	68	Do. parish of Kallative	64 "	" "	" "
" 4274	69	Do. do.	90 "	" "	" "
Ms. 77-10169	199	County of Buccleuch, parish of Mundongo	5 "	" "	" "
Ms. 78- 4740	391	County of Urana, parish of Bolton	79½ "	" "	" "
4739	392	County of Yanda (Keri Run)	about 6sq. mls.	" "	" "
4738	393	County of Ranken (Winbar Run)	4½ "	" "	" "
" 4741	394	Do. (Cambedore)	6 "	" "	" "
4372	395	Do. (do.)	640 acres	" "	" "
" 4372	396	County of Yanda	3sq. mls.	" "	2639
" 4372	397	County of Finch, parish of Elphinstone	1,890 acres	" "	" "
" 4372	398	Do. parish of Bankeet	4½sq. mls.	" "	" "
" 4372	399	County of Narran, parish of Ballanbillion	2,400 acres	" "	" "
75- 4372	400	County of Finch, parish of Elphinstone	5sq. mls.	" "	" "
78- 4372	401	County of Narran, parish of Moonghanoola	2,280 acres	" "	" "
5607	925	County of Finch, parish of Bankeet	180 "	" "	" "
77- 8258	926	County of Narramine, parish of Bulgandramine	100 "	" "	" "
10893	926	County of Gordon, parish of Gallangambil	640 "	" "	" "
9484	673 ex.	County of Ashburnham, parish of Kamandra	240 "	" "	" "
75- 2040	886	County of Gordon, parish of Gallangambil	640 "	" "	" "
77-14152	893	County of Ashburnham	160 "	" "	" "
" 1202	1202	County of Jamieson	about 1,000 "	" "	2640
" 1203	1203	Do.	1,200 "	" "	" "
" 1204	1204	Do. (on the Gunnedra Creek) ..	540 "	" "	" "
" 1205	1205	Do.	1,970 "	" "	" "
78- 1731	1150 N. ex.	County of Hume, parish of Creighton	190 "	" "	" "
2174	1932	County of Caira, parishes of Moakem and Wangorah ..	4,160 "	" "	" "
Aln. 1889	890	County of Gregory, parish of Northcote	1,280 "	" "	" "
Ms. 3231	891	County of Oxley, parish of Tirangira	2,846 "	" "	" "
Aln. 1306	351	County of Rous, parishes of Roseberry and Tindon ..	250 acres	" "	" "
Ms. 555	356	County of Richmond, parish of Powerpa	146 "	" "	" "
Ms. 6196	719	County of Benarba	830 "	" "	2641
" 1208	1208	County of Denham	740 "	" "	" "
" 1209	1209	Do.	1,280 "	" "	" "
" 1210	1210	Do.	800 "	" "	" "
" 1211	1211	Do.	680 "	" "	" "
" 1212	1212	County of Benarba	690 "	" "	" "
" 1213	1213	Do.	700 "	" "	" "
" 1214	1214	County of Denham	1,120 "	" "	" "
75- 6244	43	County of St. Vincent, parish of Bateman	18 "	" "	" "
77-10186	325 N. ex.	County of Wentworth, parish of Mourquong	221 "	" "	" "
R.S.B. 2496	1193	County of Baradine, parish of Milechomi	700 "	" "	2642
" 1190	1190	Do. parish of Pilliga	420 "	" "	" "
" 1188	1188	Do. parish of Maglewit	600 "	" "	" "
Ms. 833	1387	County of Franklin	3sq. mls.	" "	" "
" 1388	1388	County of Blaxland, parish of Gum Bunn	1½ "	" "	" "
" 1389	1389	County of Franklin	1½ "	" "	" "
Aln. 9700	1390	Do. parish of Goolaguni	4½ "	" "	" "
" 2952	1927 N. ex.	County of Townsend, parish of Yallakool	29 "	" "	" "
Ms. 78- 1889	887	County of Gregory, parish of Grahway	1,200 acres	" "	" "
C.S. 77- 2430	905	County of Gregory, parish of Northcote	600 "	" "	" "
Ms. 78- 4549	55	County of Northumberland, parish of Wallarah	2½ "	" "	2643
" 4854	353	County of Caira, parish of Juambung	640 "	" "	" "
" 1384	1384	County of Gipps, parish of Gibralgal	617½ "	" "	" "
" 1385	1385	Do. parish of Wilbertroy	496 "	" "	" "
R.S.B. & F. 77- 1915	1181	County of Baradine (Jinalong Josey Run)	640 "	" "	" "
Ms. 78- 4854	1182	County of Pottinger, parish of Howe's Hill	420 "	" "	" "
" 5395	1183	Do. parish of Tinkramenah	240 "	" "	" "
" 3817	1184	County of Buckland, parish of Coeypolly ..	215½ "	" "	" "
" 4922	338	County of Yangowinna	3sq. mls.	" "	" "
" 947	1416	County of Mouramba	640 acres	" "	" "
" 898	1417	Do.	640 "	" "	" "
" 899	898	County of Gregory, parish of Morbella	640 "	" "	2644
" 900	899	Do. parish of Wundabungay	550 "	" "	" "
Aln. 2952	900	Do. parish of Grahway	1,060 "	" "	" "
77- 9041	901	Do. do.	1,220 "	" "	" "
" 593	895	County of Gregory, parish of Morbella and Wandabungay ..	2,400 "	" "	" "
" 1423	896	County of Gregory, parish of Goolagoola and Grahway ..	2,640 "	" "	" "
Ms. 2496	897	Do. do.	1,000 "	" "	" "
Aln. 77- 5553	718	County of Courallie, parish of Peacumboul	290 "	" "	2645
" 2496	3 6	County of Wellesley, parish of Mount Trooper ..	640 "	" "	" "
Ms. 78- 2496	704	County of Courallie (Gungygedah, Barton, Garly) ..	3½sq. mls.	" "	" "
" 3266	387	County of Wellesley, parish of Biddi	900 acres	" "	" "
" 2986	389	County of Wallace	210 "	" "	" "
" 1986	353	County of Clarence, parish of Southgate	7 "	" "	" "
R.S.B. & F. 77- 2496	354	County of Fitzroy, parish of Tryingham	75 "	" "	" "
Ms. 78- 1890	355	Do. parish of Tryingham and Dorriga ..	9 "	" "	" "
5853	1191	County of Baradine, parish of Newman and Wambadale ..	9 "	" "	" "
1123	827	County of Ewenmar, parish of Balladoran	1,600 "	" "	2646
Aln. 77- 126	852	County of Gowen and Leichhardt	about 2,840 "	" "	" "
" 1187	342	County of Drake, parish of Pikapem	520 "	" "	" "
" 1187	93	County of Durham, parish of Holywell	100 "	" "	" "
" 1187	1187	County of White, parish of Bulgarra	7,980 "	" "	" "

No. of Papers.	No. of Reserve.	Locality.	Area	Government Gazette in which the description is published.	Folio.
R.S.B. & F. 2496	1194	County of Baradine	9,300 acres	8 July, 1878 ..	2646
Ms. 78- 2725	382	County of Wellesley, parish of Boco	1,340 "	" " " "	"
R.S.B. & F.					
77- 2496	1199	County of Baradine, parish of Merritomba	1,050 "	" " " "	2647
"	1198	Do. parish of Doyle	1,900 "	" " " "	"
"	1197	Do. do.	850 "	" " " "	"
"	1196	Do. parish of Camberdoon	1,100 "	" " " "	"
"	1195	Do. parish of Cox and Bangle	1,210 "	" " " "	"
"		Gully.			
"	1192	Do. parish of Milchomi	300 "	" " " "	"
"	1189	Do. parish of Tullaba	900 "	" " " "	"
"	1186	County of White, parish of Loder	1,500 "	" " " "	"
C.S. 33327	885	County of Gordon, parish of Burrawang	60 "	" " " "	"
Aln. 78- 43	1381	County of Gipps, parish of Bogandilla	122 "	" " " "	"
Ms. 5844	1201	County of Denham, parish of Walgett and Walmer	640 "	" " " "	"
	3540	County of Ashburnham and Forbes	200sq. mls.	" " " "	2648
77- 7385	21	County of Westmoreland, parish of Jocelyn	180 acres	" " " "	"
	8127	County of Waljiers, parish of Mossiel	339 "	" " " "	"
	2506	County of Boyd, parish of Waddi	1,286 "	" " " "	"
Ms. 10059	892	County of Ashburnham, parish of Collett	2 "	" " " "	"
R.S.B. & F.					
	2496	County of Baradine, parish of Walgett	560 "	" " " "	2649
"	1185	County of White, parish of Wee Waa	3,350 "	" " " "	"
"	8023	County of Lincoln, parish of Macquarie	960 "	" " " "	"
Ms. 4647	848 N. ex.	County of Cooper	5½sq. mls.	" " " "	"
Aln. 78- 43	1379	County of Gipps, parish of Ilgindrie	385 acres	" " " "	"
77-10508	1380	Do. parish of Ilgindrie and Yarnell	785 "	" " " "	"
Ms. 10612	381	County of Wellesley, parish of Currawang and Delegete	420 "	" " " "	"
78- 148	339	County of Killara (Tallandra Run)	2,520 "	" " " "	2650
"	340	County of Young (do.)	2,040 "	" " " "	"
Aln. 77- 8023	829	County of Lincoln, parish of Murrumbidgee	600 "	" " " "	"
Ms. 78- 2952	888	County of Gregory, parish of Grahway	856 "	" " " "	"
Aln. 77-10446	1206	County of Denham, parish of Berryabar	850 "	" " " "	"
	1207	Do. do.	230 "	" " " "	"
Ms. 78- 3220	54	County of Northumberland, parish of Heddon	206 "	" " " "	"
	5462	County of Yanda (Kerie and Run)	6sq. mls.	" " " "	"
	2109	County of Brisbane, parishes Wickham & Woroadi	1,280 acres	" " " "	"
	7590	County of Cairn	26sq. mls.	" " " "	2719
"	371	County of Cairn, parishes of Bullah and Penarie	9 "	" " " "	2720
"	372	Do. parish of Macemley	6½ "	" " " "	"
	7589		6 "	" " " "	"
	5990	Parish of Bullah	983 acres	" " " "	"
	7389	County of Stapylton, parish of Limebone	100 "	" " " "	"
	7503	County of Cumberland, parish of Castlereigh	2,400 "	" " " "	"
	4963	County of White, parish of Borah	2,100 "	" " " "	"
	7588	County of Cairn	1½sq. mls.	" " " "	2721
	7589	County of Cairn, parishes of Maremley and Cooncooburra	2,500 acres	" " " "	"
"	369		2,500 "	" " " "	"
		County of Durham, parish of Houghton	2,500 "	" " " "	"
	32	County of Gloucester, parish of Tinonee	30a. 2r. 16p.	17	2795
Aln. 77- 8236	851	County of Gowen and Leichhardt	245 acres	" " " "	"
Ms. 78- 6689	64	County of Argyle, parish of Cullulla	530 "	" " " "	"
	6688	Do. parish of Yarralan	40 "	" " " "	"
	6679	Do. parish of Collector	4a. 3r.	" " " "	2796
	7259	County of Gipps, parish of Towyal	345 acres	" " " "	"
	1701	County of Clyde, parish of Coonabar	365 "	" " " "	"
77-41564	1408	County of Clarendon, parish of Billabong	1½ "	" " " "	"
Aln. 8477	999 ex.	County of Jamieson, parish of Thalaba	212 "	" " " "	2796
C.S. 78- 657	963 W. ex.	County of Bourke, parish of Berembeld	127 "	" " " "	"
Aln. 77- 9132	377	County of Cairn, parish of Yarrawal	122 "	" " " "	2797
Ms. 78- 7421	1422	County of Gipps, parish of Thuloo	640 "	" " " "	"
	6849	County of Urana, parish of Yathong South	1160 "	" " " "	"
	2608	County of Macquarie, parish of Harrington	95 "	" " " "	"
	4549	County of Cairn, parishes of Narahguong and Tyson	640 "	" " " "	"
	6802	County of Leichhardt, parishes of Coonamoona, and Murrainan	1025 "	" " " "	2859
77-12846	1217	County of Buckland, parish of Piallaway	3840 "	" " " "	"

No. of Papers.	No. of Reserve.	Locality.	Area.	Government Gazette in which the description is published.	Folio.
Ms. 78- 6823	1980	County of Townsend	2880 acres	17 July, 1878	2861
Aln. 77- 4762	607	County of Sandon, parish of Mihi	200 "	22 "	"
Ms. 78- 5727	795 ex.	County of Flinders	2560 "	" "	"
4903	938	County of Gordon, parish of Cardington	57 "	" "	"
4185	937	Do. parishes of Veich and Curra	320 "	" "	"
C.S. 77-15287	915	County of Ashburnham, parish of Goimbla	1ac. 1r. 29p.	" "	"
Ms. 78- 6008	921	County of Gordon, parish of Boldengery	480 acres	" "	"
C.S. 77-34682	743 ex.	County of Pottinger, parish of Doona	40 "	" "	3862
34681	743	Do. do.	40 "	" "	"
Ms. 78- 2722	390	County of Wellesley, parish of Bungarby	1280 "	" "	"
2612	1402	County of Harden, parish of Birrema	160 "	" "	"
Stk. Branch 606	868	County of Napier, parish of Toorawandi	1400 "	" "	"
Aln. 3378	1398	County of Nicholson, parish of South Marowie	80 "	" "	"
Ms. 77-14574	1216	County of Denham, parish of Walmar	680 "	" "	"
Aln. 78- 2304	1280	County of Pottinger, parish of Yaraman	131 "	" "	"
Ms. 77- 8170	839	County of Leichhardt, parish of Nebea	121 "	" "	2863
78- 4720	91	County of Durham, parish of Currow	160 "	" "	"
5988	27	County of Roxburg, parish of Umbiella	75 "	" "	"
77-11079	842	County of Gowen, parishes of Greenbah and Coottabooldoo	370 "	" "	"
78- 2171	910	County of Gregory, parish of Belar	465 "	" "	"
77-11078	869	County of Napier, parish of Mendooran	3 "	" "	2864
11141	1937	County of Mitchell, parish of Yarragundry	23 "	" "	"
78- 1264	914	County of Cunningham, parish of Monwonga	2580 "	" "	"
77-14440	50	County of Bligh, parish of Collaroy	30 "	" "	"
C.S. 78-14181	919	County of Narromine, parish of Weimabah	43 "	" "	"
Ms. 4822	918	County of Ashburnham, parish of Boree Cabonne	8 "	" "	"
5890	1447	Counties of Bourke and Bland, parishes of Lange, Kal Kal, and Wargin	3sq. mls.	" "	2865
1891	835	County of Gregory	1600 acres	29 "	"
"	836	Counties of Gregory and Leichhardt	3200 "	" "	"
6171	296 N. ex.	County of Courallie, parish of Gurley	320 "	" "	"
7298	910 ex.	County of Sturt, parish of Warburn	7sq. mls.	" "	2957
Aln. 2901	1397	County of Harden, parish of Coppabella	78ac. 1r.	" "	"
Ms. 77- 9269	1415	County of Bland, parish of Euroka	640 acres.	" "	"
78- 6564	341 ex.	County of White, parish of Turrawan	140 "	" "	"
1193	393	County of Wallace, parish of Bradley	29 "	" "	"
1037	391	Do. parish of Coolamatong	40 "	" "	"
C.S. 77-25155	392	County of Dampier, parish of Nooroona	320 "	" "	"
Ms. 78- 6231	604	County of Clive, parish of Mingoola	320 "	" "	"
77-11135	605	Counties of Vernon and Hawes, parish of Enfield	1,280 "	" "	"
Aln. 8113	945	County of Clyde, parish of Yarea	10sq. mls.	" "	"
Ms. 78- 279	922	County of Kennedy, parish of Wellanbelan	2,560 acres.	" "	"
2780	92	County of Durham, parish of Wallarobba	80 "	" "	"
3265	358	County of Richmond, parish of Powerpa	40 "	" "	"
77-12840	1221	County of Buckland, parish of Grenfell	600 "	" "	"
C.S. 40500	912 W. ex.	County of Forbes, parish of Broula	160 "	" "	2959
Aln. 8917	1412	County of Bland, parish of Warralonga	122 "	" "	"
R.S.B. & F. 78- 52	1225	County of White, parish of Milner	350 "	" "	"
Ms. 5645	371	County of Drake, parish of Bulganbar	253 "	" "	"
6372	715	County of Murchison, parish of Turrawarra	461 "	" "	"
1984	377	Counties of Fitzroy and Raleigh	75sq. mls.	" "	"
Aln. 77- 8916	1413	County of Bland, parish of Warralonga	1,294½ acres	" "	"
C.S. 28874	58	County of Cooke, parish of Lett	45 "	" "	2960
Aln. 78- 8916	1414	County of Bland, parish of Warralonga	1,400 "	" "	"
Ms. 8149	841	County of Lincoln, parish of Murrumbidgee	280 "	" "	"
77-12840	1222	County of Buckland, parish of Grenfell	680 "	" "	"
Aln. 7265	1395	County of Bland, parish of Geraldra	10 "	" "	"
Ms. 5882	372	County of Gresham, parish of Kaloe	43 "	" "	"
78- 5359	606	County of Clive, parish of Tenterfield	57 "	" "	"
6564	1226	County of White, parish of Milner	1,850 "	" "	"
6171	297 ex.	County of Courallie, parish of Gurly	2sq. mls.	" "	2953
"	348 W. ex.	Do. parish of Windoondilla	238 acres.	" "	"
"	708	Do. parish of Burranbah	1,280 "	" "	2954
"	709	Do. parish of Windoondilla	900 "	" "	"
"	710	Do. parish of Burranbah	2,400 "	" "	"
6564	1224	County of White, parish of Milner	560 "	" "	"
77-12840	1220	Counties of Pottinger and Bucklara, parishes of Breeza and Mooki	1,300 "	" "	"
78- 5088	608	County of Sandon, parish of Wentworth	300 "	" "	"
C.S. 1620	603	County of Clive, parish of Barney Downs	900 "	" "	"
Ms. 9314	923	County of Gregory, parish of Grahway	1,100 "	" "	"
C.S. 77- 28878	59	County of Cooke, parish of Lett	123 "	" "	2955
Ms. 12562	61	County of Argyle, parish of Tarago	391 "	" "	"
78- 6167	360	Counties of Tailla and Cairn	55sq. mls.	" "	"
"	361	County of Wentworth, parishes of Mourquong and Gol Gol	11½ "	" "	"
"	362	Counties of Wentworth and Tailla	46 "	" "	"
6564	1223	County of White	2,050 acres.	" "	2956
Aln. 2060	2002	County of Hume, parish of Lowes	180ac. 3r.	" "	"
Ms. 4854	101	County of Brisbane, parish of Isis	260 acres.	" "	"
4549	711	County of Murchison, parish of Turrawarra	" "	" "	"
Aln. 2874	1449	County of Waljeers, parish of Simpson	423½ "	" "	"
2799	599	County of Hawes, parish of Giro	124ac. 3r.	" "	"
Ms. 2785	37	County of Phillip, parish of Wipilong	90 acres.	" "	2957
C.S. 77-39409	56	County of Cooke, parish of Irvine	2r. 36p.	" "	"
Ms. 78- 5740	341	County of Irrara	1sq. mile.	" "	"
6105	843	County of Ewenmar	2,400 acres.	" "	"
77-14061	332 A.	County of Cairn, parish of Waldaria	2½sq. mls.	" "	"

No. of Papers.	No. of Reserve.	Locality.	Area.	Government Gazette in which the description is published.	Folio.
Aln. 78- 742	149 S. ex.	County of Stapylton, parish of Denebry	2,720 acres.	29 July, 1878 ..	2957
C.S. 77-22404	712	County of Murchison, parish of Gum Flat	200 "	" " " "	"
Aln. 1408	714	County of Courallie, parish of Gyan	640 "	" " " "	"
Ms. 12562	5	County of Argyle, parish of Tarago	391 "	" " " "	2961
10967	69	County of King, town of Dalton	7ac. 3r. 9p.	" " " "	"
Ms. 78- 8643	734	County of Courallie, parish of Wathergar	640 acres	6 August, " "	3083
7508	1462	County of Harden, parish of Woolgarlo	500 "	" " " "	"
8390	378	County of Drake, parish of Pickapene	30 "	" " " "	3084
Aln. 77- 884	2004	County of Wakool, parish of Puah	280 "	" " " "	"
Ms. 9541	946	County of Ashburnham, parish of Moura	160 "	" " " "	"
78- 7562	1234	County of Denham, parish of Terribie	about 1,460 "	12 " " " "	3145
3297	1235	County of Buckland, parish of Moan	540 "	" " " "	"
77-13735	1236	County of Pottinger, parish of Wondoba	260 "	" " " "	"
"	1237	Do. parish of Black Jack	500 "	" " " "	"
"	1238	Do. parish of Bando	385 "	" " " "	3146
"	1239	Do.	2,200 "	" " " "	"
"	1240	Counties of Pottinger and White	5,760 "	" " " "	"
"	927	Counties of Gordon and Narromine	5,900 "	" " " "	"
"	928	County of Ashburnham, parish of Kamandra	2,000 "	" " " "	"
"	929	Do.	1,400 "	" " " "	"
"	930	Do. parish of Wolablar	140 "	" " " "	"
"	950	County of Cunningham, parish of Yarrabundi	3,000 "	" " " "	"
"	949	Do. parish of Goobang	1,350 "	" " " "	"
"	920	Do. parish of Mounmen	2,800 "	" " " "	"
Ms. 78- 4032	51	County of Macquarie, parish of Kinchela	180 "	" " " "	3147
3557	102	County of Brisbane, parish of Wollara	265 "	" " " "	"
4854	834	County of Napier, parish of Purlawugh	260 "	" " " "	"
3357	359	County of Rous, parish of Ettrick	210 "	" " " "	"
77- 8838	1402	County of Cooper, parish of Bolaro	1,260 "	" " " "	"
"	1403	Do. parish of Barralong	1,700 "	" " " "	"
78- 6447	1255	County of Jamieson, parish of Wyal Hollow	52ac. 3r.	" " " "	"
"	1256	Do. do.	82ac. 1r.	" " " "	"
"	597	County of Gough, parish of Newstead	97 acres	" " " "	"
Aln. 2874	598	County of Sandon, parish of Mihi	173 "	" " " "	"
Ms. 78- 2799	600	County of Vernon, parish of Tiara	62ac. 1r.	" " " "	"
"	601	Do. do.	52ac. 1r.	" " " "	3148
C.S. " 3201	357	County of Richmond, parish of Riley	38 acres	" " " "	"
Aln. 2436	949 W. ex.	County of Gipps (Murrengreen and Thulloo)	800 "	" " " "	"
"	1405	Do. parish of Bibbigolee	180 "	" " " "	"
"	1406	Do. parish of Murrengreen	1,600 "	" " " "	"
"	1407	Do. parish of Younggreen	79 "	" " " "	"
Ms. " 1923	1241	County of Jamieson	2sq. mls.	" " " "	"
"	394	County of Cowley, parish of Mullion	100 acres	" " " "	"
"	395	Do. do.	285 "	" " " "	"
77-13835	917	County of Gordon, parishes of Hyandra and Rocky Roads	2½sq. mls.	" " " "	"
78- 3098	909	County of Gregory, parish of Wundabangay	2,000 acres	" " " "	"
C.S. 13717	916	County of Gordon, parish of Buckinba	15 "	" " " "	"
77-26148	67	County of Argyle, parish of Uringalla	17 "	" " " "	3149
Ms. 78- 858	848	County of Clyde, parish of Weribiddee	1,600 "	" " " "	"
"	849	Do. do.	2,000 "	" " " "	"
"	850	Do. parish of Coorabar	3,000 "	" " " "	"
77-12840	1245	County of Buckland, parish of Currabubula	3,500 "	" " " "	"
"	1230	Do. parish of Texas	1,280 "	" " " "	"
"	1231	Do. parishes of Texas and Denvir	535 "	" " " "	"
"	1246	Do. parish of Texas	4,000 "	" " " "	"
"	1232	Do. parish of Currabubula	1,600 "	" " " "	"
11510	54	County of Macquarie, parish of Arakoon	3,800 "	" " " "	3150
78- 6226	58	County of Northumberland, parish of Pokolbin	3ac. 1r.	" " " "	"
3357	852	County of Gowen, parish of Wallunburrawang	334 acres	" " " "	"
"	853	Do. parish of Cullaballoo	160 "	" " " "	"
"	380	County of Richmond, parish of Myrtle	8½ "	" " " "	"
7937	1248	County of Jamison, parish of Bobbiwaa	860 "	" " " "	"
"	1249	Do. parish of Helibah	3,215 "	" " " "	"
"	1250	Do. parish of Bolcail	3,490 "	" " " "	"
"	1251	Do. parish of Pian	1,580 "	" " " "	"
3357	1990	County of Waradgery, parish of Toogimbie	320 "	" " " "	"
C.S. 77-28879	57	County of Cook, parish of Clwyd	48 "	" " " "	"
Ms. 78- 5838	2012	County of Goulburn, parish of Gerogery	139 "	" " " "	3151
"	1465	County of Harden, parish of Wallendoon	100 "	" " " "	"
"	1466	Do. parish of Bowning	500 "	" " " "	"
"	1468	County of Clarendon, parish of South Jewnee	640 "	" " " "	"
"	1467	County of Harden, parish of Cootamundry	2,600 "	" " " "	"
"	1463	Do. do.	1,350 "	" " " "	"
"	1464	Do. parish of Murrumboola	2,450 "	" " " "	"
6563	1227	County of White	1,900 "	" " " "	"
77- 6990	50	County of Macquarie, parish of John's River	21ac. 2r.	" " " "	"
7640	103	County of Brisbane, parish of Brawboy	270 acres	" " " "	2152
6976	342	County of Yangnugra	2sq. mls.	" " " "	"
Aln. 78- 2124	381	County of Richmond, parish of Myrtle	58 acres	" " " "	"
"	382	Do. parish of Powerpa	96 "	" " " "	"
C.S. 77-35148	737	County of Burnett, parish of Gullungutta	43ac. 3r.	" " " "	"
Ms. 14391	1252	County of Jamison, parish of Woolabra	4sq. mls.	" " " "	"
78- 7943	613 ex.	County of Parry, parish of Turi	61 acres	" " " "	"
7744	2005	County of Cairn, parish of Pungmallee	1½ sq. mls.	" " " "	"
Aln. 1581	1985	County of Wynyard, parish of Willie Ploma	8ac. 1r. 15p.	" " " "	"
Ms. 2277	327	County of Young and Werunda	5 sq. mls.	" " " "	"
3809	26	County of Roxburgh, parish of Cullen Bullen	22ac. 3r. 15p.	" " " "	3153
6444	838	County of Leichhardt, parish of Mungery	230 acres	" " " "	"

No. of Papers.	No. of Reserve.	Locality.	Area.	Government Gazette in which the description is published.	Folio.
Ms. 78- 5358	602	County of Clarke, parish of Cogan Billa.....	320 acres	12 August, 1878	3153
6471	1242	County of Buckland, parish of Evan.....	1,200 "	" "	" "
3098	907	County of Gregory, parish of Wundabungay	700 "	" "	" "
6563	1243	County of White, parish of Cooma.....	300 "	" "	" "
5838	2011	County of Goulburn, parish of Albury.....	125 "	" "	" "
Aln. 400	844	County of Clyde, parish of Werribiddee.....	1,260 "	" "	3154
Ms. 3941	1409	County of Forbes, parish of Binda.....	5 "	" "	" "
Aln. 77- 9700	2010	County of Townsend, parish of Yallakool	2 "	" "	" "
Ms. 6675	1392	County of Waljeers, parish of Mossgeil	318ac. 2r.	" "	" "
12840	1254	County of Buckland, parish of Currabubula.....	840 acres	" "	" "
12430	1988	County of Hume, parish of Hovell.....	8 "	" "	" "
3297	1253	County of Buckland, parish of Mean.....	285 "	" "	3155
" 12560	1228	Do. parish of Yarramanbah	640 "	" "	" "
Aln. 9699	63	County of Argyle, parish of Tarago.....	20 "	" "	" "
	1589 W. ex.	County of Townsend, parish of Colimo	60 "	" "	" "
	S. ex.	Do. do.	140 "	" "	" "
Ms. 78- 3941	1411	County of Forbes, parish of Binda.....	262 "	" "	" "
3888	29	County of Cumberland, parish of St. John	3½ "	" "	3156
77-10837	1420	County of Monteagle, parish of Woodonga	9 "	" "	" "
12840	1233	County of Buckland, parish of Currabubula.....	640 "	" "	" "
" 7404	1229	Do. parish of Clift.....	490 "	" "	" "
1122	1247	County of Barradine, parish of Goorianawa	356 "	" "	" "
	379	County of Richmond and Drake, parish of Picka- pine.....	16sq. mls.	" "	" "
5355	51	County of Bligh, parish of Warung.....	20 acres	" "	" "
3941	1410	County of Forbes, parish of Binda.....	20½ "	" "	3157
77- 6715	913	County of Gregory, parish of Canonba North	118ac. 3r. 32p.	" "	" "
78- 6817	320	County of Selwyn, parish of Tooma.....	1½ acre	" "	" "
3930	1394	County of Bland, parish of Wallandry	88ac. 3r.	" "	" "
6563	1244	County of White, parish of Cooma.....	6 acres	" "	" "
4163	.....	County of Durham, parish of Uffington.....	5,700 "	" "	3161
5408	404	County of Narran, parish of Cowga	120 "	14	3213
2988	1461	County of Gibbs and Bland	17sq. mls.	" "	" "
8989	406	Counties of Robinson and Momambila.....	640 acres	14 August, 1878	3214
Aln. 76-38154	2003	County of Townsend, parish of Nallam	135½ "	" "	" "
Ms. 78- 9014	24	County of Westmoreland, parish of Oberon	160 "	" "	" "
8987	405	County of Robinson.....	640 "	" "	" "
8672	951	County of Gordon, parish of Gullengambell	90 "	" "	" "
3267	593	County of Buller, parish of Kangaroo.....	170 "	19	3243
" 4224	594	Do. parish of Tooloom	180 "	" "	" "
Aln. 173	364	County of Clarence, parish of Lanitza	275 "	" "	" "
C.S. 78- 1918	738	County of Staphylton, parish of Gunnyanna	620 "	" "	" "
Aln. 3007	57	County of Murray, parish of Tonal	28 "	" "	3244
Ms. 77- 4224	384	County of Richmond, parish of Wyron	26 "	" "	" "
"	81 E. ex.	County of Rous, parish of Runnymede	45 "	" "	" "
"	232 N. ex.	Do. parish of Kyogle.....	33ac. 3r.	" "	" "
"	363	Do. parish of Wiangaree.....	200 acres	" "	" "
"	365	County of Clarence, parish of Coldstream	640 "	" "	" "
78- 6521	382	County of Taila, parish of Manie.....	3sq. mls.	" "	" "
"	139 ex.	Do. parish of Maniette.....	1½ "	" "	" "
"	133	County of Staphylton, parishes of Brown and Morella.....	1,280 acres	" "	" "
8078	739	County of Staphylton, parish of Wonga	1,200 "	" "	" "
Aln. 77- 4760	740	County of Burnett, parish of Russell	594 "	" "	" "
"	82 W. ex.	Do. parish of Ellis	1,550 "	" "	3254
"	512 W. ex.	Do. parish of Russell	1,660 "	" "	" "
6440	1424	County of Bourke, parish of Derry	640 "	" "	" "
78- 7167	1426	County of Harden, parish of Cooney	272 "	" "	" "
77- 9378	1438	County of Clarendon, parish of Waree Warral	640 "	" "	" "
74-12496	977 W. ex.	County of Goulburn, parish of Jerra Jerra.....	123 "	" "	" "
Ms. 77- 4224	124 ex.	County of Clarence, parish of Lavadia.....	260 "	" "	" "
"	320	County of Rous, parish of Tuckurimba	750 "	" "	" "
78- 7230	374	County of Cairn, parish of Tintin	648 "	" "	3246
"	1428	County of Clarendon, parish of Jeralgambeth	286½ "	" "	" "
"	1429	County of Bland, parish of Tubbal	486 "	" "	" "
"	1430	Do. parish of Brymer	246½ "	" "	" "
"	1431	County of Gipps, parish of Trigalana	287½ "	" "	" "
"	1435	County of Bland, parish of Brymar	214 "	" "	" "
"	1993	County of Townsend, parish of Coolanbil	320 "	" "	" "
"	1994	Do. parish of Gonawarra	640 "	" "	" "
"	1995	County of Waradgery, parish of Abercrombie	640 "	" "	" "
"	1996	Do. parish of Beresford.....	640 "	" "	" "
6307	1991	County of Buccleuch, parish of Brungle	270 "	" "	" "
Aln. 3621	611	County of Gough, parish of Scone	20 "	" "	" "
"	612	Do. do.	40 "	" "	" "
"	613	Do. do.	41½ "	" "	" "
"	614	Do. do.	41½ "	" "	" "
"	615	Do. do.	60 "	" "	" "
"	616	Do. do.	61½ "	" "	" "
"	617	Do. do.	62 "	" "	" "
"	618	Do. do.	225 "	" "	" "
Ms. 6874	381	Counties of Perry, Wentworth, and Taila	95sq. mls.	" "	3248
Aln. 77- 8598	741	County of Burnett, parish of Burnett	97 acres	" "	" "
Ms. 78- 6145	1434	County of Franklin, parishes of Ini and Wyadra	7sq. mls.	" "	" "
C.S. 77-41764	377 ex.	County of Inglis, parish of Tara	7 acres	" "	" "
20668	619	County of Clive, parish of Tenterfield	1,280 "	" "	" "
Ms. 78- 7926	392	County of Ashburnham, parishes of Parkes and Martin.....	900 "	" "	" "

No. of Papers.	No. of Reserve.	Locality.	Area.	Government Gazette in which the description is published.	Folio.
Ms. 78- 7926	933	County of Ashburnham, parishes of Martin and Weriegal.	1,100 acres	19 August, 1878	3248
"	934	County of Ashburnham	700 "	" "	"
"	935	Counties of Ashburnham and Cunningham	3,000 "	" "	"
"	936	Do. do. parishes of Yarrabundi and Bomobbin.	1,200 "	" "	"
7565	1427	County of Clarendon, parish of Boree	478ac. 3r.	" "	3249
7565	2016	County of Denison, parish of Tougambar	640 acres	" "	"
7268	1303 W. ex.	County of Gipps, parish of Ina	245½ "	" "	"
7363	1421	County of Bourke	20½sq. mls.	" "	"
7539	1439	Do. parish of Robertson	40 "	" "	"
5608	70	County of Raleigh, parish of Uakya	5 "	" "	"
77- 4224	367	County of Clarence, parish of Copmanhurst	680 acres	" "	"
78- 4607	403	County of Clydne, parish of Langmore	2,080 "	" "	"
77- 4224	360	County of Fitzroy (Nymboida and Shannon)	1,200 "	" "	3250
76- 8542	366	County of Gresham, parish of Braylesford	160 "	" "	"
77- 4224	368	County of Rous, parish of Ballina and Severn	480 "	" "	"
"	369	Parish of Tuckombill and Severn	480 "	" "	"
78- 5963	59	County of Northumberland, parish of Cosgrove	75 "	" "	"
6145	1432	County of Franklin, parish of Ini	160 "	" "	"
"	1433	Do. parish of Wyadra	416 "	" "	"
77- 8523	2015	County of Wakool, parish of Thalaka	1sq. ml.	" "	"
C.S. 78- 6047	1992	County of Wynyard, parish of Bulalgee	130 acres	" "	"
7375	52	County of Macquarie, parish of Koroee	640 "	" "	"
Ms. 76-11401	43	County of Wellington, parish of Tunnabidgee	6ac. 2r. 3p.	" "	3251
77- 4224	362	Counties of Clarence and Fitzroy	1,000 acres	" "	"
78- 7610	854	County of Gowen	640 "	" "	"
77- 3160	1425	Counties of Franklin and Nicholson, parish of Nellywanna.	334 "	" "	"
8375	1423	County of Clarendon, parish of Boree	40 "	" "	"
78- 7256	1437	County of Gipps, parish of Towyal	40 "	" "	"
8687	1477	Do. parish of Moonbia	1,140 "	21	3325
538	2020	County of Hume, parish of Kentucky	150 "	" "	"
Aln. 76-44253	1490	County of Clarendon, parish of South Jewnee	46ac. 2r.	" "	"
Ms. 78- 9063	620	County of Inglis, parish of Burke	11,000 acres	" "	"
8970	294 ex.	County of Cairn (Paika, Yarrington, and Ballaranald).	7½sq. mls.	" "	"
8771	482 aS. ex.	County of Leichhardt, parish of Gilguldry	285 acres	" "	"
"	870	County of Ewenmar, parish of Warrie	1,280 "	" "	3321
9763	256 ex.	County of Landsborough, parish of Waticombe	320 "	27	3419
8465	281 N. ex.	County of Bourke, parishes of Berrembed and Lupton.	4sq. mls.	" "	"
Aln. 1590	1491	County of Cooper, parish of Gogeldrie	1,760 acres	" "	"
Ms. 9766	1256	County of Darling, parish of Turpoly	40 "	" "	"
"	1259	Do. do.	40 "	" "	"
" 9687	40	County of Bathurst, parish of Cowra	10 "	" "	3420
"	1494	County of Monteagle, parish of Coba	1,500 "	" "	"
"	1495	Do. parishes of Coba, Tyagong, and Weddin.	13sq. mls.	" "	"
"	1496	County of Forbes, parish of Wongajong	160 acres	" "	"
" 7218	1487	County of Clarendon, parish of North Gundagai	900 "	" "	"
"	148	Counties of Clarendon and Harden, parishes of North Gundagai, Burra, and Muttama.	9sq. mls.	" "	"

Sydney: Thomas Richards, Government Printer.—1878.

1878.

NEW SOUTH WALES.

CROWN LANDS.

(RESERVED FROM SALE UNTIL SURVEYED, FOR THE PRESERVATION OF WATER SUPPLY OR OTHER PUBLIC PURPOSES.)

Presented to Parliament, pursuant to Act 25 Vic. No. 1, sec. 4.

ABSTRACT of Crown Lands reserved from Sale until surveyed, for the preservation of Water Supply or other public purposes, in accordance with the 4th section of the Act 25 Victoria No. 1.

No. of Papers.	No. of Reserve.	Locality.	Area.	Government Gazette in which the description is published.	Folio.
Ms. 78- 4478	71	County of King, parish of Nelanglo.....	about 1,200 acres	9 Sept., 1878	3609
31	855	County of Lincoln, parishes of Richardson and Breelong.	" 1,180 "	"	"
"	857	County of Gowen, parishes of Breelong and Eringanerin.	1,350 "	"	"
"	856	County of Lincoln do.	2,210 "	"	"
"	858	County of Gowen, parishes of Eringanerin, Yalcogrin, and Terrabile.	1,650 "	"	3610
"	859	County of Gowen, parishes of Terrabile and Gallagambroon.	2,430 "	"	"
"	860	Counties of Gowen and Leichhardt, parish of Gallagambroon.	1,990 "	"	"
"	861	County of Leichhardt	2,100 "	"	"
"	862	County of Gowen, parish of Yalcogrin	45 "	"	"
"	863	County of Leichhardt, parish of Moorabilla ..	40 "	"	"
"	864	County of Gowen, parish of Eringanerin	135 "	"	"
"	865	County of Leichhardt, parish of Moolambong ..	32 "	"	"
76-11760	742	County of Burnett, parish of Burnett	600 "	"	3611
78- 5364	1440	Counties of Bland and Monteagle.....	10 sq. miles	"	"
"	1441	Do. parish of Berthong.....	2,400 acres	"	"
"	1442	County of Bland do.	2,400 "	"	"
"	1443	County of Monteagle, parish of Kikiamah	3 sq. miles	"	3612
77-12840	1260	County of Buckland, parish of Coeypollly	1,450 acres	"	"
78- 8430	940	County of Narromine, parish of Wentworth ..	10,000 "	"	"
3869	45	County of St. Vincent, parish of Conjola	24,000 "	"	3613
6519	383	County of Tara, parish of Moorna	305 "	"	"
5488	1261	County of Pottinger, parishes of Trinkey and Calala.	12,800 "	"	"
"	1262	County of Nandewar, parish of Bilyeena	11,500 "	"	"
"	1263	Do.	35 sq. miles	"	"
"	1264	Do. parish of Narrabri.....	8,000 acres	"	"
"	1265	Counties of Nandewar and Murchison, parish of Rusden.	20 sq. miles	"	"
"	1266	County of Buckland, parish of Parnell	10,400 acres	"	"
"	1267	County of Jamieson, parishes of Tarlee & Keera ..	7,000 "	"	"
"	1268	Do. parish of Woolabra	26,800 "	"	"
"	1269	County of Inglis, parishes of Moonby & Perry ..	17,900 "	"	3614
"	1270	County of Darling, parish of Holden	12,800 "	"	"
"	1271	County of Pottinger, parishes of Dennison and Dennison West.	25 sq. miles	"	"
"	1272	County of Baradine	57,000 acres	"	"
"	1273	Counties of White and Baradine	156,800 "	"	"
"	1274	Do. parishes of Gurleigh and Wee Wee.	27 sq. miles	"	"
"	922 A. ex.	Counties of Parry and Hawes	2,800 acres	"	"
Leases 1013	1989	County of Buccleuch, parish of Weejasper.....	36 sq. miles	"	3615
Cs. 77-36610	23	County of Georgiana, parish of Jerong	80 acres	"	"
Ms. 78- 7565	866	County of Gowen, parish of Cobbinbil.....	552ac. 3r.	"	"
"	867	Do. do.	645 acres	"	"
Aln. 3006	385	County of Richmond, parish of Wyandah	320 "	"	"
Ms. 7583	860 W. ex.	County of Forbes, parish of Cumbijowa	150 "	"	"
7581	1445	Do. parish of Bundaburra	1,435 "	"	"
8433	384	County of Cairn, parish of Muckee	334ac. 3r.	"	"
Ms. 78- 9856	45	County of Wellington, parish of Tannabutta....	2a. 2r. 32p.	"	3616
Aln. 4473	388	County of Buller, parishes of Tooloom and Kangaroo.	240 acres	"	"

No. of Papers.	No. of Reserve.	Locality.	Area.	Government Gazette in which the description is published.	Folio.
Ms. 78-7609	343	County of Young	1,000 acres	9 Sept., 1878	3616
7659	387	County of Fitzroy, parish of Tallawadija	84 "	"	"
Aln. 1963	1164 ex.	County of Nicholson, parish of Cunninghamima	3,420 "	"	"
Ms. 77-3394	1209	County of Gipps, parish of Youngerine	900 "	"	"
Cs. 78-5208	1444	County of Nicholson, parish of Berangerine	450 "	"	"
Ms. 5488	1275	County of Pottinger	3,008 "	"	"
8440	2000	County of Mitchell, parish of Edgehill	3,200 "	"	"
3099	625	County of Gough, parish of Paradise	700 "	"	"
8427	939	County of Ashburnham, parish of Bocobidgle	17 "	"	3617
7864	621	County of Hawes, parish of Cooplacurripa	84 "	"	"
"	622	Do. parish of Myra	182 "	"	"
"	623	County of Sandon, parish of Mihi	160 "	"	"
"	624	Do. do.	160 "	"	"
77-7075	722	County of Murchison, parish of Myall	160 "	"	"
"	723	Do. parishes of Gouron and Myall	1,600 "	"	"
78-2715	724	County of Courallie, parish of Carore	300 "	"	"
77-5819	725	Do. parish of Greenbah	360 "	"	"
5818	726	Do. do.	480 "	"	"
78-7735	1451	County of Bland, parish of Euroka	2 sq. miles	"	"
7990	1452	County of Blaxland, parish of Mordie	160 acres	"	3618
7253	1453	County of Bourke, parish of Hooke	480 "	"	"
"	1454	Do. parish of Dulah	230 "	"	"
"	1455	Do. parish of Hooke	494 "	"	"
"	1456	Do. parish of Dulah	568 "	"	"
8374	1457	County of Monteagle, parish of Cocomingla	600 "	"	"
"	389 N. ex.	County of Wakool, parish of Gerabbitt	380 "	"	"
"	1999	Do. parish of Nullum	640 "	"	"
8226	2026	County of Cowley, parish of Taemas	500 "	"	"
6272	941	County of Ashburnham, parishes of Brolgan and Warrigal	320 "	"	"
Cs. 77-43961	942	County of Gordon, parish of Lombah	35 "	"	"
Aln. 10447	728	County of Courallie, parish of Noona	600 "	"	3619
"	729	Do. do.	230 "	"	"
"	730	Do. do.	960 "	"	"
"	9814	Do. parish of Peacumbool	370 "	"	"
4761	732	County of Burnett, parish of Blue Nobby	100 "	"	"
"	733	Do. parish of Parkhurst	250 "	"	"
75-6286	735	County of Courallie, parish of Mungiebundie	40 "	"	"
Ms. 78-8447	610	County of Gough, parish of Elmsmore	300 "	"	"
Aln. 77-3468	56	County of Northumberland, parish of Allandale	120 "	"	"
Ms. 6347	94	County of Durham, parish of Foy	14 "	"	"
78-7967	1458	County of Forbes, parishes of Bandon and Cumbijowa	1,120 "	"	3620
"	7767	County of Forbes, parishes Binda and Gooloong	5 sq. miles	"	"
"	1490 ex.	County of Wakool, parish of Burrawang	280 acres	"	"
"	1657	County of Cumberland, parish of Willoughby	3½ "	"	"
"	9102	County of Jamison, parish of Booral	170 "	"	"
"	9290	Do. parish of Burcaroll	1,000 "	"	"
Cs. 77-1374	1284	County of Inglis, parish of Attunga	3 "	"	"
78-19081	24	County of Georgiana, parish of Glengarry	44 "	"	3621
Aln. 77-10438	1780 W. ex.	County of Rous, parish of Stratheden	10 "	"	"
Ms. 78-8668	1476	County of Monteagle, parish of Weddin	920 "	"	"
Cs. 3143	2028	County of Buccleuch, parish of Childowla	90 "	"	"
Aln. 905	408	County of Cowper, parish of Monkey	2½ sq. miles	"	"
"	409	Do. parish of Tubba	"	"	"
"	410	Do. do.	"	"	"
Ms. 8432	375	County of Tara, parish of Taranga	800 acres	"	"
"	376	Do. parish of Wangumma	800 "	"	"
"	7583	County of Forbes, parish of Cumbijowa	640 "	"	"
"	7671	County of Wellesley, parish of Glenbog	624 "	"	"
"	1038	County of Waljeers, parish of Benanimie	122 "	"	3622
77-4352	1285	County of Inglis, parish of Tamworth	2 "	"	"
Aln. 10438	303 E. ex.	County of Rous, parish of Stratheden	40 "	"	"
Ms. 14379	1286	County of Jamieson, parishes of Gehan and Dobrigan	220 "	"	"
"	8741	County of Tara, parishes of Warpa and Wangumma	74 sq. miles	"	"
78-8031	1450	County of Monteagle, parish of Cocomingla	122 acres	"	"
Aln. 75	2025	County of Wynyard, parish of Gregado	14 "	"	3623
Ms. 7173	57	County of Northumberland, parish of Cessnock	930 "	"	"
"	9289	County of Darling, parish of Veneso	7 "	"	"
"	7495	County of Pottinger, parish of Wilson	340 "	"	"
"	1279	Do. parish of Tinkrameah	530 "	"	"
"	1280	Do. parish of Saltwater	850 "	"	"
"	1281	Do. parish of Tinkrameah	580 "	"	"
Ms. 2297	407	Counties of Cowper and Caneligo	18 sq. miles	"	"
4890	871	County of Lincoln, parish of Wooroboomi	2,490 acres	"	3624
7903	1998	County of Boyd, parish of Waddi	2,612 "	"	"
Cs. 77-4008	398	County of Wellesley, parish of Gecar	375 "	"	"
78-7864	389	County of Richmond, parish of Bundock	99 "	"	"
"	650	County of Bland, parish of Milong	28 "	"	"
"	8111	County of Gough, Swanvale	130 "	"	3625
"	5549	County of St. Vincent	10,880 "	"	"
"	8742	County of Tara	36 sq. miles	"	"
"	8371	County of Beresford, parish of Callaghan	240 acres	"	"
"	8446	County Bland, parish of Caragabal	570 "	"	"
"	9197	County of Murray, parish of Merrigan	75 "	"	"

No. of Papers.	No. of Reserve.	Locality.	Area.	Government Gazette in which the description is published.	Folio.
Cs. 78-10585	72	County of King, parish of Kenyn	1½ acre	9 Sept., 1878	3626
Ms. 8197	60	County of Cooke	320 acres	"	"
77- 4224	375	County of Gresham, parish of Cunglebung ...	400 "	"	"
Cs. 4008	399	County of Wellesley, parish of Gecar	29 "	"	"
Ms. 78- 7815	50	County of Camden, parish of Burraborang ...	40 "	"	"
7543	1448	County of Monteagle, parishes of Brundah and Yambira.	480 "	"	"
3644	52	County of Bligh	3,700 "	"	3937
2519	873	County of Gowen, parish of Eringinerin	640 "	30	3938
8460	1475	County of Harden, parish of Cunningham	300 "	"	"
9167	1492	County of Bourke, parish of Ashbridge	160 "	"	"
7253	1493	Do. do.	640 "	"	"
9300	1287	County of Denham, parishes of Glass and -Eurie Eurie.	1,780 "	"	3939
8571	1288	County of Jamieson, parish of Markham	164 "	"	"
9640	461 N. ex.	County of Stapleton, parish of Holmes	80 "	"	"
5796	1419	County of Franklin	32 sq. miles	"	"
8571	1289	County of Benarba, parish of Bunna Bunna...	540 acres	"	"
8971	65 S. ex.	County of Cairn, parish of Benongal	2 sq. miles	"	"
5225	2009	County of Mitchell, parish of Cox	1. "	"	"
9166	2017	County of Buccleuch, parish of West Goodradigbee.	640 "	"	"
8222	729	County of Vernon, parish of Cobrabald	640 acres	"	"
Aln. 1740	411	County of Clyde, parish of Uli	2½ sq. miles	"	"
"	412	Do. do.	2½ "	"	"
Ms. " 9479	413	Do. do.	2½ "	"	"
"	414	County of Finch, parish of Elphinstone	1,890 acres	"	"
"	415	Do. do.	5 sq. miles	"	"
"	416	Do. do.	4½ "	"	"
4372	417	Do. do.	180 acres	"	"
649	952	County of Gregory, parish of Warrigal	2,900 "	"	"
77-10914	68	County of Argyle, parish of Cockbundoon.....	8 "	"	"
78- 8224	69	Do. parish of Gurrunda	19ac. 11p.	"	"
Aln. 4941	53	County of Bathurst, parish of Colville	20 acres	"	"
"	54	Do. do.	9 "	"	"
Ms. " 7150	400	County of Wallace, parish of Eucumbene	280 "	"	"
" 7153	401	Do. parish of Middlingbank ...	90 "	"	"
" 5812	62	County of Cooke, parish of Blackheath	20 "	"	"
"	63	Do. do.	20 "	"	"
" 8969	12 ex.	County of Bligh, parish of Turill	310 "	"	3941
" 8386	872	County of Napier, parishes of Lowe and Gundare.	4,560 "	"	"
5796	1418	County of Franklin, parishes of Waljeers and Mossiel.	½ sq. mile	"	"
2988	1469	County of Bland	15½ sq. miles	"	"
"	1470	"	33 "	"	"
"	1471	County of Gipps, parishes of Bibbijolee and Bolagamy.	8 "	"	"
"	1472	County of Bland	8 "	"	"
"	1473	Do. parishes of Bribarree and Eurrabba	4 "	"	"
"	1474	Do. parishes of Eurrabba and Morangarell	4 "	"	"
"	1479	County of Gipps	5½ "	"	3943
"	1481	Do. parish of Moonbia	320 acres	"	"
"	1482	County of Bland	5 sq. miles	"	"
" 8454	1257	County of Baradine, parish of Dandry	320 acres	"	"
Cs. 16246	387	County of Tailla	3 sq. miles	"	"
Aln. 77- 4759	744	County of Stapylton, parish of Tubblegah.....	720 acres	"	3944
"	745	Do. do.	340 "	"	"
" 7254	730	County of Hardinge, parish of Moree	180 "	"	"
78- 8377	628	County of Arrawatta, parish of Pindari	320 "	"	"
Cs. 4453	627	County of Sandon, parish of Clevedon	350 "	"	"
Ms. 8377	360 E. ex.	County of Arrawatta, parish of Pindari	320 "	"	"
" 5812	61	County of Cooke, parish of Blackheath	34 "	"	"
Aln. 3921	731	County of Hardinge, parish of Unundle	420 "	"	"
Ms. 8718	48	County of Bathurst, parishes of Cole and Torren.	600 "	"	3945
Aln. 77- 7288	743	County of Burnett, parish of Tacinbri	160 "	"	"
Ms. 78- 7864	1483	County of Cooper, parish of Willimbong	320 "	"	"
"	1484	Do. do.	594½ "	"	"
"	1485	Do. parish of Brobenah	684 "	"	"

1878.

NEW SOUTH WALES.

CROWN LANDS.

(RESERVED FROM SALE UNTIL-SURVEYED FOR THE PRESERVATION OF WATER SUPPLY, OR OTHER PUBLIC PURPOSES.)

Presented to Parliament, pursuant to Act 25 Vic. No. 1.

ABSTRACT of Crown Lands reserved from Sale until surveyed for the preservation of Water Supply, or other public purposes, in accordance with the 4th section of the Act 25 Victoria, No. 1.

No. of Papers.	No. of Reserve.	Locality.		Area.	Government Gazette in which the description is published.	Folio.
		County.	Parish.			
Ms. 78-11357	105	Brisbane	Wollara	about 8 acres	1 Oct., 1878	3979
11440	2030	Wynyard	Euadera	180 "	"	"
11482	59	Murray	Purrumbunga	20 sq. miles	"	"
11359	1508	Forbes	Mulyandry	1,920 acres	"	3980
11363	1290	Denham	Bucklebone	320 "	"	"
11333	751	Murchison	Pallah	900 "	9	4071
"	752	"	Eulowrie	900 "	"	"
11719	56	Bathurst	Hampton	640 "	"	"
8786	52	Camden	Belanglo	50 "	14	"
77-12586	876	Lincoln	Wooreboomi	12 "	"	"
78-2906	259 S. ex.	Benarba	Boomaloon	1,460 "	"	"
Aln. 10310	736	Courallie	Mungie Bundie	320 "	"	"
Ms. 76-3571	1486	Bourke	Elliott	160 "	"	"
C.S. 78-13122	46	St. Vincent	Coghill	34 "	"	4138
Ms. 8768	51	Camden	Berrima	25 "	"	"
"	53	"	Joadja	20 "	"	"
8566	874	Leichhardt	"	2,170 "	"	"
Aln. 5429	393	Richmond	Shannan	65 "	"	"
C.S. 4021	398	Rous	Kyogle	160 "	"	"
Ms. 6978	397	Buller	Coutts and Kangaroo	84 "	"	"
Aln. 77-9785	748	Burnett	Mitchell	1,000 "	"	"
"	749	"	Cox	240 "	"	"
Ms. 78-3297	1291	Buckland and Brisbane	Towarri and Willis	640 "	"	"
4852	72	Dudley	Parrabel	320 "	"	"
7155	406	Wallace	Seymour	186 "	"	"
"	2008	Wakool	Condoulpe	1,200 "	"	4139
77-8386	739	Gough	Gordon	320 "	"	"
78-9157	735	Clive	Glenlyon	200 "	"	"
"	736	"	"	280 "	"	"
"	737	"	"	about 330 "	"	"
9486	422	Clyde	Bogan	2½ sq. miles	"	"
"	424	"	"	2½ "	"	"
10198	421	Finch	Eaminbah	69 acres	"	"
8165	967	Cunningham	Julandery	640 "	"	"
6789	953	Gordon	Veech and Curra	320 "	"	"
6795	954	"	Bolderogery	480 "	"	"
9590	75	King	Grabben Gullen	1r. 16p.	"	4140
8596	880	Ewenmar	Burimalong	2,400 acres	"	"
Aln. 77-9129	371 E. ex.	Staplyton	Coolanga	1,000 "	"	"
Ms. 78-10315	747	Courallie	Whittaker	550 "	"	"
77-7627	1898	Wakool	"	6 sq. miles	"	"
"	1899	"	Bymue Bungunyah	2½ "	"	"
14286	2023	"	Kyalite	400 acres	"	"
7627	2024	"	"	370 "	"	"
78-5728	943	Oxley	"	640 "	"	"
"	944	"	"	1,280 "	"	4141
8156	968	Ashburnham	Moura	400 "	"	"
9499	429 S.W. ex.	Napier	Bimara and Morven	2,850 "	"	"
10093	746	Murchison, Courallie, and Jamison.	"	6,400 "	"	"
"	54	Camden	Burraborang	43 "	"	"
"	55	"	"	50 "	"	"
7133	2034	Wakool	Noorong	700 "	"	"
7813	50	Wellington	March and Mulyan	200 "	"	"
3297	1292	Buckland	Towarri	320 "	"	4142
10198	1293	Jamison	Eckford	640 "	"	"
Aln. 79	488 ex.	Wynyard	"	65 "	"	"
Ms. 76-11511	2018	Urana	Munyabla	639 "	"	"
"	1490 ex.	Wakool	Kyalite	345 "	"	"

No. of Papers.	No. of Reserve.	Locality.		Area.	Government Gazette in which the description is published.	Folio.
		County.	Parish.			
Ms. 78- 9910	732	Inglis	Congi	about 960 acres	14 Oct., 1878	4142
9807	50	Bathurst	Waldegrave	23 "	"	"
" 9489	51	"	"	17 "	"	"
7813	95	Durham	Marwood	108a. 2r.	"	"
9161	49	Wellington	Mulyan	160 acres	"	"
"	399	Fitzroy	Kiemos	640 "	"	4143
"	400	"	"	160 "	"	"
"	401	"	Kiemos and Bradsley	250 "	"	"
10195	388	Caira	Bidura	100 "	"	"
5866	1294	Pottinger	Bogabri	200 "	"	"
13332	1395	"	Gulligal	270 "	"	"
7148	403	Wallace	Wambrook and Muroo	110 "	"	"
7151	405	"	Nimmo	150 "	"	"
9478	420	Clyde	Uki	49 "	"	"
10515	1521	Clarendon	Warrie Warral	600 "	"	"
7661	391	Rous	Dyraaba and Queenbun	450 "	"	4144
"	392	"	Queenbun	300 "	"	"
"	2006	Wakool	Condoulpe	1,200 "	"	"
Aln. 77- 9715	2021	Urana	Morundah	8 "	"	"
78- 1739	418	Clyde	Uki	1,750 "	"	"
"	419	Cowper	Monkey	2,400 "	"	"
Ms. 8391	396	Drake	Carnham	300 "	"	"
8645	733	Inglis	Congi	255 "	"	"
9457	33	Gloucester	Bootoowaa	260 "	"	4145
10199	360 a	Caira	Mevna, Kingi, and Barranald.	9 sq. miles	"	"
C.S. 77-45037	1296	Baradine	Wheoh	240 acres	"	"
"	2007	Wakool and Caira	"	5,280 "	"	"
Ms. 78-10194	948	Cunningham	"	4,000 "	"	"
"	9162	Fitzroy	Bradsley	25 "	"	"
8645	734	Inglis	Congi	277½ "	"	"
8567	881	Ewenmar	Burramilong	2,300 "	"	"
Aln. 3134	1497	Franklin	Whealbah	320 "	"	4146
C.S. 77-37060	1499	Walgeers	"	2½ sq. miles	"	"
Ms. 78- 9223	748	Burnett	Burnett	222a. 2r.	"	"
"	8217	Hawes	Uriamukki	200 acres	"	"
11970	2039	Goulburn	Mitchell	320 "	"	"
10602	970	Ashburnham	Terrara	830 "	"	"
10750	1510	Waradgery	"	14½ sq. miles	"	"
10327	2037	Urana	Palmer	289a. 1r.	"	4147
"	2038	"	"	1,290 acres	"	"
9456	55	Macquarie	Taree	40 "	"	"
R.S.B. 1478	2019	Mitchell	Berry Jerry	230 "	"	"
Ms. 9517	35	Cunningham	Dalhanty	2,800 "	"	"
533	1489	Gipps	Goobothery	69 "	"	"
7154	402	Wallace	Buckenderra	500 "	"	"
77-10562	1497	Monteagle	Coba	12a. 2r. 1p.	"	"
78- 186	36	Gloucester	Tinonee	40 acres	"	"
9187	394	Clarence	Woodford	20 "	"	"
8223	969	Ashburnham	Barton	150 "	"	"
9539	309	Fitzroy	Konkandowie	160 "	"	"
10530	2032	Wakool	Thelaka	640 "	"	"
M. 9190	"	Northumberland	Ellalong	530 "	"	"
5013	"	Cadell and Townsend	Mathoura and Nallan	2,140 "	"	"
Ms. 11665	60	Northumberland	Teralba	2,848 "	16	4197
4288	2040	Wynyard	"	127 sq. miles	21	4247
"	2041	"	"	45 "	"	4248
9517	38	Gloucester	Fosterton	13 acres	"	4147
"	34	"	"	60 "	"	"
9223	1301	Denham	Eurie Eurie	353½ "	22	4279
8217	1302	Jamison	Dangar	406 "	"	"
9223	2044	Hume	Granville	354a. 1r. 14p.	"	"
"	2045	Wakool	Worobyan	693 acres	"	"
Aln. 5118	630	Inglis	Congi	368 "	"	"
"	2042	Waradgery	Rankin	320 "	"	4280
"	2043	"	"	320 "	"	"
Ms. 8389	863 S. ex.	"	"	216½ "	"	"
"	404	Clarence	Great Marlow	45 "	"	"
"	405	Richmond	Nandabah	180 "	"	"
11304	1300	Darling	Veness	400 "	"	"
9591	387 ex.	Gough	Stonebenge and Beard's Plains.	380 "	"	"
8389	304 S. ex.	Richmond	Coombell	150 "	"	"
75-3483	310 N. ex.	Cooper	"	2½ sq. miles	"	4281
78-11334	1520	Bland	Jingerangle	793a. 3r.	"	"
77- 9590	1505	Nicholson	Langtree	700 acres	"	"
Aln. 78- 1592	1507	Cooper	Gibbs	641 "	"	"
Ms. 9231	1303	Buckland	Currabubula	5a. 1r. 8p.	"	"
"	1304	"	"	2a. 19p.	"	"
"	1305	"	"	2a. 19p.	"	"
10096	631	Sandon	Clevedon	230 acres	"	"
Aln. 77-10534	402	Rous	Loadstone	200 "	"	4282
78- 3008	403	Richmond	Nandabah	100 "	"	"
Ms. 9869	2046	Wakool	Mallee and Millen	3,200 "	"	"
77-10059	892	Ashburnham	Collett	3 "	"	"
Aln. 78- 6271	1536	Waradgery	Boyong	640 "	"	"
6272	1537	"	"	320 "	"	"
Ms. 11301	1306	Darling	North Barraba	100 "	"	"

1878-9.

NEW SOUTH WALES.

CROWN LANDS.

(RESERVED FROM SALE UNTIL SURVEYED, FOR THE PRESERVATION OF WATER SUPPLY, OR OTHER PUBLIC PURPOSES.)

Presented to Parliament, pursuant to Act 25 Vic. No. 1, sec. 4.

ABSTRACT of Crown Lands reserved from Sale until surveyed, for the preservation of Water Supply, or other public purposes, in accordance with the 4th section of the Act 25 Victoria, No. 1.

No. of Papers.	No. of Reserve.	Locality.		Area.	Government Gazette in which the description is published.	Folio.
		County.	Parish.			
Ms. 78-11947	427	Finch.....	Rose	160 acres	1 Nov., 1878	4437
11946	429	Cowper .....	.....	about 1,512 "	"	"
"	428	" .....	.....	640 "	"	"
"	973	Cambeligo .....	.....	768 "	"	"
11637	60	Murray	Tonal	15 "	"	"
12101	425	Robinson	Kaloolleguy	93 sq. miles	"	4438
C. S. 1922	61	Murray	Pialligo	5½ acres	"	"
Ms. 10763	65	Cook	Lett	480 "	"	"
12101	426	Robinson	Cobar	2,520 "	"	"
10805	753	Murchison	Bingara	15 "	"	"
6385	892	Leichhardt	Coonamooona	540 "	"	4449
11840	2047	Urana	Cocketgedong	350 "	"	"
Aln. 1683	1502	Bland	Congou	79½ "	"	4444
6707	956	Kennedy	Limestone	40 "	"	"
C. S. 7608	1500	Forbes	Jemalong	120 "	"	"
27848	95 ex.	Cadel	Caloola	230 "	"	4443
7470	3	Northumberland	Teralba	2,848 "	8	4506
Ms. 3540	38	Phillip .....	.....	59 sq. miles	"	4335
"	47	Wellington .....	.....	1,950 acres	"	"
"	48	"	Wear	15 sq. miles	"	"
10626	51	"	Tambaroora	134 acres	"	4536
"	46	"	Cooper	90 "	"	"
C. S. 77-37883	74	King	Dalton	21 "	"	"
Ms. 78-10321	345	Mootwingee .....	.....	160 "	"	"
77- 409	888	Ewenmar	Milda	1,060 "	"	"
78- 9889	890	Napier	Piambia and Binnaway...	3,160 "	"	"
Aln. 4586	407	Richmond	Nandebah	250 "	"	"
77- 9787	755	Burnett	Stephenson	336 "	"	"
Ms. 78-10091	1506	Harden	Wambat	30a. 28p.	"	"
11314	1307	Darling	Fleming	240 acres	11	4537
"	1308	"	Lowry	640 "	"	"
77- 9397	73	Dudley	Tarban	120 "	"	"
78-11831	2050	Urana	Muera	3,000 "	"	"
823	2051	Townsend	Boogbula and Lamb	1,200 "	"	"
C. S. 22879	839 ex.	Wynyard	Hindmarsh	35 "	"	"
Ms. 6493	626	Vernon	Halloran	90 "	"	"
Aln. 77- 9930	961	Cunningham	Monomie	640½ "	"	"
Ms. 78-11138	965	Narromine	Buddah	697 "	"	"
10562	58	Macquarie	Marlee	30 "	"	"
"	59	"	Bobin	40 "	"	"
9829	25	Georgiana	Wangalo	20 "	"	4538
77- 9257	26	"	Belmore	87 "	"	"
Aln. 9787	754	Burnett	Abercrombie and Stephenson.	1,200 "	"	"
Ms. 78-11724	1511	Harden	Cooney	37½ "	"	"
C. S. 77-33867	1309	White	Gurleigh	11 "	"	"
"	2052	Waradgery	Eli Eliwah	956 "	"	"
Aln. 78- 6916	87 N. ex.	Benarba	Merce	360 "	"	"
4254	278 S. ex.	"	Wirrie South	640 "	"	"
"	757	"	"	480 "	"	"
C. S. 22257	957	Ashburnham	Bowan	46 "	"	"
Ms. 77-11244	959	"	"	120 "	"	"
78- 9747	53	Bligh	Rotherwood	385a. 3r.	"	4539
8217	871	Gowen	Quandong	511 acres	"	"

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		County.	Parish.			
R.S.B. & F. 963	407	Dampier	Congo	8a. 2r.	11 Nov., 1878	4539
Aln. 78- 1683	1503	Bland	Congou	130 acres	"	"
" 7125	1504	"	"	about 188	"	"
"	656	Benarba	Meero	30	"	"
"	756	"	"	66	"	"
Ms. 77- 409	886	Ewenmar	Milda	220	"	4540
"	887	"	"	133	"	"
78- 8950	894	Napier	Binnia and Allison	420	"	"
8602	406	Clarence	Elland and Lanitza	6 sq. miles	"	"
Aln. 2303	2048	Urana	Widgieva	127a. 3r.	"	"
"	2049	"	Widgieva and Urana	465a. 3r.	"	"
Ms. 2532	895	Lincoln	Daley	500 acres	"	"
R.S.B. 970	960	Ashburnham	Forbes	1 acre	"	4541
Ms. 9096	1512	Cooper	Moonbooldool	648½ acres	"	"
" 8972	389	Taila	Manie	9 sq. miles	"	"
10686	73	King	Milburn	90 acres	"	"
C. S. 22256	966	Ashburnham	Bowen	2	"	"
Ms. 7802	52	Bathurst	Walli	20	"	"
C. S. 1611	170 N. ex.	Rous	North Casino	10	"	"
Ms. 77-10059	892	Ashburnham	Collett	3	"	4542
78- 9540	408	Fitzroy	Koukandowie	70	"	"
9455	37	Gloucester	Tungurry	9	"	"
7470	60	Northumberland	Teralba	2,848	"	"
13404	758	Stapylton	Boggbilla	2,290	"	"
C. S. 77-36610	23	Georgiana	Jerrong	80	15	4578
Ms. 78- 5165	58	Bathurst	Bathurst	4	20	4651
13362	339 ex.	Kellara	Tallandra	327	"	4652
13393	346	Windeyer	Cuthero and Yartla	3½ sq. miles	"	"
12959	347	Yangowinnia	"	18	"	"
Aln. 3019	1518	Gipps	"	1,390 acres	25	4693
Ms. 11073	33	Cumberland	Bankstown	35	"	4694
C. S. 77-29843	56	Camden	Jellore	78	"	"
Ms. 78-10488	410	Clarence	Gulmarrad	102	"	"
Aln. 7133	765	Burnett	Ottley	380	"	"
Ms. 10967	764	Courallie	Downs and Yalla	960	"	"
11585	1524	Harden	Wambat	1 acre	"	"
"	1525	"	"	1	"	"
11894	1528	Gipps	Brolga	1,860 acres	"	"
12748	1529	Harden	Cullinga	57½	"	"
"	1530	"	"	60½	"	"
"	1531	"	"	80	"	"
"	1532	"	"	90	"	"
"	1533	"	"	104	"	4695
"	1534	"	"	144	"	"
11600	409	Dampier	Wagonga	24	"	"
77- 9730	457 W. ex.	Mitchell	Yerong	300	"	"
"	457 E. ex.	"	"	600	"	"
78-13388	2055	Wakool	Cockran	227	"	"
C. S. 28913	509 S. ex.	Hardinge	Williams	150	"	"
Ms. 12471	637	"	Morse and Honeysuckle...	1,280	"	"
"	638	"	Nundle	900	"	"
11566	639	Gough	Elmsmore	90	"	"
C. S. 77-28513	640	Sandon	Dural	5	"	"
Ms. 78- 509	1513	Monteagle	Young	5½	"	4696
"	1514	"	"	5a. 1r. 28p.	"	"
"	1515	"	"	36 acres	"	"
"	1516	"	"	19½	"	"
"	1517	"	"	466	"	"
10812	1522	Clarendon	North Gundagai	2,400	"	4697
"	1523	"	"	1,440	"	"
11335	1310	Parry	Tamarang	20	"	4698
"	1311	Buckland	Wallabadah	40	"	"
"	1312	"	"	270	"	"
"	1313	"	Wallabadah and Parnell	415	"	"
12555	337 ex.	Arrawatta	Swamp Oak	100	"	"
77-37582	1527	Monteagle	Woodonga	22	"	"
14100	76	King	Numby	1a. 2r. 4p.	"	"
78- 8514	64	Cook	Strathdon	60 acres	"	4699
77-12601	882	Gowen	Cobbinbil	1,920	"	"
"	763	Courallie	Downs and Campbell	1,080	"	"
"	762	"	Gyan	750	"	"
"	761	"	Mensadool	960	"	"
"	760	"	Wirrgerildonga	960	"	"
Ms. 78-10907	201 W. ex.	"	Terry Hie Hie	960	"	"
"	621 S. ex.	"	Combadelo	480	"	"
"	759	"	Downs	320	"	"
Ms. 78-10703	408	Dampier	Mooroona	320	"	"
11365	2035	Cowley	Congwarra	5 sq. miles	"	4700
11201	636	Hardinge	Barlow	500 acres	"	"
C. S. 28913	634	"	Williams	750	"	"
Ms. 10021	635	"	Barlow	1,500	"	"
Aln. 75- 2904	96	Durham	Rouchel	40	"	"
C. S. 78-28913	633	Hardinge	Williams	40	"	"
3669	29	Georgiana	Kangaloola	13	"	"
13907	613 ex.	Bourke	Brangalga	40	"	4701
28951	821 N. ex.	"	Lachlan	40	"	"
28966	821 ex.	"	"	40	"	"
8451	38	Gloucester	Wallingat	25	"	"

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		County.	Parish.			
Aln. 77- 7895	1526	Monteagle	Jandra	83 acres	25 Nov., 1878	4701
Ms. 78- 9516	41	Phillip	Bayley	about 40 "	"	"
10285	56	Macquarie	Dawson	20 "	"	"
Aln. 6120	57	"	Taree	250 "	"	"
Ms. 12748	1535	Harden	Cullinga	240 "	"	4702
6979	"	Drake	Ogilvie	160 "	"	"
13388	2054	Wakool	Cockran	133 "	"	"
11505	390	Tara	Wangumma	350 "	"	"
1314	383	Gowen	Coonabarabran	20 "	"	"
13065	348	Yantara	"	2 sq. miles	27	4761
11587	641	Hardinge	Williams	5 acres	"	"
13950	218	Clarendon, Bourke, and Cooper.	"	1 mile	"	"
11662	988	Ashburnham	"	628 acres	"	"
10971	349	Barrona	"	640 "	9 Dec.,	4863
31337	879	Lincoln	Boderugora	293 "	"	"
10487	884	Leichhardt	Ningear and Yarragin	5 sq. miles	"	"
11958	885	"	"	5 "	"	"
Aln. 6915	396	Benarba	Tiela	352 acres	"	"
"	772	"	Tiela and Meiro	1,240 "	"	4864
Ms. 9658	769	"	"	1,280 "	"	"
"	770	"	"	640 "	"	"
10469	778	"	Numby Numby	2 sq. miles	"	"
10705	773	"	"	800 acres	"	"
9710	771	Stapylton	Goorara	960 "	"	"
10468	774	"	"	2,600 "	"	"
"	775	"	"	640 "	"	"
"	776	"	"	500 "	"	"
"	777	"	"	640 "	"	"
1166	1509	Blaxland	"	3 sq. miles	"	"
6585	2057	Townsend	Quandong	900 acres	"	"
"	2058	"	Drysdale	1,280 "	"	"
71-10700	2059	Mitchell	Edgehill	3,140 "	"	4865
78- 9314	649	Inglis	Perry	800 "	"	"
9135	648	Sandon	Elton	780 "	"	"
7313	958	Flinders	"	3,200 "	"	"
11137	964	Narromine	Narromine and Obley	2,567 "	"	"
9514	644	Gough	Clifton	1,900 "	"	"
6146	1501	Blaxland and Franklin	"	8½ sq. miles	"	4866
77-12840	1314	Buckland	Wellala and Ferrier	650 acres	"	"
Aln. 9654	315	Pottinger	Gunnedah	430 "	"	"
Ms. 78- 8549	766	Benarba	Boonanger and Kunopia	55 "	"	"
11738	97	Durham	Liddel	40 "	"	"
11207	77	King	Cullarin	230 "	"	4867
"	78	"	Gunning	100 "	"	"
"	79	"	Cullarin	27 "	"	"
"	80	"	"	20 "	"	"
"	81	"	Dalton	65 "	"	"
"	83	"	Jerrawa	380 "	"	"
10181	3798 W. ex.	Drake	Coongbar	900 "	"	"
11418	411	Wellesley	Gecar	420 "	"	"
10643	1519	Bland	Bribaree	305 "	"	"
11207	82	King	Dalton	190 "	"	"
1016	2036	Urama	Wilson	8 "	"	"
77-14156	272 E. ex.	Burnett	Abercrombie	40 "	"	"
"	"	"	"	30 "	"	"
"	272 W. ex.	"	"	30 "	"	"
"	283 E. ex.	"	"	50 "	"	"
Aln. 5995	2056	Townsend	Cox	800 "	"	"
C. S. 19804	2061	"	Gonawarra	640 "	"	"
Ms. 9564	25	Westmoreland	Carronalla	160 "	"	4869
9445	2060	Urama	Oberon	10½ "	"	"
9882	889	Gowen	Galargambone	270 "	"	"
"	893	"	"	50 "	"	"
12918	392	Wentworth	Tiltao	5 "	"	"
12920	391	Tara	Moorna	655 "	"	"
8915	61	Northumberland	Dora	170 "	"	4870
D. 1264	98	Durham	Tudor	269 "	"	"
Ms. 11737	106	Brisbane	Brogheda and Halscot	10 "	"	"
C. S. 36291	48	St. Vincent	Meangora	15 "	"	"
Ms. 10471	767	Arrawatta	"	190 "	"	"
"	768	"	"	640 "	"	"
78-19945	1195 ex.	Townsend	North Caroonboon	350 "	"	"
11972	650	Arrawatta and Gough	"	960 "	"	"
Aln. 4765	349 ex.	Gordon	Oxley and Caloma	95 "	"	"
"	962	"	Caloma	52 "	"	"
"	26	Westmoreland	Penka	300 "	"	4871
"	27	"	The Peaks	100 "	"	"
Ms. 78- 7152	410	Wallace	Wambook and Lake	460 "	"	"
11741	647	Hardinge	Skinner	160 "	"	"
11799	646	Gough	Elmsmore	139 "	"	"
77- 7469	308	Rous	"	400 "	"	"
78-12958	350	Yangowinna	"	5 sq. miles	"	4872
10494	647	Arrawatta	Severn	960 acres	"	"
8736	963	Gordon	Buckinbah	43 "	"	"
12930	351	Young	"	550 "	"	"
9514	"	Gough	Glen Innes and Clifton	4,400 "	"	4879
8219	642	Vernon	Waterloo	300 "	16	4989

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		County.	Parish.			
Ms. 78- 9599	1316	Buckland	Clift	20 acres	18 Dec., 1878	5037
14203	58	Camden	Yarrunga	75 "	"	"
14155	89	King	Bango and Blakney	120 "	"	5038
14725	2062	Selwyn	Nevada	455 "	"	"
12877	66	Cooke	Goolooinboin	100 "	20	5105
11959	897	Leichhardt	Oural and Toora	2,400 "	"	"
14841	780	Stapylton	Tubbleyah	960 "	"	"
12149	781	"	Bryanungra	960 "	"	"
14841	779	"	Morella	400 "	"	"
12349	782	Burnett	"	800 "	"	"
	172 S. ex.	Stapylton	Whalan	1,100 "	"	"
	363 W. ex.	"	Tubbleyah	450 "	"	"
14841	482	"	Mayne	120 "	"	"
"	579 N. ex.	"	"	160 "	"	5106
13337	1540	Waradgery	Boyong	476½ "	"	"
12016	112 ex.	Clive	Bullendean	1,800 "	"	"
12635	992	Ashburnham	Toogong	40 "	"	"
12636	993	"	"	15 "	"	"
12218	352	Ullarara	"	5 sq. miles	"	"
13559	393	Tara	Foster	894 acres	"	5107
	394	"	"	585 "	"	"
13340	1546	Cooper	Edon	543a. 3r.	"	"
Aln. 6925	2063	Waradgery	Melrose	754 acres	"	"
Ms. 12298	107	Brisbane	Wybong	500 "	"	"
77- 7280	896	Gowen	Uargon	1,500 "	"	"
78-10330	59	Bathurst	Colville	18a. 1r. 30p.	"	5108
12218	353	Irrara	"	5 sq. miles	"	"
12877	66	Cooke	Goolooinboin	100 acres	"	"
11959	897	Leichhardt	Oural and Toora	2,400 "	"	"
14841	780	Stapylton	Tubbleyah	960 "	"	"
12149	781	"	Bryanungra	960 "	"	"
14841	779	"	Morella	400 "	"	"

1878-9.

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		County.	Parish.			
Ms. 78-14409	651	Inglis.....	Congl	162 acres	2 Jan., 1879...	31
"	652	"	"	about 172 "	"	"
"	653	"	"	" 214½ "	"	"
"	654	"	"	" 371½ "	"	"
13202	1538	Nicholson	Booligal and Neobine ..	1,120 "	6	81
13333	2042 ex.	Waradgery	Rankin	" 320 "	"	"
Aln. 2697	905 N. W. ex.	Forbes	Ooma	" 320 "	"	"
Ms. 12147	1539	Cooper	North Bolero	2,070 "	"	"
13338	1541	"	Patterson	2,618 "	"	82
"	1542	"	Patterson and Binya.....	640 "	"	"
"	1543	"	Moobooldool	" 1,600 "	"	"
"	1544	"	Barralong	" 4,150 "	"	"
"	1545	"	"	" 3,320 "	"	"
9339	1266 ex.	Buckland	Parnell	" 190 "	"	"
12182	656	Gough	"	23 sq. miles	"	"
77-13863	1549	Bourke	Kinilbah and Murrumbidgee Vale.	587 acres	"	93
78-5847	1317	Jamison	Weeta Waa	" 960 "	"	"
Aln. 77-10306	659	Vernon	Norton	" 140 "	"	"
"	658	"	Norton and Tiara	" 640 "	"	"
"	657	"	St. Clair	" 900 "	"	"
Ms. 78-11736	655	Gough	Wellington	" 670 "	"	"
Aln. 77-8285	2064	Hume	Buckaringah	" 912 "	"	"
Ms. 78-6589	664	Hardinge and Gough ..	"	" 265 sq. miles	"	84
"	5892	Phillip	Guntawang	34ac. 2r. 28p.	"	"
"	8164	Fitzroy	"	640 acres	"	"
"	418	"	Ernani.....	" 120 "	"	"
"	660	Clarke	"	" 440 "	"	"
1669	2066	Wakool	"	" 10 sq. miles	"	"
11530	21	Wellington	Trudgett and Warri.....	2½ "	"	"
C.S. 77-13863	674	Bourke	"	"	"	85
Ms. 78-8164	566	Fitzroy	"	960 acres	"	"
"	5847	Jamison	"	1,000 "	"	"
Aln. 77-8285	1817	Hume	Buckaringah.....	1,040 "	"	"
Ms. 78-5013	.....	Cadell and Townsend ..	Mathoura and Nallam ..	2,140 "	13	162
"	11079	Clyde.....	"	2,400 "	"	"
"	11079	"	"	1,900 "	"	"
"	978	"	"	640 "	"	"
14869	28	Roxburgh	Warrangunia	10 "	21	319
13954	1319	Baradine	Euligal	" 480 "	"	"
"	1320	"	Boorimah and Wangan ..	" 1,280 "	"	"
13954	1321	"	"	640 "	"	"
"	1322	"	Bullerawa and Dubbo ..	700 "	"	"
"	1323	"	Meit.....	960 "	"	"
"	1324	"	Talluba	700 "	"	"
"	59	Camden.....	Yarrunga and Burrawang	1,200 "	"	320
14030	2067	Buccleuch and Harden..	Nanangroe and Birrima	200 "	"	"
14647	28	Westmoreland	Bimlow	40 "	"	"
13713	665	Hardinge and Gough ..	Swinton and Clive.....	3,840 "	"	"
15205	1318	Inglis and Parry	"	" 6,000 "	17	217
79113	63	Northumberland	Gosford	" 990 "	"	"

1878-9.

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		County.	Parish.			
77- 4303	432	Finch.....	Cumborah Springs.....	4,000 acres	5 Feb., 1879	519
	433	".....	Grawin Waterhole	4,000 "	"	"
79- 339	998	Oxley.....	Warren	800 "	"	520
	999	".....	Dooran and Warren	460 "	"	"
	1000	".....	Oxley	1,080 "	"	"
	1001	Oxley and Gregory	Beardina and Mombel- bone	960 "	"	"
	1002	Oxley.....	Dooran	420 "	"	"
	1003	Gregory.....	Mumblebone	60 "	"	"
	1004	Oxley.....	Beardina.....	60 "	"	"
601	2079	Boyd.....	Mulburruga and Eilgin- bah	2,750 "	"	521
	2079	".....	Mulberrygong and Wolse- ley	1,060 "	"	"
	2080	".....	Eilginbah, Wolseley, Ooo- lembeyan, and Macleay	19 sq. miles	"	"
1216	1590	Bland	Jingerangle.....	1,284 acres	"	"
78-14350	416 N.E.	Dampier	Tanga	3,224 "	"	"
79- 1217	340 N.E.	Waljeers	Mulloga	3 sq. miles	"	522
	1136	".....	Tooralbong and Buckon- gong	1½ "	"	"
1219	1209 W.E.	Gipps.....	Younggreen	720 acres	"	"
1218	1591	Waljeers	Waljeers	960 "	"	"
1219	1600	Gipps	Bibbijolee	2 sq. miles	"	"
1216	1592	Waljeers	Waljeers	1,000 acres	"	"
79- 601	2078	Boyd.....	Mulburruga and Eilgin- bah	2,750 "	11	613
	2080	".....	Eilginbah, Wolseley, Ooo- lembeyan and Macleay	19 sq. miles	"	"
14113	1561	Harden	Bowning and Woolgarlo	3,000 acres	14	"
15224	901	Gregory.....	Bulgeraga	1,600 "	"	681
77-46147	71 W.E.	Ararawatta.....	Nullamanna	160 "	"	737
7289	88	King	Blakeney	51a. 3r. 26p.	"	"
4911	1018	Ashburnham	Currajong	2r. 22p.	"	"
12533	49	St. Vincent	Wollumboola	240 acres	"	738
15225	903	Gowen	Tunderbrine	270 "	"	"
11243	443	Buller	Lindsey and Merimb.....	112 "	"	"
	444	".....	Woodenbong	58 "	"	"
	445	".....	Merimb	56 "	"	"
	446	".....	Lindsey	56 "	"	"
	447	".....	".....	70 "	"	"
7660	448	".....	Beaury and Coutts	126 "	"	"
12534	449	".....	Corry	320 "	"	"
12281	451	".....	Woodenbong	40 "	"	"
13124	452	".....	Lindsey	50 "	"	"
13175	450	Clarence	Banyabba	75 "	"	"
10680	453	Rous	Tunstall	92 "	"	739
1615	59 E.	".....	North Casino	40 "	"	"
13245	1552	Monteagle.....	Rossi	268 "	"	"
12012	1327	Denham and Jamison...	Weetababa Run.....	4 sq. miles	"	"
Aln. 77- 9787	754	Burnett.....	Abercrombie and Stephen- son	about 1,200 acres	"	682
78-11895	676	Clive	Barney Downs	380 "	"	739
77- 3306	674	Sandon	Gyra	670 "	"	"
13626	1015	Ashburnham.....	Dulladerry	76 "	"	"
13851	1013	".....	Gunningbland	95a. 0r. 1p.	"	"

No. of Papers.	No. of Reserve.	Locality.		Area.	Government Gazette in which the description is published.	Folio.
		County.	Parish.			
77-10384 13900	1020 977	Gordon	Narragal	10 acres	14 Feb., 1879	739
		Gregory	Windabungay, Buckin- guy, Wullangambone, and GERALGUMBONE	14 sq. miles	"	"
78-12866 15225	84 117 E. E.	King	Cullarin	63½ acres	"	740
Aln. 77-10225 4781	293 E. 1551	Gowen	Tunderbrine	1,280 "	"	"
78-13084 13010	1554 2083	Wentworth	Teltao	1,208 "	"	"
	2081	Gipps	Manna	296 "	"	"
		Waljeers	Kitcho and Tarrawong	1,280 "	"	"
Aln. 78- 859	670	Wynyard	Goldspink	1,280 "	"	"
	1326	Urana	Watt	154a. 3r.	"	"
78-14999 2028	618 E. 62	Hardinge	Chapman	90 acres	"	"
12014	85	Darling	Manilla	26 "	"	"
	86	Cunningham	Keargathar	345 "	"	"
	417	Northumberland	Pokolbin	37 "	"	741
	418	King	Kenyu	40 "	"	"
	1016	Auckland	"	35a. 3r. 35p.	"	"
	1012	"	"	1a. 2r.	"	"
	50	Ashburnham	Bowan	1 acre	"	"
67- 7443 78-13358	42	"	Dulladerry	35 acres	"	"
	62	St. Vincent	Nowra	15 "	"	"
	1555	Phillip	Guntawang	2 acres	"	"
	1556	Murray	Boambolo	5a. 2r.	"	"
	669	Waljeers	Tarrawong	180 "	"	742
		"	"	1,600 "	"	"
		Hardinge	Cameron, Baker, and Chapman	2,080 "	"	"
	1017	Ashburnham	Currajong	300 "	"	"
	1325	Pottinger	Bomera	1a. Or. 18p.	"	"
Aln. 78-11242 13048	1559	Dowling	Curriba	75 acres	"	"
	440	Buller	Lindsay	284a. Or. 27p.	"	"
	1553	Monteagle	Marina	35 acres	"	743
	1557	Waljeers	Tarraway	31 "	"	"
	2085	Denham	Walgett	340 "	"	"
77- 650	1019	Wakool	Beremegad	125 "	"	"
	87	Ashburnham	Molong	1,100 "	"	"
	1550	King	Bango	13 "	"	"
	1014	Bourke	Berry Jerry	20 "	"	"
	677	Ashburnham	Currajong	40 "	"	"
78-12017 13121	679	Inglis	Scott	100 "	"	"
13010	419	Clive	Ballandian	550 "	"	744
	2082	Auckland	"	1,300 "	"	"
	672	Wynyard	Hindmarsh	5a. Or. 28p.	"	"
Aln. 2638 C. S. 77-27610	51	Arrawatta	Buckley	327½ acres	"	"
11244	1328	St. Vincent	Mongarlowe	640 "	"	"
	442	Jamison	Belar	140 "	"	"
	441	Buller	Coutts	45 "	"	"
	57	"	Lindsay	500 "	"	"
	673	Camden	Bugong	230 "	"	745
78- 9823 12874	678	Hardinge	Skinner	24 "	"	"
77- 8901	671	Vernon	Walcha	40 "	"	"
78-13010	675	Gough	Bald Nob	21 "	"	"
14397	2084	Hardinge	Swinton	700 "	"	"
12645	434	Wynyard	Bago	1 "	"	"
	789	Narran	"	1,280 "	"	"
	791	Murchison	Turrawarra	640 "	"	"
		"	Bangheet, Cobbedah, Pied- mont, Capel and Anderson	600 "	24	887
13044	1547	Franklin	Embaggo, Marrowie, and Nellywannis	250 "	"	"
1496	1329	Denham	Eurie Eurie, Vean Wal- mar, and Toryweewha	8½ sq. miles	"	888
	1330	"	Berryabar and Buckle- bone	6,300 acres	"	"
	1331	"	Toryweewha, Myalwirree, Yarraldool, and Ber- ryabar	2,400 "	"	"
	1332	Jamison	Coolga, Drilldool, and Cubbarboo	5,280 "	"	"
	1333	"	Cubbarboo, Merah, Weeta Waa, and Tulladu- mins	4,800 "	"	889
	1334	White	Wee Waa and Gurleigh	8,000 "	"	"
	1335	"	Mollee	760 "	"	"
	1336	"	Gurleigh	420 "	"	"
10959 76- 7004	971	Ashburnham	Parkes	720 "	"	"
	28	Georgiana	Walbrook	840 "	"	"
	30	"	"	160 "	"	"
78-11814	898	"	"	120 "	"	"
	899	"	"	880 "	"	"
10599	900	"	"	800 "	"	"
13745	904	Lincoln	Wooreboomi and Tenan- dra	2,240 "	"	"
	454	Richmond	Shannon	1,600 "	"	"
10472	1558	Bland	Euroka	230 "	"	"
15238	1337	Pottinger	Clarke	640 "	"	"
		"	"	1,600 "	"	"

No of Papers.	No. of Reserve.	Locality.		Area.	Government Gazette in which the description is published.	Folio.
		County.	Parish.			
78-13013	435	Yanda	Wererina	2,560 acres	24 Feb., 1879	889
8607	972	Ashburnham.....	Broolgan and Warregal..	5 sq. miles	"	"
13927	974	Gregory.....	Birimba and Gerar	1,600 "	"	"
	975		Bannah and Gerar.....	950 "	"	891
278	989	Narromine and Kennedy	Euerweena and Graddle	6,600 "	"	"
12015	1022	Gordon	Bucinbah	640 "	"	"
11842	1023	Narromine	Timbrelongie and Bud-		"	"
			dah	800 "	"	"
13044	1549	Franklin	Narrowie.....	650 "	"	"
5358	632	Clarke	Pogambilla	480 "	"	"
15121	680	Arrawatta.....	Graman	280 "	"	"
9497	902	Gregory.....	Bulgeraga and Grab-		"	"
			gumboi	1,920 "	"	892
5409	152 S.W.E.	"	Waughandry and Eula...	700 "	"	"
	980	"	Belar and Mara.....	2,240 "	"	"
	981	"	Belar and Waughandry...	2,250 "	"	"
	982	"	Morbella and Woolagoola	3,480 "	"	"
6719	987	"	"	3,000 "	"	"
12644	1624	Waradgery	Toopuntal	87 "	"	"
8562	455	Rous	South Gundurimba and		"	"
			North Codrington ..	120 "	"	893
5409	976	Gregory.....	Bannah	350 "	"	"
	979	"	Belar	450 "	"	"
14442	1029	Ashburnham.....	Nelungalong and Gun-		"	"
			ningbland	1,408 "	26 "	900

1878-9.

NEW SOUTH WALES.

CROWN LANDS.

(RESERVED FROM SALE UNTIL SURVEYED, FOR THE PRESERVATION OF WATER SUPPLY OR OTHER PUBLIC PURPOSES.)

Presented to Parliament, pursuant to Act 25 Vic. No. 1, sec. 4.

ABSTRACT of Crown Lands reserved from Sale until surveyed, for the preservation of Water Supply or other public purposes, in accordance with the 4th section of the Act 25 Victoria No. 1.

No. of Papers.	No. of Reserve.	Locality.		Area.	Government Gazette in which the description is published.	Folio.
		County.	Parish.			
Ms. 79- 729	1010	Gordon	Catombal	about 1½ sq. mile	4 Mar., 1879.	1004
78-14243	56	Wellington	Broombee	17 acres	10	1085
79- 74	72	Argyle	Pomeroy	40	"	"
78-14384	354	Irrara	"	320	"	"
14218	906	Gregory	"	3,210	"	"
"	907	"	Pullingarwarina	3,200	"	"
14809	915	Gowen	East Breelong	2,800	"	"
14435	918	Leichhardt	Thara, &c.	320	"	1086
79- 852	169 W. ex.	Rous	"	600	"	"
78-15487	469	Clarence	Banyabba	250	"	"
"	470	Rous	South Lismore	120	"	"
853	464	Richmond	Shannon	760	"	"
"	369	Tailla	Tailla	1,200	"	"
79- 576	260 S. ex.	Courallie	Bulleraupa	640	"	"
"	775 E. ex.	Burnett	Stephenson	330	"	"
Aln. 77- 9795	795	Stapylton	Moppin	960	"	"
Ms. 79- 575	796	Courallie	Wallanoll	640	"	"
"	797	"	Gunygedah	700	"	"
C.S. 78-23013	899 ex.	Bland	Bundawarra	215	"	"
Ms. 14742	1578	Gipps	Wamboyne	640	"	1087
14390	1585	Sturt	Carreyo and Lethington	640	"	"
79- 658	1643	Mossgeil	Plevna	1,600	"	"
568	1644	"	Elic	3,200	"	"
78-13517	1343	Baradine	Yearanan	640	"	"
13791	1344	"	Yarrigan and Baradine	3,840	"	"
79- 1145	1350	Benarba	"	1,920	"	"
78-15200	1351	Denham	"	1,920	"	"
"	1352	"	"	1,920	"	"
15204	1347	Jamison	Cubbaroo North	1,280	"	"
15202	1346	"	Drildool and Cubbaroo	1,100	"	"
15203	1348	"	Cubbaroo North	1,600	"	"
15201	1345	"	Drildool	160	"	"
"	2113	Caira	Tala	640	"	1088
"	2114	"	Tiecta	5 sq. miles	"	"
"	2109	Wakool	Curpool	640 acres	"	"
2084	2101	Urana	Piney Ridge	47½	"	"
Aln. 77- 8051	2096	"	Muera	3,000	"	"
Ms. 78-13015	1005	Ashburnham	Gregra	140	"	"
"	1036	Cunningham	Bomobin	550	"	"
14439	1034	Kennedy	Genanaguy	3½ sq. miles	"	"
13522	1031	"	Wombin and Kookapie	2 sq. miles	"	"
"	1032	"	Wombin	640 acres	"	"
"	1033	"	"	232	"	"
14680	60	Macquarie	John's River	23	"	"
"	275 A.	Nicholson	Naradhun, Langtree, and Molesworth	6 sq. miles	"	10
"	S.E. ex.	"	Bonyaree and Honura North	4½ sq. miles	"	"
"	323 S. ex.	"	"	"	"	"
14679	61	Macquarie	Marlee	5 acres	"	1089
8451	104	Brisbane	Park	50	"	"
Aln. 3936	99	Durham	Tudor	200	"	"
Ms. 79- 853	463	Richmond	Powerpa	240	"	"
"	462	"	Coombell	460	"	"
"	461	"	Richmond	190	"	"
"	460	"	Whiporie	640	"	"
Aln. 78- 5598	397	Tailla	Nowong	960	"	"
MI. 5028	421 N. ex.	Murchison	Tange	700	"	"

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		County.	Parish.			
MI. 78- 5028	799	Arrawatta	Hetherington	about 840 acres	10 Mar., 1879	1089
Ms. 79- 350	1314 N.ex.	Mossgeil	Scholefield	960 "	"	"
581	1637	Nicholson	Mulla Mulla	792 "	"	1090
"	1638	"	South Marrowie	1,247 "	"	"
"	1639	"	Booligal and Yandumbin	1,853 "	"	"
"	1640	"	Berangerine and Bowera-bine.	1,876 "	"	"
"	1641	"	Berangerine and Honuna	1,900 "	"	"
MI. 78- 5028	1642	Mossgeil	Gunnagai	268 "	"	"
"	2119	Caira	Bluff	524 "	"	"
"	2118	Caira and Wakool	The Willows and Kerperi	1,280 "	"	"
"	2116	"	"	1,576 "	"	"
"	2117	Urana	South Jerilderie	480 "	"	"
15015	57	Wellington	Munna	21a. 2r. 34p.	"	1091
14123	1563	Forbes	Mulyan	340 acres	"	"
14915	1567	Harden	Cootamundry	138 "	"	"
13523	1568	Nicholson	Canninganima	40 "	"	"
Aln. 7326	1582	Gipps	West Plains	103 "	"	"
Ms. 14263	1586	Cooper	Gogeldrie	340a. 1r.	"	"
79- 891	412	Wellesley	Gecar	37 acres	"	"
78-12905	2111	Wynyard	Willie Ploma	138a. 3r.	"	"
Aln. 7326	1583	Gipps	West Plains	252 acres	"	1092
"	1584	"	Cudalgi and West Plains	275 "	"	"
Ms. 77-14507	994	Gregory	Belar	200 "	"	"
78-14921	1581	Gipps	"	20 sq. miles	"	"
2148	2097	Wynyard	Eudera and Elerslie	4,000 acres	"	"
14646	2104	Selwyn	Tooma and Maragle	4,000 "	"	"
"	2105	"	Hay and Maragle	2,000 "	"	"
"	2106	"	Maragle	2,760 "	"	"
13433	2108	Goulburn	Moornargama and Moun-tain Creek.	6,700 "	"	"
14441	1035	Ashburnham	Bocanidgie	630 "	"	"
10803	419	Fitzroy	"	500 "	"	"
"	420	"	"	1,200 "	"	"
"	395	Talla	"	36 sq. miles	"	1094
Aln. 78- 5845	792	Murchison	Cobbadah and Crawley	750 acres	"	"
Ms. 79- 577	795	Burnett and Stapylton	"	1,900 "	"	"
78-13952	1577	Bourke	Berry Jerry and Dulah	5 sq. miles	"	"
C.S. 31258	798	Clarke	Kangaroo	50 acres	"	1095
Ms. 79- 589	681	Gough	"	1,500 "	"	"
Is. 78- 3391	2103	Urana	Widgieva	40 "	"	"
Ms. 8437	919	Lincoln	Tenandra	120 "	"	1096
79- 776	481 E. ex.	Pottinger	Benelabri	960 "	"	"
"	482 "	"	Gullendaddy	440 "	"	"
"	484 "	"	Melville	1,280 "	"	"
"	915 ex.	"	"	855 "	"	"
"	1341	"	Gullendaddy	960 "	"	"
"	1342	"	Benelabri	1,860 "	"	"
13017	794	Hardinge	Tenterden	1,920 "	"	"
Aln. 78- 4043	450 W. ex.	"	Nuandle	260 "	"	"
Ms. 79- 310	436	Cowper	Bourke	246 "	"	"
759	275A. S.E.	Nicholson	"	6 sq. miles	"	1097
"	ex.	"	"	"	"	"
Aln. 78- 5502	323 S. ex.	"	"	4½ sq. miles	"	"
"	382 "	Bland	Caragobal	1,600 acres	"	"
"	382 N. ex.	Gipps	"	800 "	"	"
Ms. 79- 759	1160 S.E.	Nicholson	"	5 sq. miles	"	"
"	ex.	"	"	"	"	"
Aln. 78- 5502	1570	Bland	Caragobal	1,600 acres	"	"
"	1571	Gipps	Pullabooka	320 "	"	"
6492	2107	Wakool	Chowar	300 "	"	"
4819	2102	Goulburn	Cumbaroona	25 "	"	"
4990	2112	Wynyard	Willie Ploma	3r. 17p.	"	"
14244	44	Phillip	Gulgong	20 acres	"	"
79- 360	914	Lincoln	"	9 "	"	1098
Ms. 78-13801	1349	Darling	Dinawirindi	330 "	"	"
Aln. 76-29475	682	Gough	Gyra	400 "	"	"
Ms. 78-14368	31	Georgiana	Markdale	50 "	"	"
4689	32	"	"	10 "	"	"
2517	916	Gowen	Greenbah	4 "	"	"
6711	2100	Selwyn	Glenroy	3 "	"	"
14209	437	Narran	Ballimbinyed	4a. 1r. 17p.	"	"
11884	468	Buller	Wylie	2,000 "	"	1099
"	465	"	"	5,000 "	"	"
"	466	"	Ruby	1,000 "	"	"
"	467	"	"	4,000 "	"	"
C.S. 33154	62	Bathurst	Chaucer	99 "	"	"
Aln. 3020	157 E. ex.	Burnett	Gournama	480 "	"	"
"	157 W. ex.	"	"	100 "	"	"
Ms. 13714	523 N. E.	Arrawatta	Bannockburn	60 "	"	"
79- 75	73	Argyle	Wayo	914 "	"	"
746	1564	Cooper	Gibbs	9434 "	"	"
78-14742	1579	Gipps	Wamboynne	640 "	"	"
"	1580	"	Corringle	640 "	"	"
6323	922	Gowen	Bandulla	47 "	"	1100
"	1576	Monteagle	Brundah	38a. 4p.	"	"
Aln. 224	60	Camden	Bangadilly	2 acres	"	"
72- 6375	2110	Caira	Tararie	4a. 3r. 24p.	"	"

No. of Papers.	No. of Reserve.	Locality.		Area.	Government Gazette in which the description is published.	Folio.
		County.	Parish.			
Ms. 78-10249	174	Richmond	Ellangowan and Westabout 13½ sq. miles	10 Mar., 1879	1100	
11896	1354	Darling	Coraki.			
10702	1352	Baradine	Namoi	45 acres		
	45	Phillip	Talluba	500 "		
Ms. 5028	2115	Townsend	Bayley	85 "		
Ms. 10702	1339	Baradine	Goonawara	443 "		
14805	40	Gloucester	Talluba	440 "		
77-13087	1569	Nicholson	South Marowie	200 "	110	
79- 746	783 S. E. ex.	Cooper		160 "		
76-11024	2121	Caira	5½ sq. miles			
79- 891	413	Wellesley	Yanga	76 acres	1102	
78-13683	1566	Forbes	Gecar	29 "		
12486	984	Gregory	Birangan and Warraderry	1,280 "		
9989	2120	Goulburn	Eula	1,450 "		
580	1355	Nandewar	Carabobula	146 "		
77-12840	1003A. ex.	Buckland	Tippereena	160 "		
	1340		Denver	2,240 "	1103	
78-14758	1038	Narromine	Corridoon	10 "		
14367	33	Georgiana	Waterloo	5 sq. miles		
79- 916	1622	Waradgery	Sherwood	5 acres		
"	965 N. ex.		Dowling	2,500 "		
"	1623	"	"	960 "		
78-12486	983	Gregory	"	2,400 "		
"	985	"	Eula	1,600 "	17	
79- 879	813	Murchison	"	1,200 "		
78-12486	986	Gregory	Pallal	552 "	1206	
"	984	"	Narragon and Eula	1,600 "		
79- 920	70	Raleigh	Eula	1,450 "		
820	411	Wellesley	Unkya	5 sq. miles	21	
509	2032	Wakool	Gecar	420 acres		
	9	Phillip	Thelska	640 "		
Aln. 78- 9371	2125	Townsend	Gulgong	160 "		
Ms. 79- 3289	65	Northumberland	Winter	334 "		
"	66	"	"	30 "	25	
"	67	"	"	6 "		
81	1654	Bourke and Cooper	"	14 "		
2316	1794 N.E. ex.	Cadell	"	18 sq. miles	27	
	584 N. ex.		"	16 "		
2850	476	Gough	Rusden	160 acres	1406	
2090	476	Fitzroy	"	640 "		
3408	1652	Forbes	Eualdrie	1,264 "		
	1653	"	"	660 "		
78- 8603	68	Bathurst	Errol	30 "	31	
14385	355	Irrara	"	640 "	1463	
C. S. 10677	474	Rous	Lismore	3½ "		
Ms. 15122	821	Courallie	Moore and Peacumboul	1,700 "		
Aln. 77-10472	818	Murchison	Dumboy	230 "	1464	
"	817	"	"	960 "		
"	819	"	"	300 "		
Ms. 78-11588	815	Benarba	Baruarway	480 "		
79- 36	1603	Bourke	Tara	1,513 "		
728	1607	Blaxland	"	1,600 "		
"	1608	"	Wan and Back Rotto	4,136 "		
225	1612	Nicholson	"	4,136 "		
C. S. 78-28843	1015 ex.	Perry	Honuna	2,032 "		
Ms. 77- 698	1030 ex.	Darling	Royinn	100 "		
C. S. 35623	2129	Urana	Halloran	156 "		
Ms. 79- 1763	396	Lincoln	Boree Creek	40 "		
78-14064	1560	Waradgery	Macquarie	321 "		
14644	2127	Hume and Mitchell	"	20 sq. miles	1465	
948	532 E. ex.	Vernon	"	2,500 acres		
9747	411	Rous	Walcha	130 "		
"	1562	Bland	Stratheden	165 "		
Aln. 7328	1572	"	Wallundry	336a. 2r.		
"	1573	"	"	865 acres		
			Booronggil and Ginger-angle.	326a. 3r.		
Ms. 79- 1763	934	Lincoln	Murrumbidgeri and Beni	635 acres	1466	
"	935	"	"	940 "		
1762	1359	Baradine	Barwon	480 "		
C. S. 77-33406	905	Lincoln	Miketymulga	115 "	1467	
R. S. B. 78- 3093	1606	Monteagle	Young	11a. 2r. 35p.		
	2069	Denison	Sargood	640 acres		
	2070	Hume	Rand	539a. 1r.		
Ms. 78-15073	2126	Mitchell	Cobbaganla	160 acres		
10897	53	Wellington	Willington	10 "		
"	54	"	"	10 "		
"	55	"	"	10 "		
Aln. 74-28130	448 N.E.	Burnett	Abererombie	70 "	1468	
R. S. B. 78- 2340	2071	Mitchell	Hanging Rock	250 "		
Ms. 8576	55	Bathurst	Lyndhurst	570 "		
13188	61	Georgiana	Mulgunnia	2,000 "		
15391	820	Courallie	Gyan	35 "		
Aln. 7327	1575	Bland	Booronggil	199a. 2r.		
R. B. 3211	816	Murchison	Dinoga	40 acres		

No. of Papers.	No. of Reserve.	Locality.		Area.	Government Gazette in which the description is published.	Folio.
		County.	Parish.			
C. S. 27439	475	Rous	North Lismore	4 acres	31 Mar., 1879	1469
	2128	Wakool	Willakool	about 20 "	"	"
	2077	Townsend	Moonbria	386 "	"	"
Ms. 79- 164	1601	Monteagle	Young	12a. 2r. 29p.	"	"
Aln. 78- 7327	1574	Bland	Boonabah	512 acres	"	"
Ms. 8603	69	Bathurst	Errol	1,215 "	"	"
	11588	Benarba	Banarwary	2,500 "	"	"
Aln. 9372	2131	Townsend	Gilbert and Lamb	663½ "	"	1477
"	2130	"	Gilbert	792 "	"	"

Sydney : Thomas Richards, Government Printer.—1879.

[3d.]

1878-9.

NEW SOUTH WALES.

CROWN LANDS.

(RESERVED FROM SALE UNTIL SURVEYED, FOR THE PRESERVATION OF WATER SUPPLY, OR OTHER PUBLIC PURPOSES.)

Presented to Parliament, pursuant to Act 25 Vic. No. 1, sec. 4.

ABSTRACT of Crown Lands reserved from sale until surveyed, for the preservation of Water Supply, or other public purposes, in accordance with the 4th section of the Act 25 Victoria No. 1.

No. of Papers.	No. of Reserve.	Locality.		Area.	Government Gazette in which the description is published.	Folio.
		County.	Parish.			
C. S. 78-11185	950	Lincoln	Genrie	1200 acres	4 April, 1879	1526
Ms. 79- 374	1047	Ashburnham	Collett	45 "	18 Mar., 1879	"
4177	34	Cumberland	Sutherland, Heathcote, and Bulgo.	18000 "	4 April, 1879	1591
Aln. 2094	1557	Franklin	Ideraway	1599 "	"	1592
3271	42	Georgiana	Laggan	660 "	"	"
3272	43	"	Bolong	600 "	"	"
3047	708	Clarke	Poganbilla	250 "	"	"
	401	Caira	Naralignong	6½ sq. miles	"	"
C. S. 78-28952	218 E.	Bourke	Marron	40 acres	7 April, 1879	1593
Aln. 7572	1056	Ashburnham	Canomodine	40 "	"	"
Ms. 79- 265	92	King	Gunnary	29½ "	"	1594
413	357	Young	Moorabin	490 "	"	"
	356	"	"	155 "	"	"
78-14813	911	Ewenmar	Burraway	2500 "	"	"
	912	"	Buggabadah	720 "	"	"
	913	"	Burraway	1000 "	"	"
14811	920	Gowen	Bandalla	1280 "	"	"
	921	Lincoln	Richardson	1550 "	"	"
79- 623	924	Ewenmar	Unnamed and Boebung	3200 "	"	"
626	925	Ewenmar and Lincoln	Eura and Unnamed	1650 "	"	"
309	928	Lincoln	Breelongs South	640 "	"	"
	929	"	Mirrie & Breelongs South	640 "	"	"
	930	"	Mirrie	640 "	"	1595
625	932	Ewenmar	Collie	2500 "	"	"
78- 9903	933	Gowen	Tannabar	640 "	"	"
13125	412	Drake	Tabulam	168 "	"	"
79- 1246	414	"	Ogilvie	215 "	"	"
Aln. 78- 6269	432	Rous	Dyraaba and Queebum	240 "	"	"
12280	477	"	Langwell	130 "	"	"
	478	"	Ettrick and Langwell	200 "	"	"
79- 1133	245 E.	Perry	Barrara	1½ sq. mile	"	"
1132	246 E.	"	"	1½ "	"	"
1131	249 E.	"	Glenstal	3½ "	"	"
78-15195	604 N. E.	Courallie	Noona	960 acres	"	1596
13886	822	Murchison	Pringle	480 "	"	"
79- 1142	1587	Harden	Jugiong	21 "	"	"
78-14256	1597	Forbes	Broula	420 "	"	"
79- 160	1599	Bourke	Buddigower	3280 "	"	"
78-15069	1604	"	Murrulebale	860 "	"	"
13785	1360	Baradine	Rundle	1 sq. mile	"	"
79- 501	1365	Leichhardt	Gidginbilla North	525 acres	"	"
78-13446	416 S. E.	Wakool	Worobyen	160 "	"	"
79- 178	853 S. E.	Urana	Lake	70 "	"	"
78-13484	1106 E. E.	Wakool	Mein	90 "	"	"
	1383 N. E.	"	"	20 "	"	1597
Aln. 77- 8266	2074	"	Mallan	282 "	"	"
78-12417	2135	"	Belmore	220 "	"	"
C. S. 77-35613	2137	Urana	Piney Ridge	140 "	"	"
Ms. 78-13452	2138	"	Yanko	1460 "	"	"
	2139	"	"	1058 "	"	"
Aln. 78- 8483	415	Wellisley	Bombala and Gecar	680 "	"	"

No. of Papers.	No. of Reserve.	Locality.		Area.	Government Gazette in which the description is published.	Folio.
		County.	Parish.			
78-13357	424	Cowley	Umburra	300 acres	7 April, 1879	1597
"	426	"	Congwarra	5 sq. miles	"	"
"	439	"	Zouch's Camp	640 acres	"	"
12350	1044	Ashburnham	Terarra	500 "	"	1598
"	1046	"	Wangan	3 sq. miles	"	"
14440	1055	"	Wanera	400 acres	"	"
"	1045	"	Catombal	320 "	"	"
15483	1042	"	Redbank	1r. 30 p.	"	"
14810	1051	Narromine	Tyrie and Yarradigerie	2½ sq. miles	"	"
14436	1052	"	Unnamed	5 "	"	"
14810	1050	Oxley	Tabratong	3½ "	"	"
"	1049	"	Tabratong, Terangion, and unnamed.	2½ "	"	"
"	1048	Oxley and Narromine	Tyrie and unnamed	640 acres	"	"
14436	1053	Oxley	Unnamed	4 sq. miles	"	"
"	1054	"	"	5 "	"	"
15540	54	Bligh	Bligh and Bobadeen	900 acres	"	1599
14813	908	Ewenmar	Burraway	1250 "	"	"
"	909	"	Burraway and Carrigan	2450 "	"	"
"	910	"	Carrigan and Buggabadah	850 "	"	"
"	825	Murchison	Bingara and Dinoga	380 "	"	"
14443	1589	Bourke and Clarendon	Warri, Walleroobie, Yarranjerry, Cowabbie, Brangalan, Methul, Dulah, Berryjerry, Kindra, Coolamon, Marror, Warren, and Bulgan.	22 sq. miles	"	"
Aln.	4616	1594	Dowling and Gipps	Beaumont, Curriba, and Bygalore.	13 sq. miles	1600
"	15546	1362	Denham	Walgett	8 acres	1601
"	7036	715	Inglis and Sandon	Bendemeer, Tara, Lovanga, Kentucky, Harnham, Devon, and Uralla.	2000 "	"
"	6357	162 E.	Finch	Cambo Cambo and Gundabloui.	624 "	"
79-340	995	Gregory	Bergo	1,750 "	"	"
"	996	"	Yhabalong and Bergo	790 "	"	"
"	997	"	Yhabalong	1,200 "	"	"
78-28048	765 N.E.	Lincoln	Coolbaggie and Daley	700 "	"	"
"	1141	Burnett	Ginerol	120 "	"	"
79-1238	421	Fitzroy	Towallum	640 "	"	1602
"	422	"	Bardsley	230 "	"	"
1237	423	Buller	Lindsay	630 "	"	"
"	424	"	Woodenbong	560 "	"	"
"	425	"	Mearimb	640 "	"	"
"	426	"	"	640 "	"	"
"	427	"	Kangaroo	540 "	"	"
"	428	"	Woodenbong	570 "	"	"
Aln. 78-6269	430	Rous	Queebun	680 "	"	"
"	431	"	Dyraaba	675 "	"	"
Ms. 79-1436	433	"	Langwell	543 "	"	"
MI. 78-5122	434	Richmond	South Casino	2a. 1r. 10p.	"	"
"	435	Rous	North Casino	1a. 2r.	"	"
Ms. 15546	1363	Denham	Walgett	630 acres	"	"
"	423	Beresford	Umaralla	100 "	"	"
79-1540	437	Buller	Kangaroo	912 "	"	"
"	438	"	Coutts	397 "	"	"
Aln. 77-8706	784	Courallie	Menadool and Wee Bulla	480 "	"	"
Aln. 78-6490	2075	Wakool	Bulla.			
Aln. 7812	2076	"	Chowar	370 "	"	1603
"	422	Wellesley	Poon Boon	223½ "	"	"
79-1428	2133	Hume	Cambalong	1,100 "	"	"
"	415	Drake	Quat Quatta	25 "	"	"
78-14487	1588	Clarendon	Coongbar	200 "	"	1604
"	931	Lincoln	Cooba	48 "	"	"
"	244 ex.	Perry	Terramungamine	630 "	"	"
78-6807	251 N.E.	"	Moorara	1 sq. mile	"	"
"	251 E.E.	"	Wresford	3½ "	"	"
79-1136	1062 S.E.	Gipps	"	1,600 acres	"	"
78-14256	1297 S.E.	Forbes	Marsden	168 "	"	"
79-1247	429	Buller	Broula	148 "	"	"
78-15546	1361	Denham	Lindsay	42 "	"	"
"	414	Cowley	Walgett	55 "	"	"
14484	425	"	Umburra	34 "	"	1605
"	717	Hardinge	Uryarra	300 "	"	"
79-1541	714	Clarke	Everett and Mackenzie	360 "	"	"
78-15483	1041	Gordon	Poganbilla	368 "	"	"
"	926	Gowen	Redbank	1½ "	"	"
"	10556	Monteagle	Eringanerin	5a. 2r.	"	"
12420	2136	Wynyard	Young	12 acres	"	"
"	2132	"	Gilmore	7a. 3r. 16p.	"	"
3620	1043	Ashburnham	Adelong	8 acres	"	"
79-627	927	Gregory	Martin	3 roods	"	"
"	"	"	Bulgeraga, Sandridge, and unnamed.	3,500 acres	"	1606
Aln. 78-1998	1605	Franklin	Thomonga	305 "	"	"
Ms. 79-500	1364	Leichhardt	Euroka Run	600 "	"	"

No. of Papers.	No. of Reserve.	Locality.		Area.	Government Gazette in which the description is published.	Folio.
		County.	Parish.			
Ms. 78-13125	413	Drake	Tabulam	116 acres	7 April, 1879	1606
15307	1593	Harden	Mooney Mooney	474 "	"	"
15488	1598	Bourke	Kindra	640 "	"	"
15046	2134	Urana and Mitchell	Waugh, Clyde, Wood, and Birrego.	13 sq. miles	"	"
13528	421	Wellesley	Ashton	5 acres	"	1607
	438	Cowper	Bourke	41 "	"	"
15383	753 S.E. ex.	Murchison	Bingara	5 "	"	"
15327	917	Lincoln	Dubbo	300 "	"	"
9587	1057	Ashburnham	Cudal	70 "	"	"
15196	823	Courallie	Noona	960 "	"	"
411	25	Hunter	Bulga	10a. 1r.	"	1608
15485	716	Hardinge	Moreton	320 acres	"	"
11536	643	Arrawatta	Wandera	900 "	"	"
79- 969	440	Cooper	Ten-mile, Gilgias	600 "	"	"
78-36734	2068	Hume	Quat Quatta	29½ "	"	"
79- 1542	436	Buller	Merimb	640 "	"	"
	416	Drake	Alice	780 "	"	1609
	1596	Bland	Balabla	76 "	"	"
3274	357 N.W. ex.	Waradgery	Woollondool	about 288 "	9 April, 1879	1679
"	1664	Monteagle	Coomingla	about 400 "	"	"
"	1663	"	Willawong	15a. 1r.	"	"
"	44	Gloucester	Bindera	2 roads	"	1680
"	711	Clarke	Chandler	85a. 2r.	"	"
"	93	King	Bango	about 85 acres	"	"
C. S. 78-52180	34	Georgiana	Burridge	2 "	21 April, 1879	1767
Ms. 79- 823	65	Bathurst	Brucelbridge	20 "	"	"
331	91	King	Ware	12a. 2r.	"	"
Aln. 78- 7677	264 E. ex.	Richmond	Richmond	35 acres	"	"
"	381 N. ex.	"	Myrtle	about 37 "	"	"
"	7677	"	Richmond	56 "	"	"
"	8416	"	Naudabah	145 "	"	1768
79- 694	488	Drake	Unnamed	640 "	"	"
1877	489	"	"	about 640 "	"	"
Aln. 78- 8415	491	Richmond	Myrtle	36 "	"	"
Ms. 12341	402	Caira	Penarie	100 "	"	"
" 79- 914	403	Manara	"	2560 "	"	"
	404	"	"	2560 "	"	"
1852	785	Courallie	Carore	about 336 "	"	"
"	786	"	Morre	460 "	"	"
78-14801	787	Stapylton	Bengerang	1000 "	"	"
79- 1210	826	Burnett	Cucumburra and Boobah.	480 "	"	"
Aln. 78- 1453	828	"	Cox	320 "	"	"
Ms. 2529	306 E.	Blaxland	Guagong	40 "	"	"
" 79- 1853	1609	Franklin	Embagga	2240 "	"	"
"	2357	Forbes	Braslin	3 sq. miles	"	1769
" 76- 3180	1370	Darling	Nandewar	640 acres	"	"
" 78- 3329	479a E.	Mitchell	Burke and Cox	about 820 "	"	"
121	2149	Boyd	Uroly	980 "	"	"
"	2150	"	Singorambah	170 "	"	"
"	2151	Buccleugh	Tomarrama	960 "	"	"
Aln. 79- 339	2152	Boyd	Glengalla	1616 "	"	"
"	2153	"	Boyd	587 "	"	"
1877	730	Clive	Unnamed	640 "	"	"
694	490	Clive and Drake	"	640 "	"	"
	748 E.	Ashburnham	Bunbury	about 20 "	"	"
	1024	Kennedy	Genarrin	1½ sq. miles	"	"
78-15548	55	Bligh	Turill	about 450 acres	"	1770
79- 674	358	Werunda and Rankin	"	102 sq. miles	"	"
78-14160	405	Tara	Utah, Taranga, Waugumma, Warpa, Victoria, Walkmings, and Cal Cal.	45 sq. "	"	1771
"	406	Windeyer and Tara	"	83 "	"	"
3484	1618	Cooper	Moombooldool	600 acres	"	"
2285	1590 E. ex.	Wakool	Crowamit and Currpool	520 "	"	"
"	1917	Mitchell	Uranquenty	130 "	"	"
13802	2154	Boyd, Urana, and Towns- end.	"	5200 "	"	"
"	2155	Boyd	Mycotha	964 "	"	1772
"	2156	Townsend	Moonbria	203a. 1r.	"	"
"	2157	"	"	200a. 1r.	"	"
"	2158	"	"	201a. 1r.	"	"
"	2159	"	"	227a. 1r.	"	"
4294	667	Vernon	Oorudnunby and Halloran	about 460 acres	"	"
13691	668	Gough	Inverell	1350 "	"	"
79- 674	441	Cowper and Yanda	"	84 sq. miles	"	1773
78-18580	32	Cumberland	Maroota	30 acres	"	1774
79- 867	61	Camden	Yarrawa	10 "	"	"
2325	486	Drake	Albert	640 "	"	"
"	485	"	Neville	640 "	"	"
"	484	"	Carnham	420 "	"	"
"	483	"	"	480 "	"	"
1980	1616	Monteagle	Coolegong	440 "	"	"
1981	1617	"	Burramunda	137 "	"	"
C.S. 78-10375	1620	Cooper	Yalgogoring	520 "	"	"
79- 2341	1625	Waljeers	Natue and Merrimajal	3138 "	"	"
Aln. 78- 9600	429	Auckland	Bimmel	80 "	"	1775

No. of Papers.	No. of Reserve.	Locality.		Area.	Government Gazette in which the description is published.	Folio.
		County.	Parish.			
C.S. 78-37447	1007	Ashburnham	Forbes	about 26 acres	21 April, 1879	1775
Ms. 3611	1008	"	"	65 "	"	"
" 8393	1009	"	"	28a. 3r. 2p.	"	"
4381	46	Phillip	Dabee	3 acres	"	"
1888	52	St. Vincent	Boyne	10 "	"	"
13720	64	Northumberland	Popram	2a. Or. 30p.	"	"
867	1626	Forbes	Tallabung	about 2884 acres	"	"
"	61	Camden	Yarrawa	4a. Or. 32p.	"	1776
"	65	"	"	5a. 1r.	"	"
"	66	"	"	3a. Or. 24p.	"	"
"	67	"	"	5a. 1r.	"	"
Aln. 5427	493	Richmond	Crombell	about 50 acres	"	"
"	1372	Denham	Walmar	900 "	"	"
1087	443	Cowper	The Yarran	640 "	"	"
1088	444	"	Forty-mile Camp	640 "	"	"
1089	442	Yanda	Gidjiegolambo	640 "	"	"
"	1026	Ashburnham	Greggs	320 "	"	"
"	1027	"	Cumbe	1½ sq. mile	"	"
"	1028	"	Geonambro	1½ "	"	"
C.S. 41277	109	Brisbane	Terrell	about 300 acres	"	1777
Aln. 1453	110	"	Oxley	160 "	"	"
Ms. 79- 2326	827	Burnett	Cox	100 "	"	"
"	1371	Stapylton	Tulloona	450 "	"	"
78-13810	2160	Baradine	Berigerie and Barwon	3,700 "	"	"
"	2161	Boyd	Eunabrennan	250 "	"	"
79- 1853	1610	"	Cararbury	2,100 "	"	"
"	1611	Franklin	Ideraway and Clutha	2,446 "	"	"
"	1176 N. ex.	"	Ideraway	3,200 "	"	"
"	887 S. ex.	Denham	Berrigaber	170 "	"	1778
"	386	Boyd	Dow and Gumblebogie	660 "	"	"
"	2080	"	Gundaline and Wauga- bawgul.	1,000 "	"	"
79- 2071	439	"	Kabarabarabejal	2,500 "	"	"
2340	1615	Buller	Woodenbong	121 "	"	"
2072	1614	Bland	Boorongagil	320 "	"	"
78- 5744	58	Waradgery	Wooloondool	50 "	"	"
77- 3387	939	Wellington	Hargraves	20 "	"	"
79- 867	62	Ewenmar	Eurombedah	850 "	"	"
"	63	Camden	Yarrawa	5a. 1r.	"	1779
78-14160	407	"	"	5a. 1r.	"	"
12889	430	Windeyer	Yarlta	about 4,576 acres	"	"
13802	2144	Wallace	Wambook and Lake	500 "	"	"
14430	923	Urana	Yanko	774 "	"	"
"	"	Leichhardt	Moorambilla and Mool- ambong.	6,300 "	"	"
79- 1637	64	Bathurst	Malmesbury	55 "	"	"
78-10493	108	Brisbane	Park	1r. 24p.	"	1780
4020	63	Bathurst	Cole	about 180 acres	"	"
79- 388	"	Boyd	Macleay, Gundaline, Glengalla, Boyd, and Wangabawgul.	5,800 "	"	"
78-14111	1565	Forbes	Mulyan	15 "	"	"
13720	1627	"	Tallabung	100 "	"	"
79- 1854	1679	Gipps	Caragbal	312 "	"	"
C.S. 78-49627	39	Gloucester	Underbank	220 "	"	1781
79- 620	937	Lincoln	Bomeley	640 "	"	"
"	938	"	"	640 "	"	"
77- 4935	942	Ewenmar	Milda	8 "	"	"
79- 2176	951	"	Bungey and Balladoran	1,280 "	"	"
"	952	"	Bungey	1,280 "	"	"
2888	967	Leichhardt	Yarragoora	320 "	"	"
79- 2818	1637	Buller	Woodenbong	183 "	"	"
2556	1675	Waradgery	Yimbaring	320 "	"	"
"	1676	Forbes	Boyd and Currowong	960 "	"	"
"	1677	"	Wheoga	960 "	"	"
78-10598	1380	"	Currowong	640 "	"	"
"	1373	Darling	Dinawirindi and Baldwin	2,560 "	"	"
"	1374	"	Baldwin	2,240 "	"	1782
79- "	1422	"	Belmore	85 "	"	"
78- "	1379	"	Wilson	540 "	"	"
"	1382	"	Querindie	1,400 "	"	"
"	1381	"	Dowe	160 "	"	"
"	1386	"	"	3,200 "	"	"
"	1385	"	Fitzroy	640 "	"	"
"	1389	"	"	620 "	"	"
"	1400	"	Fleming	640 "	"	"
"	1369	"	Lowry	640 "	"	"
"	1401	"	Barraba	1,650 "	"	"
"	1407	"	Manilla	150 "	"	"
"	1395	"	Rangyri and Hobden	1,400 "	"	1783
"	1391	"	"	480 "	"	"
"	1399	"	Gladstone	725 "	"	"
"	1411	"	Keepit	700 "	"	"
"	1410	"	Tarpoly	950 "	"	"
79- 635	1375	"	"	1,280 "	"	"
77-14268	2073	Nandewar	Lindesay	375 "	"	"
78-15598	2087	Mitchell	Westby	40 "	"	"
"	"	Buccleugh	Killimicat	179 "	"	"

No. of Papers.	No. of Reserve.	Locality.		Area.	Government Gazette in which the description is published.	Folio.
		County.	Parish.			
78-15598	2088	Buccleugh	Killimicat	530 acres	21 April, 1879	1783
"	2089	"	Wyangle	732 "	"	"
"	2092	Wakool	Millen	9 "	"	1784
"	2166	Urana	Widgieva and Butherwa	about 470 "	"	"
79- 1118	428	Wellesley	Bungarby and Peters.	" 4,500 "	"	"
2082	1619	Cooper	Barralong	" 4 sq. miles	"	"
C. S. 78-20109	1006	Ashburnham	Parkes	" 90 acres	"	"
13802	"	Townsend	Warriston and Euroka	" 1,760 "	"	"
10598	1384	Darling	Eamur	" 920 "	"	1785
"	1421	"	Wilson	" 390 "	"	"
"	1377	"	Cuerindie	" 940 "	"	"
"	1378	"	"	" 780 "	"	"
"	1375	"	Borindie	" 360 "	"	"
"	1387	"	Fleming	" 640 "	"	"
"	1388	"	"	" 500 "	"	"
"	1403	"	Nandewar	" 1,055 "	"	"
"	1393	"	Halloran	" 1,280 "	"	"
"	1420	"	Welsh	" 320 "	"	"
"	1392	"	Hall	" 640 "	"	"
"	1370	"	North Barraba	" 540 "	"	"
"	1413	"	Tiabundie	" 640 "	"	"
"	1406	"	Rangiri	" 170 "	"	1786
"	1402	"	Namoi	" 960 "	"	"
"	1371	"	Borah and Dinawirindi	" 720 "	"	"
"	1405	"	Newry	" 1,450 "	"	"
"	1418	"	Veness	" 500 "	"	"
"	1415	"	"	" 640 "	"	"
79-1336	945	Leichhardt	Mourabie	" 2,880 "	"	"
"	946	"	"	" 3,840 "	"	"
"	947	"	Youendah	" 640 "	"	"
"	948	"	"	" 2,240 "	"	"
"	1376	"	Unnamed	" 2,880 "	"	"
"	940	Gowen	Quandong	" 694 "	"	1787
2535	458	Richmond	Coombell	" 218 "	"	"
2533	1628	Cooper	Bondi	" 643½ "	"	"
"	1629	"	Gibbs	" 836 "	"	"
1461	1632	Clarendon	Maror	" 50 "	"	"
2816	1633	Blaxland	Buckley	" 282 "	"	"
2817	1634	Sturt	Livingston	" 640 "	"	"
"	1635	"	Wycheproof	" 698½ "	"	"
2187	1636	"	Livingston	" 640 "	"	"
"	1338	Pottinger	Coogal and Brigalow	" 750 "	"	"
"	2090	Caira and Wakool	Fisher and Lintot	" 3,156 "	"	1788
"	2167	Cadell	Tatila	61a. 1r. 33p.	"	"
2982	731	Inglis	Muluerindie	about 900 acres	"	"
78- 4911	1030	Ashburnham	Currajong	1r. 11p.	"	"
79- 1419	1025	"	Mugincoble and Cooka-midgera.	5,200 acres	"	"
78- 1853	1376 E. ex.	Franklin	Hadyn	2,640 "	"	"
6192	666	Hawes	Dewitt, Coff, and Woko	about 35 sq. miles	"	"
Aln. 78- 1020	944	Gowen	Baby and Ulimambri	" 1,550 acres	"	1789
"	77- 8767	525 S. ex.	Harden	Mylera	42a. 2r.	"
78-10598	796 W. ex.	Darling	Borah	about 120 acres	"	"
"	2091	Wakool	Darlot and Firebrace	" 1,190 "	"	"
"	2091 N. ex.	"	Firebrace	" 62 "	"	"
"	2163	Urana	South Corree	" 860 "	"	"
"	2164	"	Watt	" 20 sq. miles	"	"
"	2165	"	Faed	" 1,000 acres	"	"
3810	29	Roxburgh	Ben Cullen	" 2 "	"	"
78-10598	1392	Darling	Borah	" 645 "	"	1790
"	1383	"	Dowe, Dinawirindi, Rangiri, and Borah.	" 1,600 "	"	"
"	1416	"	Veness	" 200 "	"	"
"	1419	"	"	" 250 "	"	"
"	1397	"	Keepit	" 325 "	"	"
"	1398	"	"	" 260 "	"	"
"	"	"	Yarpoly and Borah	" 750 "	"	"
2092	1374	"	Namoi	" 40 "	"	1791
10598	1394	"	Hobden	" 620 "	"	"
"	1390	"	Gladstone	" 640 "	"	"
"	1376	"	Borinde	" 760 "	"	"
13598	1417	"	Veness	" 800 "	"	"
10598	1408	"	Tarpoly	" 600 "	"	"
"	1373	Buckland	Corridoon	" 672 "	"	"
79- 1836	802	Murchison	Piedmont	" 100 "	"	"
"	941	Gowen	Tunderbrine	" 69½ "	"	1792
2535	457	Richmond	Ellangowan	" 40 "	"	"
"	459	"	Richmond	" 480 "	"	"
2534	788	Murchison	Dumboy	" 251½ "	"	"
78-10598	1409	Darling	Tarpoly	" 1,100 "	"	"
"	2094	Townsend	Wononga	" 156 "	"	"
"	2095	"	Nardoo	" 336 "	"	"
79- 3410	456	Rous	Queebun	" 500 "	"	"
"	481	"	"	" 570 "	"	"
3417	347 S.E.	Benarba	Burrigillo	" 812 acres	"	1793
"	354 E.	"	Derra	" 1,440 "	"	"
"	382A F.S.E.	"	Becondoon	" 1,920 "	"	"
"	396 F.N.E.	"	Tiela	" 640 "	"	"

No. of Papers.	No. of Reserve.	Locality.		Area.	Government Gazette in which the description is published.	Folio.
		County.	Parish.			
79- 3417	396 S.E.	Benarba	Meero	about 1,200 acres	21 April, 1879	1793
" 3421	812	"	Tiela	960 "	"	"
" 685	Arrawatta	Ashby	"	960 "	"	"
" 686	"	Pindari	"	320 "	"	"
" 687	"	Russell	"	1,200 "	"	"
" 688	"	Samuel	"	2,560 "	"	"
3423	948 E.	Cunningham	Gillentine	350 "	"	"
3430	801	Courallie	Bombell	450 "	"	1794
1673	74	Dudley	Hickey	160 "	"	"
3421	75	"	Willawarrin	180 "	"	"
C.S. 77-28474	354 N.E.	Arrawatta	Bowman	260 "	"	"
79- 3427	684	Gough	Elmsmore	200 "	"	"
Aln. 78- 7811	1651	Forbes	Bundaburra	40 "	"	"
Ms. 79- 795	2162	Wakool	Geewe	362 "	"	"
2557	63	Murray	Goorooyarroo	1 "	"	"
78-10132	1678	Forbes	Wheoga	200 "	"	"
	700	Gough, Hardinge, and Sandon.	Elmsmore, Anderson, Eden, Single, Clerk, Moredun, Ollera, Everett, and Falconer.	4,000 "	"	1795
79- 1855	1680	Harden	Cunningham	469½ "	"	"
3428	1648	Monteagle	Brudah	20 "	"	"
2254	683	Sandon	Exmouth	40 "	"	"
78-10598	1414	Darling	Tiabundi and North Barabara.	720 "	"	"
"	1404	"	Newry	315 "	"	"
79- 3410	482	Rous	Queenbun	"	"	1796
3423	232½	Cunningham	Mulguthrie and Burrwong.	1,450 "	"	"
77- 4935	943	Ewenmar	Milda	177 "	"	"
C.S. 78-50728	218½	Clarendon	Maror	40 "	"	"
Ms. 78-10598	1396	Darling	Keepit	720 "	"	"
79- 2015	1646	Bourke	Lupton	640 "	"	"
2561	1630	Bland	Bimbella	640 "	"	1797
"	1631	"	"	560 "	"	"
4317	2093	Townsend	Dulverton	334 "	"	"
4610	70	Bathurst	Clarendon	40 "	22	1831
79- 3420	359	Young	Moorabin and Wilcannia	400 "	"	"
2170	363 S.E.	Sandon	Elton	350 "	28	1925
	692	"	Exmouth	320 "	"	"
	953	Clyde	Unnamed	1,920 "	"	1926
	954	"	"	1,280 "	"	"
	955	"	"	960 "	"	"
3418	473	Buller	Toooloom	224 "	"	"
3454	804	Arrawatta	Gooman	2,560 "	"	"
"	805	"	"	960 "	"	"
"	803	"	Dight	1,800 "	"	1927
3180	735	Vernon	Yarrowitch	1,920 "	"	"
3181	734	"	Enfield	400 "	"	"
2169	1037	Cunningham	Kiargarthur	2,800 "	"	"
10	1039	Clyde	Unnamed	5 sq. miles	"	"
Aln. 78- 8055	1068	Cunningham	Mulguthrie	1,450 acres	"	"
78-14605	2169	Urana	Mundarlo	100 "	"	"
76- 2169	1423	Buckland	Coeypolly	150 "	"	"
3462	1040	Clyde	Unnamed	2 square miles	"	"
"	398	Wentworth	Tugonia	about 3,850 acres	"	1928
"	399	"	Avoca	1,250 "	"	"
"	400	"	"	833 "	"	"
3420	1353	Baradine	Goorianawa and Yearanon	1,800 "	"	"
"	690	Sandon	Tiverton	240 "	"	"
"	691	"	Saunarez	275 "	"	"
"	693	"	Gyra	400 "	"	"
"	694	"	Sobraon	480 "	"	"
"	696	"	Tiverton	960 "	"	"
"	697	"	Hillgrove	960 "	"	"
"	698	"	Albert and Sobraon	960 "	"	1929
2947	60	Wellington	Grattai	50 "	"	"
2496	67	Bathurst	Hampton	200 "	"	"
459	472	Rous	Wyndham	75 "	"	"
"	495	Gresham	Henry and Urania	800 "	"	"
"	494	"	Henry, Urania, and Broadmeadows.	560 "	"	"
78-14247	2168	Hume	Gordon	30 "	"	"
79- 439	732	Gough	Mann and Robertson	1 square mile	"	"
"	733	"	Bald Nob	640 acres	"	"
77- 7293	56	Bligh	Worobil	1a. 3r. 15p.	"	"
79- 1172	101	Durham	Tudor and Rosamond	1,000 acres	"	1930
3452	800	Stapylton	Boggabilla, Merriwa, and Bernal.	4,000 "	"	"
3453	807	Courallie	Mere	150 "	"	"
Aln. 78- 8286	811	"	"	550 "	"	"
79- 3456	1650	Mouramba	Unnamed	5½ square miles	"	1931
3414	956	Gowen	Quandong	160 acres	"	"
	1647	Cooper	Hadden	396 "	"	"
	1649	Nicholson	Russell	22a. 2r.	"	"
78-14678	47	Phillip	Kerrabee	55 "	"	"

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		County.	Parish.			
79- 2012	66	Bathurst	Bracebridge	50 acres	28 April, 1879	1931
223	111	Brisbane	Merriwa and Hall	28 "	" "	" "
	2122	Wakool	Chowar	186 "	" "	" "
14896	41	Gloucester	Bindera	16 "	" "	1932
2221	53	St. Vincent	Currowan	36 "	" "	" "
663	1424	Parry	Turi	440 "	" "	" "
458	59	Wellington	Merenda	109 "	" "	" "
	2097r	Wynyard	Ellerslie, Eudera, and Bangus.	5,000 "	30 "	1982
3901	2143	"	Book Book	40 "	" "	" "
	445	Finch	Gooraway	4,000 "	" "	" "
958	432 W.E.	"	Cumborah	2½ sq. miles	" "	1983
957	433 W.E.	"	Grawin	2½ "	" "	" "
"	432 E.E.	"	Cumborah	2½ "	" "	" "
"	433 E.E.	"	Grawin	2½ "	" "	" "
4791	65	Murray	Goorooyaroo	580 acres	" "	" "

Sydney : Thomas Richards, Government Printer.—1879.

[6d.]

1878-9.

NEW SOUTH WALES.

CROWN LANDS.

(RESERVED FROM SALE UNTIL SURVEYED, FOR THE PRESERVATION OF WATER SUPPLY, OR OTHER PUBLIC PURPOSES.)

Presented to Parliament, pursuant to Act 25 Vic. No. 1, sec. 4.

ABSTRACT of Crown Lands reserved from sale until surveyed, for the preservation of Water Supply, or other public purposes, in accordance with the 4th section of the Act, 25 Victoria No. 1.

No. of Papers.	No. of Reserve.	Locality.		Area.	Government Gazette in which the description is published.	Folio.
		County.	Parish.			
Ms. 79- 1212		Bathurst	Anson	240 acres	5 May, 1879	2031
3983	841	Burnett	Stephenson	160 "	"	"
3991	1690	Forbes	Mandry	1220 "	"	"
2199	1356	Denham	Walmar	3800 "	"	"
"	1357	"	"	446 "	"	"
Aln. 79- 177	75	Argyle	Collector	50 "	"	2032
Ms. 79- 3991	1688	Forbes	Mandry	700 "	"	"
"	1689	"	"	560 "	"	"
3707	1656	Cooper	Binga, Patterson, Waugh, Barralong, & Moombooldool.	15½ sq. miles	"	"
R.S. 78- 3143	57	Bligh	Talbragar	4a. 2r.	"	"
Ms. 79- 3704	149 N.E.	Vernon	Bergen	450 acres	"	2033
"	701	"	Emu	420 "	"	"
"	702	"	Norton	740 "	"	"
"	703	"	"	540 "	"	"
"	704	"	Ooorundunby	150 "	"	"
"	705	"	St. Leonard	640 "	"	"
3104	1661	Bourke	Boblegbie and Fennel	1280 "	"	"
"	1662	"	Bourke and Lupton	1197 "	"	"
3983	840	Burnett	Gill	570 "	"	2034
Aln. 78- 6098	2123	Denison	Turrarnia	26 "	"	"
3390	709	Hardinge	Swinton	4 "	"	"
3700	1655	Cooper	North Bolaro	1280 "	"	"
C.S. 78-41175	2171	Buccleugh	Blowering and Bagong	160 "	"	"
50581	2170	Wakool	Niemur	113 "	"	"
79- 32	58	Bligh	Puggoon	about 240 "	"	2035
3981	745	Inglis	Tara	238 "	"	"
3982	1658	Sturt	Nardry	320 "	"	"
"	2124	Townsend	Quandong	564½ "	"	"
78- 3530	69	Camden	Bugong	80 "	"	"
8124	2172	Townsend	South Deniliquin	160 "	"	"
15103	928 E.	Ashburnham	Bindogandri	90 "	"	"
79- 3783	1686	Nicholson	Belaley	960 "	7	2065
"	1687	"	Moon Moon	700 "	"	"
5233	2175	Townsend	Barratts and Weral	4786 "	"	"
3198	1684	Bland	Yeo Yeo and Congore	1115 "	"	2066
4919	61	Wellington	March	80 "	"	"
"	35	Cumberland	Maroota	50 "	"	"
"	1685	Forbes	Mulyandry	200 "	"	"
3783	1214 S.E.	Nicholson	Moon Moon	210 "	"	2067
2220	957	Leichhardt	Tahrone	1100 "	12	2109
"	958	"	Toora and Munna Munna	1920 "	"	"
2171	961	"	Unnamed	960 "	"	"
"	962	"	"	1230 "	"	"
4243	963	Napier	Coolah	640 "	"	"
"	964	"	"	610 "	"	2110
2172	1366	Leichhardt	Unnamed	2560 "	"	"
"	1367	"	"	1920 "	"	"
"	1368	"	"	1920 "	"	"
C.S. 78-50533	1427	White	Garleigh	500 "	"	"

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		County.	Parish.			
C.S. 79- 2438	1064	Ashburnham	Martin	1,440 acres	12 May, 1879	2110
	1065	"	"	1,440 "	"	"
	1066	"	Kamandra	640 "	"	"
	1067	"	Mugincoble & Kamandra	640 "	"	"
78-25994	1681	Blaxland	Guagong	308 "	"	2111
Ms. 79- 4695	1692	Waradgery	Waradgery	3 sq. miles	"	"
	749	Buller	Ruby, Wylie, Corry, and Bookookoorara.	40 "	"	"
	4689	712	Gough	Ranger's Valley.	1,200 acres.	2112
	969	440	Cowper	600 "	"	"
	3297	427	Beresford	Jillamatong	1,470 "	"
	1426	Pottinger	Premier and Bomera	580 "	"	2113
5620	1632 E.E.	Urana	Morundah, Morundah South, and Widgiewa.	2,000 "	14	2143
78-13452	2138	"	Yanko	1,460 "	"	"
	2139	"	"	1,058 "	"	2144
	62	Wellington	Orange	23 "	"	2146
Aln. 79- 133	496	Richmond	Richmond	340 "	19	2243
Ms. 3596	718	Hardinge	Roumalla	164 "	"	"
	1228 N.E.	Nicholson	Elliott and Moneton	3 sq. miles	"	"
	3601	431	Wellesley	Maharatta	8 acres	"
	2972	48	Phillip	Bayley	2 "	2214
78-14812	965	Lincoln	Bolaro	480 "	"	"
79- 1515	1667	Clarendon	Bethunga	36 "	"	"
	1668	"	"	10 "	"	"
78- 9231	1669	Waljeers	Laruaca and Tartoo	3,200 "	"	"
Aln. 9234	1670	"	Tartoo	320 "	"	"
9229	1671	"	Murra and Tinna	3,200 "	"	"
	1674	Harden	Goburralong	53 "	"	"
Aln. 77-10162	1429	Nandewar	Weetalibah	94 1/2 "	"	"
79- 448	1117 N.E.	Caira	The Willows	"	"	"
	2117 S.E.	Urana	Wannamurra	195 "	"	"
Ms. 3354	710	Sandon	Arding	66 "	"	2245
	680	447	Finch	Wallah	277 "	"
	679	448	"	Glaitherindi	60 "	"
78- 1264	914 E.	Cunningham	Monwonga	340 "	"	"
	1659	Waljeers	Murnia	1,600 "	"	"
	1660	"	"	1,600 "	"	"
Aln. 5065	713	Gough	Paradise	1,150 "	"	"
	3359	720	Hardinge	Chapman	600 "	"
Ms. 79- 2980	479	Clarence	Copmanhurst	60 "	"	2246
	2979	480	Rous	Berwick	12 "	"
	530	1665	Clarendon	Cooba	4 "	"
	1666	"	"	3 acres 1r. 24p.	"	"
78- 8220	1434	Baradine	Baradine, Yarrigan, and Goorianwa.	1,000 acres	"	"
	1435	"	Goorianwa	65 "	"	"
Aln. 6183	1433	Nandewar	Tippereena	46 1/2 "	"	"
	1432	"	Tippereena and Killarney	600 "	"	"
79- 1545	1430	Baradine and Leichhardt	"	550 sq. miles.	"	"
Ms. 3597	719	Hardinge and Roumalla	Inglis	7,000 acres	"	"
3360	410	Waljeers, Kilfera, and Manara.	"	55 sq. miles	"	2247
78- 8476	959	Lincoln	Coolbaggie	7a. 2r. 7p.	"	"
	3522	1431	Buckland	Quirindi	2 acres	"
79- 2583	705 N.W.E.	Gowen	Yalcogrin	100 "	"	"
78-15194	432	Wellesley	Cathcart	1a. 0r. 1p.	"	"
79- 4123	975	Napier	Binnia	340 acres	"	2248
	1425	Jamison	Cubbaroo, Weetawaa, Mersh, and Talladuna.	13 sq. miles	"	"
78- 6334	2141	Boyd	Coleambally	513a. 2r.	"	"
79- 5152	67	Cook	Hartley	29 acres	"	"
78-12332	1436	Pottinger	Goran	40 "	"	"
79- 5151	50	Phillip	Louee	10 "	"	"
	2174	247 E.	Perry	Barrett	583 "	2249
	2448	54	St. Vincent	Marlowe	350 "	"
	5410	36	Cumberland	Alexandria	2r. 12 p.	"
	"	37	"	3r. 39p.	"	"
	"	38	"	1a. 2r. 17p.	"	"
78-14812	966	Lincoln	Bolaro	170 "	"	"
	2178	Wakool	Bundyulumbah	320 "	"	"
79- 3494	433	Wallace	Wallgrove	260 "	"	"
	3633	1428	Darling	Warrabah	640 "	2250
	5345	1706	Waljeers	Yaloo	130 "	2301
	5743	411	Fitzgerald	Unnamed	640 "	"
	5847	76	Argyle	Nattery	40 "	2302
	5767	66	Murray	Googong	147 "	"
	532 S.E.	Stapylton	Warra Warrama	30 "	26	2353
	829	"	Wonga	about 160 "	"	"
5087	830	"	Tongcooma and Warra Warrama.	425 "	"	"
	5089	751	Vernon	Boulton	600 "	"
	3399	51	Phillip	Galunbine	1,400 "	2354
C.S. 78-35737	595 N.E.E.	Murchison	Little Plains	60 "	"	"
Ms. 79- 3536	64	Murray	Keowong	180 "	"	"
	3600	45	Gloucester	Bindera	160 "	"
78- 3179	408	Manara	Goondoola	160a. 2r.	"	"

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		County.	Parish.			
Ms. 79- 3533	2142	Townsend	Kerrankoon	120 acres	26 May, 1879	2354
78- 7730	70	Camden	Weromba	41a. 2r.	"	2355
7217	95	King	Blakeney	24 acres	"	"
79- 5088	1714	Cooper	Patterson	320 "	"	"
5090	1715	Nicholson	Mea Mia	320 "	"	"
5091	1716	Nicholson and Sturt ..	Aumoila and Downey ..	4 sq. miles	"	"
2852	960	Lincoln	Warrie	190 acres	"	"
3355	68	Northumberland	Cosgrove	2 "	"	"
C.S. 78-47837	1438	Jamison	Bobbiwae	190 "	"	"
79- 3606	786	Clarke	Pogambilla	70 "	"	2356
	1437	Pottinger	Clarke	1,600 "	"	"

Sydney : Thomas Richards, Government Printer.—1879.

[3d.]

1878-9.

NEW SOUTH WALES.

CROWN LANDS.

RESERVED FROM SALE UNTIL SURVEYED, FOR THE PRESERVATION OF WATER SUPPLY, OR OTHER PUBLIC PURPOSES.)

Presented to Parliament, pursuant to Act 25 Vic. No. 1, sec. 4.

ABSTRACT of Crown Lands reserved from sale until surveyed, for the preservation of Water Supply or other public purposes, in accordance with the 4th section of the Act 25 Victoria No. 1.

No. of Papers.	No. of Reserve.	Locality.		Area.	Government Gazette in which the description is published.	Folio.
		County.	Parish.			
79- 5464	62	Macquarie.....	Mackay and Rowley	300 acres	2 June, 1879...	2431
3542	1442	Inglis.....	Burdekin	235 "	"	"
	741	Arrawatta.....	Bloombah	"	"	"
4373	1072	Gordon	Loombah	320 "	"	"
5464	10 W.E.	Macquarie.....	Mackay	400 "	"	2432
5866	59	Bligh	Talbragar	40 "	"	"
4922	72	Bathurst	Tenandra	15 "	"	"
4921	73	"	"	18 "	"	"
C.S. 78-36080	94	King	Ward	10 "	"	"
Ms. 79- 5464	63	Macquarie.....	Tinebank	630 "	"	"
	494 W.E.	Burnett.....	Yallaroi	70 "	"	"
	594 E.E.	Courallie	Wallawoll	640 "	"	"
	832	"	King	300 "	"	"
79- 5470	215 N.E.	Waradgery	East Waradgery.....	1120 "	"	"
"	298 N.E.	"	Maude	640 "	"	"
5280	310 W.E.	Cooper	Grong Grong	10 "	"	"
5470	333 N.E.	Waradgery	Pimpampa	896 "	"	"
5280	1673	Cooper	Bundigerie	8 "	"	"
5463	750 N.E.	Wakool	Darlot	62 "	"	2433
5471	1361 S.E.	Waradgery	Pevensey.....	320 "	"	"
"	1427 E.E.	"	"	192 "	"	"
"	1858 S.E.	"	Toogimbie	664 "	"	"
79- 5466	2187	Townsend	Boorga	40 "	"	"
4162	2186	"	Morago	320 "	"	"
"	754	Hardinge	Stonybatter	720 "	"	"
5461	675 S.E.	Ashburnham.....	Kamandra	150 "	"	"
5337	1058	"	Nelangalong & Warregal	960 "	"	"
5474	1070	Ashburnham	Bunbury	700 "	"	"
5475	1071	"	Nelangalong	1280 "	"	"
C.S. 4501	1079	"	Wanera and Mourao	160 "	"	"
Aln. 77-10162	1443	Nandewar	Weetalibah	355 "	"	2434
Ms. 78- 1756	987 E.	Urana	Coree South	20 "	"	"
79- 5146	935 E.	Ashburnham	Nelangalong	180 "	"	"
5337	1059	"	Gunningbland & Brolgan	580 "	"	"
"	1060	"	Bindogandri	320 "	"	"
"	1061	"	"	320 "	"	"
"	1062	"	Bunbury	480 "	"	"
"	1063	"	Bindogandri	"	"	"
3759	973	Ewenmar	Coboco and Emogandry ..	145 "	"	2435
3758	974	"	Coolbaggie	120 "	"	"
"	851	Burnett	Muscle	960 "	"	"
5280	1672	Cooper	Bundidgerie	10 "	"	"
5465	1444	Pottinger	Gunnedah	2½ sq. miles	"	"
4567	2188	Townsend	Wargam	320 acres	"	"
5463	2189	Wakool	Darlot	398a. 1r.	"	"
"	752	Hardinge	Stonybatter	308 acres	"	"
"	753	"	Torryburn	640 "	"	"
2098	1069	Asburnham	Collett	1040 "	"	"
5703	843	Courallie	Peacumboul	160 "	"	2436
3542	1439	Inglis	Burdekin	650 "	"	"
3541	1440	"	Burdekin and Attunga ..	590 "	"	"
3541	1441	Inglis	Attunga	125 "	"	"
9742	1631 E.	Urana	Waugh and Bingagong ..	100 "	"	"
5288	990	Napier	Coolah	1930 "	"	"
"	2190	Townsend	Yalama	15 "	"	"
5273	969	Napier	Narangarie	420 "	"	2437
"	970	"	Furlawaugh	600 "	"	"

No. of Papers.	No. of Reserve.	Locality.		Area.	Government Gazette in which the description is published.	Folio.
		County.	Parish.			
79- 5271	971	Napier	Purlawaugh	950 acres	2 June, 1879...	2437
5272	972	"	Ulambr	480 "	"	"
72- 2863	1691 A.	Gipps	Brolga	2 sq. miles	"	"
5471	572 W.E.	Waradgery	Wilgah and Brush	1856 acres	"	"
	755	Hardinge	Honeysuckle and Morse	1053 "	"	"
	757	"	Torryburn	640 "	"	"
	756	"	Honeysuckle and Morse	640 "	"	"
Aln. 79- 1647	728	Gough	Glen Innes	130 "	"	2438
Ms. 79- 5470	1717	Waradgery	Wooloondool	1344 "	"	"
Aln. 146	347 S.E.	Benarba	Burrigillo	200 "	"	2569
Aln. 136	347 S.E.	"	"	45 "	"	"
Aln. 137	355 W.E.	"	Meero	50 "	"	"
Aln. 136	478 N.E.	"	Burrigillo	100 "	"	"
"	837	Arrawatta	Bunal	960 "	"	"
"	838	"	Dumaresq	1200 "	"	2570
"	844	Benarba	Burrigillo	160 "	"	"
"	845	"	"	900 "	"	"
"	846	"	Meero	70 "	"	"
"	847	"	Burrigillo	400 "	"	"
79- 3788	740	Gough	Wellington	1000 "	9 June, 1879...	"
Aln. 78- 3465	1682	Harden	Bowling	2 roods	"	"
	1683	"	"	3 roods	"	"
Ms. 79- 4405	744	Gough	Deepwater	300 acres	"	"
4991	842	Murchison	Delungra	200 "	"	"
4906	747	Gough	Rangers Valley and Louis	320 "	"	"
1623	748	"	Rangers Valley	19 "	"	"
5472	1228 E.E.	Nicholson	Elliott	1640 "	"	"
	988	Gowen	Nargon	686 "	"	"
C.S. 7305	366	Murchison	Gum Flat	9 "	"	"
Ms. 2495	71	Camden	Jamberoo	15 "	"	"
3359	1702	Harden	Jugiong	3r. 2p.	"	2665
5672	1711	Waljeers	Moodarmong and Natue	62½ acres	"	"
78-43457	1156 E.	Bland	Dinga	42 "	"	"
78-43465	1156 E.	"	"	106 "	"	"
79- 4920	74	Bathurst	Canowindra	42½ "	"	2666
5909	96	King	Grabben Gullen	8½ "	"	"
"	97	"	"	7 "	"	"
"	98	"	"	7 "	"	"
4962	360	Landsborough	"	3 sq. miles	"	"
439	501	Rous	Coraki	13a. 3r. 23p.	"	"
75- 4840	839	Courallie	Tycamah	1000 acres	"	"
	848	"	"	650 "	"	"
Ms. 78- 7291	1694	Bland	Euroka	640 "	"	"
79- 3761	435	Dampier	Bumbo and Bergalia	60 "	"	"
"	436	"	Bumbo	30 "	"	"
79- 4707	742	Gough	Kingsgate	350 "	16 June, 1879...	"
		All the unalienated Crown land, with Lord Howe Island, situated in the Pacific Ocean, in latitude 31 degrees 30 minutes south, and longitude 159 degrees west.				
Ms. 79- 6168	504	Fitzroy	Bardsley	230 "	"	2667
	199 W.E.	Courallie	Pringle	320 "	"	"
	201 E.E.	"	Bowman	640 "	"	"
	329 E.E.	"	"	320 "	"	"
	750	Arrawatta	Redbank & Arthur's Seat	2000 "	"	"
	834	Courallie	Weah Waa	500 "	"	"
	835	"	Harvey	640 "	"	"
	836	"	Weah Waa	960 "	"	"
4723	849	Stapylton	Tulloona	480 "	"	"
4375	850	Benarba	Boonoon	1500 "	"	"
4968	1445	Inglis	Bubbogullion	770 "	"	"
6169	76	Raleigh	Fitzroy, Stuart, and North Bellingen	1000 "	"	2668
"	77	"	South Bellingen & Gladstone	600 "	"	"
"	78	"	Never Never and South Bellingen	700 "	"	"
"	79	"	Never Never	330 "	"	"
"	80	"	Valley Valley	700 "	"	"
"	81	"	Missabotti and Buckra Bendinni	320 "	"	"
"	83	"	Bowra and Allomera	900 "	"	"
C.S. 78-50812	434	Wellesley	Cathcart	33 "	"	"
Ms. 79- 5016	439 S.E.	Cunningham	Badjerribong	700 "	"	"
78- 5090	305 W.E.	Dampier	Narira and Bermaguer	2,700 "	"	2669
79- 4912	746	Gough	Yarraford, Boyd, Lewis, and Wellington	38 sq. miles	"	"
4666	68	Cook	Goollomboin	155 acres	"	"
3359	1693	Harden	Jugiong	66 "	"	"
"	1705	"	"	78 "	"	"
6165	1707	Cooper	Bolaro	640 "	"	2670
"	1708	"	Berremabere and Willimbong	4½ sq. miles	"	"

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		County.	Parish.			
79- 6165	1709	Nicholson	Russell and Lake Gunbar	3,840 acres	16 June, 1879	2670
"	1710	"	Tambalana and Coowerrawine.	1,520 "	"	"
2575	503	Richmond	Tatham	7 "	"	"
3359	1703	Harden	Jugiong	1 1/2 "	"	"
5058	362	Yungnulgra	"	640 "	"	"
5048	498	Buller	Boorook	1 "	"	2671
Aln. 78- 7619	1695	Harden	Murrumboola	2 roods	"	"
"	1696	"	"	2r. 18p.	"	"
"	1697	"	"	1r. 13p.	"	"
"	1698	"	"	1a. 22p.	"	"
"	1699	"	"	1a. 2r. 35p.	"	"
"	1700	"	"	1a. 3r.	"	"
Ms. 79- 5922	497	Buller	Kangaroo	720 acres	"	"
"	852	Arrawatta	M'Donald	900 "	"	"
6357	1074	Gregory	Bergo and Yhababong	437 "	"	2672
"	1075	"	Yhababong & Goobabone	780 "	"	"
"	1076	"	Goobabone	237 "	"	"
5048	500	Buller	Boorook	320 "	"	"
5310	1712	Gipps and Forbes	Carawandool, Currowong, and Tallabung.	1,300 "	"	"
C.S. 77-40853	366 E.E.	Clive	Barney Downs	60 "	"	2673
79- 4916	976	Ewenmar	Unnamed	4 sq. miles	"	"
4918	977	"	"	4 "	"	"
6347	978	Lincoln	Coolbaggie	150 acres	"	"
"	1078	Gregory	Yhababong	696 "	"	"
5048	499	Buller	Boorook	320 "	"	"
2199	1198 E.	Baradine	Doyle	180 "	"	"
4404	743	Clive	Romney	320 "	"	"
3359	1701	Harden	Jugiong	50 "	"	2674
5147	1973	Cunningham	Wolongong	300 "	"	"
1948	46	Gloucester	Bergan and Talawahl	52 sq. miles	"	"
5671	69	Northumberland	Mulbring, Awaba, and Teralba.	10 "	"	"
5669	70	"	Olney, Mandalong, Dora, and Stowe.	52 "	"	"
5210	409	Perry	Tolano	7a. 3r. 10p.	"	"
5668	1713	Waljeers	Benanimie	350 acres	"	"
78- 3812	502	Fitzroy	Shea	26a. Or. 20p.	"	2675
79- 3359	1704	Harden	Jugiong	100 acres	"	"
C.S. 78-50727	218 E.	Clarendon	Maror	120 "	"	"
Ms. 79- 6348	979	Lincoln	Micketymulga	520 "	"	"
"	1077	Gregory	Geraldumbone	1,120 "	"	"
4764	361	Irrara	Kenmare Run	640 "	"	"
"	682	Sandon	Gyra	400 "	17	2682
C.S. 480	1718	Monteagle	Young	192 "	23	2755
Ms. 78-11892	71	Denison	Tocumwall	30a. 1r. 32p.	"	"
13542	2181	"	"	32a. 3r. 37p.	"	"
79- 6028	99	King	Garway	192 acres	"	2756
C.S. 78-39486	1721	Dowling	Ulamboing	470 "	"	"
"	76	Bathurst	Chaucer	84 "	"	"
Aln. 7772	1722	Dowling	Ulamboing	1,000 "	"	"
79- 6030	1719	Bland	Jingerangle	129 "	"	"
Aln. 9608	413	Caira	Williamson	550 "	"	"
78- 3810	29	Roxburgh	Ben Bullen	2 "	"	2757
79- 1785	75	Bathurst	Errol	1,215 "	"	"
9495	55	St. Vincent	Meangora	1a. Or. 27p.	"	"
78- 1271	65	Macquarie	Oxley	6 acres	"	"
13793	2183	Mitchell	Yarragundry	20 "	"	"
C.S. 79-17112	733 E.	Pottinger	Wondoba	300 "	"	"
Ms. 6568	39	Cumberland	Manly Cove	1a. Or. 16p.	"	"
Aln. 78- 4547	1720	Dowling	Weinega	19 acres	"	2758
"	1723	"	Ulamboing	110 "	"	"
Ms. 79- 5042	2177	Urana and Mitchell	Waugh, Clyde, Wood, and Birrego.	13 sq. miles	"	"
Aln. 9608	414	Caira	Williamson	600 acres	"	"
Ms. 5872	1242 S.E.	Mitchell	Berry Jerry	1,200 "	"	"
Aln. 9608	412	Caira	Williamson	400 "	"	2759
Ms. 5670	112	Brisbane	Boggabri	320 "	"	"
Ms. 78-12172	64	Macquarie	Oxley	1 "	"	"
79- 7629	283 E.	Wentworth	Tapio	2,400 "	25	2821
"	282 E.	"	"	2,280 "	"	"
6373	1730	Nicholson	South Marowie	90 "	"	"
6471	1731	"	Bowerabine	1,280 "	"	2822
7587	1446	Inglis	Moonbi	173 "	"	"
6373	251	Nicholson	South Marowie	90 "	"	"
Ms. 78-14828	30	Georgiana	Walbrook	120 "	27	2827
79- 7223	506	Clarence	Coldstream	80 "	30	2868
6912	865	Courallie	Booloroo	96 "	"	"
"	866	"	Wee Bulla Bulla	480 "	"	"
6911	867 A.	Stapylton	Holmes	1,600 "	"	"
5375	1371 E.	Baradine	Barwon	3,700 "	"	"
1644	1448	Parry	Reguin	560 "	"	"
341	2185	Waradgery	Bedarbidgal	912 "	"	"
3291	1081	Gordon	Burrawong	250 "	"	"
5883	1083	Ashburnham	Kamandra	200 "	"	"
6912	861	Courallie	Combadele	620 "	"	2869

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		County.	Parish.			
Ms. 79- 6912	862	Courallie	Booloroo	27 acres	30 June, 1879	2869
	863	"	Wirrigurldonga	1,700 "	" "	" "
	864	"	Talmoi	3,840 "	" "	" "
5063	1453	Pottinger	Brigalow	640 "	" "	" "
7222	437	Wellesley	Gulgin	150 "	" "	" "
	981	Lincoln	Warrie	21 "	" "	" "
	982	"	"	40 "	" "	" "
	983	"	"	18 "	" "	" "
Ms. 78-15289	1080	Gordon	Gancoo	25 "	" "	" "
79- 6276	985	Napier	Gundare and Queensboro'	3,400 "	" "	2870
3252	2140	Wynyard	Cunningdroo	700 "	" "	" "
"	2141	"	"	80 "	" "	" "
"	2142	"	Borambula	572 "	" "	" "
"	2143	"	Tarcutta	410 "	" "	" "
"	2144	"	Curcinbol and Umutbee... ..	1,400 "	" "	" "
"	2145	"	Cunningdroo	1,200 "	" "	2871
2100	72	Cook	Coomassie	8 $\frac{1}{2}$ "	" "	" "
1415	72	Camden	Kangaloon	2a. 3r. 27p.	" "	" "
3292	2191	Wynyard	Umbango	3 acres	" "	" "
Aln. 78- 9238	1725	Waradgery	Benduck North	640 "	" "	" "
9239	1726	"	" South	640 "	" "	" "
Ms. 1312	987	Gowen	Coonabarabran	28 "	" "	2872
79- 6724	98 W.E.	Drake	Tabulam	40 "	" "	" "
6721	405 W.E.	Richmond	Nandabah	100 "	" "	" "
78- 9553	2182	Hume	Kentucky	150 "	" "	" "
5498	438	Beresford	Gladstone	20a. 2r.	" "	" "
13238	1082	Gordon	Burrawang	5 acres	" "	" "
79- 5974	762	Clarke	Poganbilla	136 "	" "	" "
Aln. 78- 9238	279 N.E.	Waradgery	Benduck South and North	3,440 "	" "	2873
Ms. 79- 5976	1109	"	"	400 "	" "	" "
	986	Leichhardt	Weetaliba	640 "	" "	" "

1878.

NEW SOUTH WALES.

CROWN LANDS.

(SITES FOR CITIES, TOWNS, AND VILLAGES.)

Presented to Parliament, pursuant to Act 25 Vict. No. 1, sec. 4.

ABSTRACT of all Sites for Cities, Towns, and Villages, declared under the 4th section of the Act
25 Victoria No. 1.

City, Town, or Village.	Area for City, Town, or Village.	Area for Suburbs.	Locality.	Government Gazette in which published.
Town of Wee Waa	About 360 acres ...	About 1,980 acres...	County of White, parish of Wee Waa	10th June, 1878.
Town of Tamworth	" 750 " ...	" 950 " ...	County of Inglis, parish of Tamworth	" "
Village of Kooroongal ...	" 210 " ...	" 420 " ...	County of Sturt, parish of Kooroon- gal.	" "
Village of Liston	" 170 " ...	" 200 " ...	County of Buller, parish of Wylic...	8th July, "
Town of Currabubula ...	" 240 " ...	" 2,560 " ...	County of Buckland, parish of Currabubula.	" "
Town of Belford	About 220 " ...	About 420 " ...	County of Northumberland, parish of Belford.	10 " "
Town of Quirindi	" 525 " ...	" 470 " ...	County of Buckland, parish of Quirindi.	12 August, "
Town of Grenfell	" 348 " ...	" 1,650 " ...	County of Monteagle, parish of Brundah.	" "
Village of Gooloogong ...	" 710 " ...	" 720 " ...	County of Forbes, parish of Binda.	" "
Village of Bokhara	252½ " ...	" 820 " ...	County of Narran, parish of Cowga.	14 " "
Town of East Macquarie	About 220 " ...	About	County of Macquarie, parish of	19 " "
Town of West Macquarie	" 120 " ...	1,000 acres ...	Macquarie.	

1878.

NEW SOUTH WALES.

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25 Victoria, No. 1.

City, Town, or Village.	Area for City, Town, or Village.	Area for Suburbs.	Locality.	Government Gazette in which published.
Village of Blackheath ...	260 acres (about)...	950 acres (about)...	County of Cook, parish of Black- heath.	30 September, 1878.

1878.

NEW SOUTH WALES.

CROWN LANDS.

(SITES FOR CITIES, TOWNS, AND VILLAGES.)

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25 Victoria, No. 1.

City, Town, or Village.	Area for City, Town, or Village.	Area for Suburbs.	Locality.	Government Gazette in which published.
Town of Gunnedah	1,050 acres (about)	18,485 acres (about)	County of Pottinger, parish of Gunnedah.	14 October, 1878.
Town of Boggabri.....	600 acres (about)...	5,300 acres (about)	County of Pottinger, parish of Boggabri.	" "
Town of Mathoura	640 acres (about)...	1,300 acres (about)	County of Cadell, parish of Mathoura.	" "

1878-9.

NEW SOUTH WALES.

CROWN LANDS.

(SITES FOR CITIES, TOWNS, AND VILLAGES.)

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ABSTRACT of all Sites for Cities, Towns, and Villages, declared under the 4th section of the Act
25 Victoria No. 1.

City, Town, or Village.	Area for City, Town, or Village.	Area for Suburbs.	Locality.	Government Gazette in which published.
Town of Lambton.....	About 622 acres ...	About 653 acres...	County of Northumberland, parish of Newcastle.	11th Nov., 1878.
Town of Dungog	" 350 " ...	" 61 " ...	County of Durham, parish of Dun- gog.	9th Dec., "
Village of Timbreebongie.	340 " ...	" 1,080 " ...	County of Narromine, parish of Buddah.	" "
Town of Narrandera.....	About 108 " ...	" 95 " ...	County of Cooper, parish of Narran- dera.	" "
Town of Cudgegong.....	" 90 " ...	.....	County of Wellington, parish of Tannabutta.	" "
Village of Broke	" 210 " ...	About 820 " ...	County of Northumberland, parish of Broke.	" "
Village of Galargambone.	" 180 " ...	" 1,400 " ...	County of Gowan, parish of Galar- gambone.	" "
Village of Kunopia	" 270 " ...	" 1,170 " ...	County of Benarba, parishes of Boonangar and Newcastle.	" "

1878-9.

NEW SOUTH WALES.

CROWN LANDS.

(SITES FOR CITIES, TOWNS, AND VILLAGES.)

Presented to Parliament, pursuant to Act 25 Vict. No. 1, sec. 4.

ABSTRACT of all Sites for Cities, Towns, and Villages, declared under the 4th section of the Act 25 Victoria No. 1.

City, Town, or Village.	Area for City, Town, or Village.	Area for Suburbs.	Locality.	Government Gazette in which published.
Town of West Kempsey	About 724 acres...	About 1,480 acres	Counties of Dudley and Macquarie, parishes of Kalitcena, Beranghi, and Yarravel.	3 March, 1879.
Town of Pilliga	" 350 " ..	" 3,820 "	County of Baradine, parish of Taluba	" "
Town of Moulamein	" 400 " ..	" 1,300 "	County of Wakool, parish of Moulamein.	" "
Town of Hartley	" 240 " ..	" 400 "	County of Cook, parish of Hartley	26 " "
Town of Armidale	" 2,110 " ..	" 9,300 "	County of Sandon, parishes of Armidale and Buller.	31 " "
Village of Liddell	" 180 " ..	" 460 "	County of Durham, parish of Liddell.	" "
Town of Barraba	" 370 " ..	" 940 "	County of Darling, parishes of Barraba and North Barraba.	" "
Town of Wellington	" 670 " ..	" 1,360 "	County of Wellington, parish of Wellington.	" "
Extension to suburban lands, Glen Innes.	.....	" 1,480 "	County of Gough, parish Glen Innes	" "
Town of Nowra	About 335 acres	" 715 "	County St. Vincent, parish Nowra...	" "
Town of Albury	" 850 " ..	" 1,850 "	County of Goulburn, parish of Albury.	" "
Town of Gosford	" 200 " ..	" 1,080 "	County of Northumberland, parish of Gosford.	" "
Village of Gundaroo	" 190 " ..	" 230 "	County of Murray, parish of Gundaroo.	" "
Village of Murwillumbah	" 83 " ..	" 87 "	County of Rous, parish of Murwillumbah.	" "
Village of Wyaldra	" 230 " ..	" 1,000 "	County of Phillip, parish Wyaldra	" "
Village of Muttama	" 95 " ..	" 482 "	County of Harden, on Muttama Creek.	" "
Town of Gladstone	" 70 " ..	" 400 "	County Macquarie, parish Kinchela	" "
Town of Coonamble	" 320 " ..	" 2,000 "	County of Leichhardt, Castlereagh River.	" "
Village of Fredericton ...	.....	" 280 "	County of Dudley, parish Yaranbandino.	" "

1878.

NEW SOUTH WALES.

CROWN LANDS.

(SITES FOR CITIES, TOWNS, AND VILLAGES.)

Presented to Parliament, pursuant to Act 25 Vict. No. 1, sec. 4.

ABSTRACT of Sites for Cities, Towns, and Villages, declared under the 4th section of the Act
25 Victoria No. 1.

City, Town, or Village.	Area for City, Town, or Village.	Area for Suburbs.	Locality.	Government Gazette in which published.
Casino, Extension to Town lands.	82 acres.....	.....	County of Rous, parish of North Casino.	7 April, 1879.
Moonbi, Town of	42 acres (about) ...	1,400 acres (about)	County of Inglis, parish of Moonbi.	21 " "
West Cowra, Town of ...	352 acres (about)...	380 acres (about)...	County of Forbes, parish of Mulyan.	" "
Wingham, Village of ...	450 acres (about)...	380 acres (about)...	County of Macquarie, parish of Wingham.	" "
Lawrence, Town of	600 acres (about)...	1,000 acres (about)	County of Clarence, parish of Lawrence.	" "
Eden, Town of	585 acres (about)...	1,075 acres (about)	County of Auckland, parishes of Bimmel and Eden.	" "
Panbula, Village of	286 acres (about)...	537 acres (about)...	County of Auckland, parish of Panbula.	" "
Coreen, Village of	160 acres (about)...	480 acres (about)...	County of Hume, parish of Gordon.	28 " "

1878-9.

NEW SOUTH WALES.

CROWN LANDS.

(SITES FOR CITIES, TOWNS, AND VILLAGES.)

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ABSTRACT of all Sites for Cities, Towns, and Villages, declared under the 4th section of the Act
25 Victoria No. 1.

City, Town, or Village.	Area for City, Town, or Village.	Area for Suburbs.	Locality.	Government Gazette in which published.
Coonamble extension to suburbs.	.....	About 2,000 acres	County Leichhardt, parish Coonam- ble.	5 May, 1879.
Village of Conargo	About 300 acres	" 1,430 "	County Townsend, parish Conargo	12 " "
Village of Bethungra.....	" 150 "	" 1,130 "	County Clarendon, parish Bethungra	19 " "
Town of Corowa	" 460 "	" 360 "	County of Hume, parish Corowa ...	26 " "
Village of Ashford	" 160 "	" 790 "	County Arrawatta, parish Ashford	26 " "

1878-9.

NEW SOUTH WALES.

CROWN LANDS.

(SITES FOR CITIES, TOWNS, AND VILLAGES.)

Presented to Parliament, pursuant to Act 25 Vict. No. 1, sec. 4.

ABSTRACT of Sites for Cities, Towns, and Villages, declared under the 4th section of the Act
25 Victoria No. 1.

City, Town, or Village.	Area for City, Town, or Village.	Area for Suburbs.	Locality.	Government Gazette in which published.
Town of Gundagai north and south.	About 1,450 acres	About 5,200 acres...	Counties of Wynyard and Clarendon, parishes of North and South Gundagai.	2 June, 1879.
Extension to Village of Murrumbidgee.	" 3a. 20p.	" 288 "	County of Harden, parish of Murrumbidgee.	16 " "
Town of Jugiong	" 340 acres	" 390 "	County of Harden, parish of Jugiong.	" "
Village of Bokhara	" 189a. 2r.	" 796 "	County of Narran, parish of Cowga.	22 " "
Town of Seymour	" 220 acres	" 420 "	County of Wallace, parish of Seymour.	30 " "

1878-9.

NEW SOUTH WALES.

CROWN LANDS.

(SITES FOR CITIES, TOWNS, AND VILLAGES.)

Presented to Parliament, pursuant to Act 25 Vict. No. 1, sec. 4.

ABSTRACT of all Sites for Cities, Towns, and Villages, declared under the 4th section of the Act
25 Victoria No. 1.

City, Town, or Village.	Area for City, Town, or Village.	Area for Suburbs.	Locality.	Government Gazette in which published.
Village of Cargellico ...	About 550 acres...	About 1,400 acres..	County of Dowling, parish of Guran- gully.	14 July, 1879.
Village of Wangonilla ...	„ 90 acres...	.....	County of Townsend, parish of Wan- gonilla.	„

1878.

NEW SOUTH WALES.

CROWN LANDS.

(AUTHORIZED TO BE DEDICATED TO RELIGIOUS AND PUBLIC PURPOSES.)

Presented to Parliament, pursuant to Act 25 Vict. No. 1, sec. 5.

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

Place.	County.	Portion.	Allotment.	Section.	Locality.	Area.	To what purpose dedicated.	No. of Papers.	Cat. No. of Plan.
Billabong Creek.	Ashburnham	36-7	.....	.....	Parish of Bunbury	a. r. p. 1 2 0	Church of England Church and Parsonage.	Ms. 77-9,724	C. 643-1,984
Bolderogery	Gordon	43	.....	.....	Do. Bolderogery	2 0 0	Public School	78-1,563	P. 348-1,978
Bowan	Ashburnham	172	.....	.....	Do. Bowan	2 0 0	Do.	77-11,966	P. 386-1,978
Bowning	Harden	.....	5 and 4	8	Village of Bowning	1 2 0	Wesleyan Church & Minister's residence.	11,432	C. 647-1,984
Brewarrina	Clyde	.....	5 and 8	19	Town of Brewarrina	2 1 25	General Hospital	78-4,823	B. 8-1,829
Do.	Do.	.....	1 and 6	17	Do.	1 2 0	Roman Catholic Church and Presbytery.	638	C. 642-1,984
Brungle	Buccleuch	213 & 212	.....	.....	Parish of Brungle	1 2 0	Church of England Church and Parsonage.	741	C. 630 "
Do.	Do.	207-8	.....	.....	Do.	1 2 0	Presbyterian Church & Manse	742	C. 640 "
Bulla	Monteagle	.....	.....	.....	Village of Bulla	7 2 0	General Cemetery	77-6,411	C. 662 "
Do.	Do.	.....	4 and 3	38	Do.	1 2 0	Wesleyan Church & Minister's residence.	11,004	C. 661 "
Bullock Island	Northumberland	.....	3	37	Parish of Newcastle	0 1 224	Wesleyan Church	5,563	C. 623 "
Buraja	Hume	.....	.....	.....	Do. Buraja	7 2 0	General Cemetery	78-28	C. 650 "
Burrawang	Camden	223	.....	.....	Do. Burrawang	1 0 0	Public School	77-2,778	P. 340-1,978
Charlestown	Northumberland	270	.....	.....	Do. Kahibah	2 0 0	Do.	78-8,242	P. 455 "
Cobbarah	Lincoln	43	.....	.....	Do. Cobbarah	2 0 0	Do.	77-11,976	P. 412 "
Coorumbung	Northumberland	.....	.....	.....	Do. Dora	7 2 0	General Cemetery	5,362	C. 622-1,984
Coraki	Richmond	.....	1 and 2	31	Village of Coraki	1 2 0	Church of England Church and Parsonage.	78-3,093	C. 664 "
Cudal	Ashburnham	.....	1 and 2	8	Do. Cudal	1 0 0	Public School	4,694	C. 2,008A
Eurunderee	Phillip	185	.....	.....	Parish of Eurunderee	2 0 0	Do.	3,231	P. 440-1,978
Frogmoor	King	124-5	.....	.....	Do. Alton	4 0 0	General Cemetery	77-7,201	C. 620-1,984
Garra Creek	Ashburnham	28-9	.....	.....	Do. Brymedura	1 2 0	Wesleyan Church & Minister's residence.	12,023	C. 611 "
Gulgong	Phillip	91	.....	.....	Do. Guntawang	10 0 0	Public recreation	1,701	
Gunning	King	.....	20, 19, & 18	9	Village of Gunning	1 2 0	Primitive Methodist Church and Minister's Residence.	78 5,947	G. 18-1,011
Harvey's Flat	Westmoreland	100	.....	.....	Parish of Balfour	2 0 0	Public School	8,662	P. 442-1,978
Jellat Jellat	Auckland	57	.....	.....	Do. Wallagoet	4 0 2	Do.	77-8,845	P. 394 "
Jordan's Crossing	Camden	119	.....	.....	Do. Sutton Forest	1 0 0	Church of England	78-2,981	C. 600-1,984
Junee	Clarendon	.....	4, 5, & 7	25	Village of Junee	1 2 0	Wesleyan Church & Minister's residence.	77-11,250	C. 631 "
Kangaroo Flat	Buckland	206	.....	.....	Parish of Quirindi	2 0 0	Public School	11,788	P. 419-1,978
Macquarie Plains	Roxburgh	150-1	.....	.....	Do. Melrose	1 2 0	Wesleyan Church & Minister's residence.	14,495	C. 654-1,984
Manilla	Darling	.....	.....	.....	Town of Manilla	2 0 0	Public School	78-4,160	P. 430-1,978
Millong	Bland	69	.....	.....	Parish of Millong	2 0 0	Do.	650	P. 429 "
Moama	Cadell	.....	4-5	65	Town of Moama	1 2 0	Roman Catholic Church and Presbytery.	77-11,965	C. 632-1,984
Mongariowe	St. Vincent	42	.....	.....	Parish of Budawang	1 0 0	General Cemetery	78-8,022	C. 648 "
Moulamein	Wakool	18	.....	.....	Do. Moulamein	231 0 0	Public recreation	9,882	W. 213-1,917A
Mount Victoria	Cook	280-1	.....	.....	Do. Hartley	1 2 0	Wesleyan Church & Minister's residence.	77-6,581	C. 618-1,984
North Huskisson	St. Vincent	.....	.....	.....	Do. Currumbene	2 0 0	Public School	78-1,028	P. 223-1,978
Orange	Bathurst	.....	1, 9, & 20	46	Town of Orange	5 0 0	Camping Ground	76-787	town
Panbula	Auckland	.....	8	15	Village of Panbula	0 2 0	Church of England Parsonage	77-12,049	P. 6-1,351
Paramatta	Cumberland	.....	.....	.....	At Hunt's Creek, parish of Field of Mars.	72 0 0	Water Supply	78-725	C. 817-690A
Peel	Roxburgh	.....	.....	.....	Village of Peel	7 2 0	General Cemetery	77,14,492	C. 656-1,984
Point Danger	Rous	46	.....	.....	Parish of Terranora	2 0 0	Public School	12,680	P. 410-1,978
Quirindi	Buckland	.....	.....	.....	Town of Quirindi	7 2 0	General Cemetery	12,090	C. 633-1,984
Robertson	Camden	.....	3	14	Village of Robertson	0 2 0	Mechanics' Institute	78-2,488	R. 2-1,922
Seymour	Wallace	.....	1	16	Town of Seymour	2 0 0	Public School	1,959	P. 439-1,978
South Deniliquin	Townsend	.....	.....	.....	Do. South Deniliquin	100 0 0	Public Park	77-5,894	D. 34-1,458A
South Hay	Waradgery	365-6	1A	6	Do. South Hay	0 1 391	Additional site for Presbyterian Manse.	78-10	
Taree	Macquarie	360-70	.....	.....	Parish of Taree	241 2 0	Public recreation	7,830	M. 291-606
Wagara	Buccleuch	121-2	.....	.....	Do. Wagara	1 2 0	Roman Catholic Church and Presbytery.	743	C. 641-1,984
Yanko Creek	Urana	102	.....	.....	Do. Wilson	2 0 0	Public School	1,016	P. 428-1,978
Yarragundry	Mitchell	140	.....	.....	Do. Yarragundry	1 2 0	Church of England Church and Parsonage.	77-14,103	C. 653-1,984
Yatheyattah	St. Vincent	185	.....	.....	Do. Conjolo	1 0 0	Public School	78-563	P. 437-1,978

1878.

NEW SOUTH WALES.

CROWN LANDS.

(AUTHORIZED TO BE DEDICATED TO RELIGIOUS AND PUBLIC PURPOSES.)

Presented to Parliament, pursuant to Act 25 Vic. No. 1, sec. 5.

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

Place.	County.	Allotment.	Section.	Portion.	Locality.	Area.	To what purpose dedicated.	No. of Papers.	Cat. No. of Plan.
Adelong Grove...	Wynyard	.....	.....	133	Parish of Wondalga	a. r. p.	Public School.....	Ms. 78-1,538	P. 448-1,978
Bowling	Harden	4 and 5	8	.....	Village of Bowling	2 0 0	Wesleyan Church & Minister's Residence.	77-11,439	C. 647-1,984
Cambewarra	Camden	.....	.....	210 and 215	Parish of Illaro	1 2 0	Do. do.	78-333	C. 608 "
Casino	Rous	1 and 2	20A	.....	Town of Casino	1 2 0	Presbyterian Church & Manse in connection with the Synod of Eastern Australia.	4,181	C. 677 "
Dungog	Durham	.....	38	.....	Do. Dungog	10 0 0	Recreation Reserve	1,642	
Elizabethfield	Murray	.....	.....	82	Parish of Morumbateman.	2 0 0	Public School	77-4,109	P. 294-1,978
Eurundury	Phillip	.....	.....	185	Do. Eurundury	2 0 0	Do.	78-6,532	P. 440 "
Goolma	Bligh	.....	.....	107	Do. Goolma	2 0 0	Do.	77-7,293	P. 395 "
Goulburn	Goulburn	.....	.....	168 and 169	Suburbs of Goulburn	18 2 21	Presbyterian College	78-7,582	
Green Gully	Argyle	.....	.....	87	Parish of Baw Baw	2 0 0	Public School.....	77-9,725	P. 410-1,978
Gunnedah	Pottinger	2	30A	.....	Town of Gunnedah	0 1 28	School of Arts	78-1,358	G. 18-1,619
Jellat Jellat	Auckland	.....	.....	57	Parish of Wallagoot	4 0 2	Public School.....	77-8,845	P. 394-1,978
Jewnee	Clarendon	4, 5, and 7	25	.....	Village of Jewnee	1 2 0	Wesleyan Church & Minister's Residence.	11,250	C. 631-1,984
Kyuga	Brisbane	1 and 2	19	.....	Do. Kyuga	1 2 0	Primitive Methodist Church & Minister's Residence.	78-6,534	C. 663 "
Laggan	Georgiana	.....	.....	246	Parish of Kinmona	2 0 0	Public School.....	4,915	P. 457-1,978
Markdale	Do.	.....	.....	161	Do. Markdale	2 0 0	Do.	4,689	P. 450 "
Moama	Cadell	4 and 5	65	.....	Town of Moama	1 2 0	Roman Catholic Church and Presbytery.	77-11,955	C. 632-1,984
Moree	Courallie	7	24	.....	Do. Moree	1 0 0	Hospital	78-4,438	M. 10-1,769
Do.	Do.	2	52	.....	Do. do.	0 2 0	Mechanics' Institute	4,439	M. 11 "
Mount Victoria	Cook	.....	.....	280 and 281	Parish of Hartley	1 2 0	Wesleyan Church & Ministers' Residence.	77-6,581	C. 618-1,984
Numby	King	6, 7, 8, and 9	10	.....	Village of Numba	1 2 39	Public School.....	14,101	P. 434-1,978
Peelwood	Georgiana	.....	.....	220	Parish of Kangaloola	2 0 0	Do.	78-4,688	P. 456 "
Powers Corner	Wellesley	.....	.....	83	Do. Hayden	2 0 0	Do.	1,247	P. 371 "
Salisbury	Durham	.....	.....	76	Do. Underbank	2 0 0	Do.	8,403	P. 354 "
Stony Creek	Auckland	144	Do. Brogo	2 0 0	Do.	2,113	P. 445 "
Toll-bar Creek	Beresford	153	Do. Bunyan	2 0 0	Do.	462	P. 373 "

1878.

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Buraja, parish of	Hume	101 and 102	Parish of Buraja	a. r. p. 1 2 0	Presbyterian Church and Manse	Ms. 78-1,969	C. 604-1,984
Cooperbrook	Macquarie ..	.....	.....	46	Do. Landsdowne..	2 0 0	Public School.....	77-11,032	P. 361-1,978
Liverpool	Cumberland..	.....	.....	.....	Town of Liverpool	1 0 0	Presbyterian Burial Ground ..	78-1,352	C. 554-1,934
Manilla	Darling .....	.....	.....	.....	Do. Manilla	2 0 0	Public School.....	4,160	P. 430-1,978
Melrose, parish of	Roxburgh ..	.....	.....	150 and 151	Parish of Melrose.....	1 2 0	Wesleyan Church & Minister's Residence.	77-14,495	C. 654-1,984
Quirindi	Buckland	Town of Quirindi.....	8 0 0	General Cemetery.....	78-8,906	C. 633 „

1878.

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Place.	County.	Portion.	Allotment.	Section.	Locality.	Area.	To what purpose dedicated.	No. of Papers.	Cat. No. of Plan.
Attunga	Inglis	200			Parish of Burdekin	a. r. p.	Public Recreation	Ms. 78-4,161	L. 616-1,690
Do.	Do.	201			Do. do.	3 0 0	Public School	4,162	P. 461-1,973
Back Creek	Bathurst	100			Do. Galbraith	2 0 0	Do.	77-14,493	P. 423
Do.	Do.	101-2			Do. do.	1 2 0	Wesleyan Church & Minister's residence.	14,494	C. 644-1,984
Bourke	Cowper				Do. Bourke	8 0 32	General Cemetery	14,374	C. 675
Brolgar	Ashburnham	69			Do. Martin	2 0 0	Public School	78-3,620	P. 475-1,978
Bullock Island	Northumberland		1-2	47	Near Newcastle	0 3 0	Primitive Methodist Church and Minister's residence.	7,165	C. 685-1,984
Bundarra	Hardinge		1-3	12	Town of Bundarra	1 2 0	Wesleyan Church & Minister's residence.	7,029	C. 691
Burwood	Cumberland				Parish of Concord	about 17 0 0	Public Recreation	12,236	
Crookhaven	St. Vincent				Near Crookhaven	about 236 0 0	Do.	14,146	
Currekl	Gloucester				Parish of Currekl	8 1 8	General Cemetery	5,195	C. 680
Dalton	King	212			Do. Dalton	1 0 0	Wesleyan Church	5,383	C. 694
Eringarerin	Gowen	40			Do. Eringarerin	2 0 0	Public School	2,518	P. 438-1,978
Eurunderee	Phillip	186-7			Do. Eurunderee	1 2 0	Primitive Methodist Church and Minister's residence.	3,232	C. 659-1,984
Germanton	Goulburn				Do. Germanton	8 1 8	General Cemetery	30	C. 649
Jerra Jerra	Do.	160-1			Do. Jerra Jerra	1 2 0	Presbyterian Church & Manse	4,983	C. 682
Jukiong	Harden				Do. Jukiong	7 2 0	General Cemetery	10,663	C. 56
Kingstown	Hardinge				Do. Baldwin	8 0 0	Do.	7,030	C. 686
Do.	Do.	60-1			Do. do.	1 2 0	Church of England Church and Parsonage.	4,901	C. 684
Lower Mangrove	Northumberland	55			Do. Popran	2 0 0	Public School	1,888	P. 447-1,978
Marangulla	Bathurst	240			Do. Lucan	2 0 0	Do.	11,661	P. 471
Meerschaum	Rous	37-8			Do. Meerschaum	1 2 0	Wesleyan Church & Minister's residence.	8,561	C. 683-1,984
Melrose	Roxburgh	152-3			Do. Melrose	1 2 0	Church of England Church and Parsonage.	11,597	C. 655
Meringio	Auckland	198			Do. Meringio	2 2 13	Public School	5,410	P. 420-1,978
Mundooran	Napier			part of 4	Do. Mundooran	2 0 0	Do.	6,803	P. 391
Murrumbateman	Murray				Do. Nanima	7 2 23	General Cemetery	2,774	C. 676-1,984
Murrumburrah	Harden	351			Do. Murrumburrah	2 0 0	Public School	12,884	P. 474-1,978
Newra	Gordon		3	8	Village of Newra	2 0 0	Do.	2,790	P. 427
Do.	Do.		1-2	8	Do. do.	1 2 0	Church of England Church and Parsonage.	9,737	C. 646-1,984
Nyrang Creek	Ashburnham	63-4			Parish of Belubula	1 2 0	Wesleyan Church & Minister's residence.	78-10,480	C. 692
Redbank	Nicholson				Do. Redbank	8 1 8	General Cemetery	77-13,066	C. 645
Shaw	Bathurst		3	2	Village of Shaw	1 0 0	Church of England Church	78-6,187	C. 689
Do.	Do.		6	2	Do. do.	0 2 0	Do. Parsonage	6,183	C. 690
Do.	Do.		7	3	Do. do.	1 2 0	Public School	6,189	P. 469-1,978
Shepardstown	Wynyard	768			Parish of Adelong	2 0 0	Do.	9,174	P. 470
The Basin	Cumberland				At Pittswater	about 150 0 0	Public Recreation	10,454	
Walgett	Baradine				Town of Walgett	8 0 0	General Hospital	12,575	
Wandella	Dampier	207			Parish of Wandella	2 0 0	Public School	8,573	P. 473
Wangoola	Bathurst	144			Do. Kenilworth	2 0 0	Do.	11,660	P. 467
Windowe Flat	Wynyard	119			Do. Gilmore	2 0 0	Do.	12,420	P. 477

1878-9.

NEW SOUTH WALES.

CROWN LANDS.

(AUTHORIZED TO BE DEDICATED TO RELIGIOUS AND PUBLIC PURPOSES.)

Presented to Parliament, pursuant to Act 25 Vic. No. 1, sec. 5.

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

Place.	County.	Allotment.	Section.	Portion.	Locality.	Area.	To what purpose dedicated.	No. of Papers.	Cat. No. of Plan.
Coorumbung	Northumberland.				Parish of Dora	a. r. p. 7 2 0	General Cemetery	Ms. 78-9,645	C. 622-1,964
Hay, South	Waradgery	1A	6		Town of Hay, South	0 1 394	Extension to Manse site	10	C. 492
Hovell	Hume			175	Parish of Hovell	2 0 0	Public School	10,753	P. 388-1,978
Mudgee	Wellington				Town of Mudgee	10 0 0	Public Recreation	76-11,967	B.
Do.	Do.				Do. do.		Public Recreation and Water Supply.	"	B.
New Lambton	Northumberland.				Do. Lambton	1 2 12½	Public School	78-10,083	L. 2-2,154r
Port Jackson	Cumberland				Clark Island		Public Recreation	MI. 6,327	
Do.	Do.				Schnapper do.		Do.	"	
Do.	Do.				Rodd do.		Do.	"	
Do.	Do.				Shark do.		Do.	"	
Ponto	Gordon				Parish of Ponto	7 2 0	General Cemetery	Ms. 2,788	C. 665-1,984
Peel	Roxburgh				Village of Peel	7 2 0	Do.	77-14,492	C.
Quirindi	Buckland	10, 11, & 12	19		Town of Quirindi	1 1 25	Church of England Church and Parsonage.	78-8,904	Q. 9-1,613
Uralla	Sandon	21	19		Do. Uralla	0 1 0	Mechanics' Institute	2,533	U. 14-1,385
Urana	Urana	1, 2, & 3	45		Do. Urana	4 3 4	Public Hospital	8,419	U. 7-1,689r
Wilcannia	Young	4	3		Do. Wilcannia	0 2 8	Mechanics' Institute	13,504	W. 1-1,937r
Yarragundry	Mitchell			121	Parish of Yarragundry	2 0 0	Public School	6,813	P. 381-1,978

1878-9.

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Bingera	Murchison	Parish of Bingera	a. r. p. 777 2 0	Permanent Common	Ms. 79-1,710	
Bulla	Monteagle	3 & 4	33	.....	Village of Bulla	1 2 0	Wesleyan Church and Minister's Residence.	Ms. 78-6,068	C. 661-1,064
Molong	Bland .....	.....	.....	69	Parish of Molong	2 0 0	Public School	Ms. 78-9281	P. 429-1,978
Port Hacking..	Cumberland .....	.....	.....	.....	Woronora River, Port Hacking, Wattamolla, Boat Harbour, &c.	18,000 0 0	National Park	Ms. 79-3463	
Tenandra	Lincoln	53	Parish of Tenandra	2 0 0	Public School	Ms. 77-9673	P. 327-1,978

1878-9.

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Place.	County.	Allotment.	Section.	Portion.	Locality.	Area.	To what purpose dedicated.	No. of Papers.	Cat. No. of Plan.
Bow	Brisbane	5, 6 & 7	6	.....	Village of Bow	a. r. p. 1 2 0	Church of England Church and Parsonage.	Ms. 78-13,676	B. 1-2,002 R
Bundanoon	Camden .....	.....	.....	118	Parish of Sutton Forest	1 0 0	Public School	" 2,980	P. 441-1,978
Fell Timber	King .....	.....	.....	161	" Buntton	2 0 0	"	" 3,663	P. 450-1,978
Garra Creek	Ashburnham .....	.....	.....	28 & 29	" Brymedura	1 2 0	Wesleyan Church and Minister's Residence.	" 11,673	C. 611-1,984
Manies Creek	Vernon .....	.....	.....	94	" Waterloo	2 0 0	Public School	" 13,978	P. 479-1,978
Meranburn	Ashburnham .....	.....	.....	113	" Dulladerry	2 0 0	"	Ms. 79- 1,620	P. 444-1,978
Moama	Cadell	6 & 7	34	.....	Town of Moama	1 2 0	Wesleyan Church and Minister's Residence.	Ms. 78- 2,497	C. 637-1,984
Musclebrook	Durham .....	.....	.....	.....	" Musclebrook	About 20 0 0	Addition to Recreation Ground.	" 5,649	Town Map.
Randwick	Cumberland .....	.....	.....	.....	Opposite Destitute Asylum.	0 3 5	Public Recreation	" 6,597	C. 553- 730
" .....	" .....	.....	.....	.....	Bourke-street and Allison Road.	About 0 2 16	Water Supply	" "	C. 772- 690 R
" .....	" .....	.....	.....	.....	Coogee Road	2 1 0	"	" "	Parish Map.
" .....	" .....	.....	.....	.....	Dolphin-street, Coogee	9 2 30	"	" "	" "
" .....	" .....	.....	.....	.....	South Bondi, Coogee	1 3 19	Public Recreation	" "	" "
" .....	" .....	.....	.....	.....	" .....	2 0 39	"	" "	" "
Scarborough Park .....	" .....	.....	.....	.....	Parish of St. George	97 0 0	"	" 15,249	C. 226-2,030 R
Singleton	Durham .....	.....	.....	.....	Parish of Darlington	1,000 0 0	Addition to Permanent Common, Singleton.	Min. 78- 1,367	.....
Tuena	Georgiana	1	20	.....	Town of Tuena	0 2 29	General Cemetery	Ms. 78-11,506	C. 673-1984
Yanko Creek	Urana	102	Parish of Wilson	2 0 0	Public School	" 12,396	P. 428-1978

1878-9.

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Place.	County.	Allotment.	Section.	Portion.	Locality.	Area.	To what purpose dedicated.	No. of Papers.	Cat. No. of Plan.
Back Creek	Gloucester ..	2	11	.....	Parish of Bindera.....	a. f. p.	Public School.....	78-4,600	P. 528-1,978
Beargamil	Ashburnham.....	.....	.....	39 & 40	Do. Beargamil.....	1 1 4	Wesleyan Church and Minister's Residence.	78-4,870	C. 671-1,334
Bingara	Murchison ..	7	40	.....	Town of Bingara	0 2 0	Mechanics' Institute	14,366	B. 13-1,470
Blackheath	Cook	3 & 4	4	.....	Village of Blackheath..	1 2 0	Roman Catholic Church and Presbytery.	11,876	B. 1-2,306a
Bulla	Monteagle.....	.....	.....	.....	Do. Bulla	7 2 0	"	77-6,411	C. 662-1,984
Conargo	Townsend ..	.....	.....	.....	Parish of N. Conargo ..	480 0 0	Permanent Common	79-5,403	.....
Condoublin	Cunningham.....	8, 9, & 10	8	.....	Town of Condoublin ..	1 2 0	Presbyterian Church and Manse.	1,834	C. 724-1,934
Cudale	Ashburnham.....	.....	.....	.....	Parish of Boree Cabonne	8 0 0	Public Recreation.....	78-4,822	A. 1,921-1,770
Dalton	King	7	9	.....	Town of Dalton	0 2 0	Additional site for Public School.	79-417	P. 514-1,978
Denison Town ..	Bligh .....	.....	.....	170-	Parish of Talbragar.....	2 0 0	Public School.....	78-5,351	P. 454
" .....	" .....	.....	.....	172 & 173	Do. do.	1 2 0	Presbyterian Church and Manse.	5,352	C. 672-1,884
Dulladerry	Ashburnham.....	.....	.....	.....	Do. Dulladerry	7 2 0	General Cemetery	2,525	C. 668-1,984
Euabalong	Blaxland	6 & 7	1	.....	Village of Euabalong ..	1 2 0	Presbyterian Church and Manse.	79-1,833	C. 723
Gol Gol	Wentworth ..	.....	.....	.....	Parish of Gol Gol.....	7 2 0	General Cemetery.....	78-3,760	C. 687-1,934
Grass Tree	Denham .....	.....	.....	329	Do. Balmoral	2 0 0	Public School.....	79-1,553	P. 459-1,978
Grahamstown ..	Bathurst .....	.....	.....	227 & 228	Do. Graham.....	1 2 0	Church of England and Parsonage.	78-9,705	C. 704-1,904
Jerry's Plains ..	Hunter.....	4	7	.....	Town of Jerry's Plains..	2 0 0	Public School.....	14,364	P. 491-1,978
Little Billabong.	Goulburn .....	.....	.....	35 & 36	Fsh. of Little Billabong	1 2 0	Church of England and Parsonage.	76-2,782	C. 606-1,984
Meadow Lee.....	Roxburgh ..	1, 2, & 3	22	.....	Village of Meadow Lee..	1 2 23	"	78-15,292	M. 4-1,642
" .....	" .....	.....	.....	.....	Do. do.	6 0 17	Public Recreation	12,775	M. 6-1,642
Merriwa	Brisbane	13, 14, & 15	Part of 8 3	.....	Town of Merriwa	1 2 0	Roman Catholic Church and Presbytery.	79-5,722	.....
Pambula	Auckland .....	.....	.....	.....	Do. Pambula	About	Public Recreation	5,448	.....
Ponto	Gordon.....	.....	.....	73 & 74	Parish of Ponto	50 0 0	Church of England and Parsonage.	78-2,789	C. 666-1,984
Rob Roy	Ararawatta ..	.....	.....	359	Do. Byron	2 0 0	Public School.....	5,501	P. 426-1,978
Rocky Hill	Auckland .....	.....	.....	28	Do. Coolangubra.....	2 0 0	"	4,537	P. 453-1,978
Sutton Forest ..	Camden .....	.....	.....	119	Do. Sutton Forest	1 0 0	Church of England Church.	2,991	C. 660-1,984
Tumut	Wynyard .....	.....	.....	.....	Town of Tumut	About	Addition to Permanent Common.	79-232	.....
Warialda	Burnett .....	.....	74	.....	Do. Warialda.....	42 0 0	Public Recreation.....	4,647	W. 13-1,371
Wheeo	King .....	.....	.....	208	Parish of Winduella ..	10 0 0	Public School.....	78-832	P. 460-1,978
Wickham	Brisbane	3, 4, & 5	22	.....	Village of Wickham ..	2 0 0	"	77-2,259	W. 1-1,626
						1 2 0			

1878-9.

NEW SOUTH WALES.

CROWN LANDS.

(AUTHORIZED TO BE DEDICATED TO RELIGIOUS AND PUBLIC PURPOSES.)

Presented to Parliament, pursuant to Act 25 Vic. No. 1, sec. 5.

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

Place.	County.	Allotment.	Section.	Portion.	Locality.	Area.	To what purpose dedicated.	No. of Papers.	Cat. No. of Plan.
Adelong	Wynyard ..	.....	.....	.....	Parish of Adelong	a. r. p. 7 2 16	General Cemetery	78-9,177 Ms.	C. 715-1,984
Bango Creek ..	King .....	.....	.....	134	" Bango	2 0 0	Public School.....	14,820 "	P. 498-1,978
Broome	Urana ..	.....	.....	235	" Broome.....	2 0 0	"	8,358 "	P. 480-1,978
Bullah Delah ..	Gloucester ..	1, 2, & 10	19	.....	Village of Bullah Delah	1 2 0	Presbyterian Church and Manse.	9,511 "	C. 710-1,984
Cowra.....	Bathurst	6	18	.....	" Cowra	0 2 0	School of Arts	9,132 "	C. 17-1,355
Gundy	Brisbane	4	9	.....	Gundy	2 0 0	Public School.....	79-3,762 "	P. 483-1,978
Inverell	Gough	3 & 4	72	.....	Town of Inverell	1 2 0	Church of England and Parsonage.	73-15,469 "	C. 714-1,984

1878-9.

NEW SOUTH WALES.

CROWN LANDS.

(AUTHORIZED TO BE DEDICATED TO RELIGIOUS AND PUBLIC PURPOSES.)

Presented to Parliament, pursuant to Act 25 Vict. No. 1, sec. 5.

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

Place.	County.	Allotment.	Section.	Portion.	Locality.	Area.	To what purpose dedicated.	No. of Papers.	Cat. No. of Plan.
Bombay	Murray	.....	.....	118	Parish of Jinglemoney	a. r. p.	Public School.....	78-10,084 Ms.	P. 486-1,978
Broken Bridge	Camden	.....	.....	58	Do. Wingello	2 0 0	Do.	79-1,670 "	522
Bullock Island	Northumberland	8	32	.....	Do. Newcastle	0 1 0	Mechanics' Institute	4,965 "	N. 106-844 R.
Carangara	Bathurst	2	2	.....	Village of Byng	1 3 27	Public School	78-9,707 "	P. 504-1,978
Chandler	Clarke	.....	.....	55-6	Parish of Chandler	1 2 0	Presbyterian Church & Manse	15,260 "	C. 729-1,984
Crookwell	King	6-8	21	.....	Town of Crookwell	1 2 0	Do.	79-3,479 "	C. 5-1,753 R.
Demondrille	Hardau	.....	.....	409	Parish of Wambat	4 3 38	Public School	4,613 "	P. 432-1,978
Elersie	Wynyard	.....	.....	167 & 168	Do. Elersie	1 2 0	Church of England Church and Parsonage	78-6,712 "	C. 688-1,984
Elsmore	Gough	.....	.....	250	Do. Anderson	7 2 0	General Cemetery	15,470 "	713
Green Gully	Argyle	.....	.....	92-3	Do. Baw Baw	1 2 0	Primitive Methodist Church & Ministers' Residence	79-2,008 "	726
Ginninderra	Murray	.....	.....	160	Do. Ginninderra	2 0 0	Public School	5,729 "	P. 486-1,978
Gooloogong	Forbes	4-6	7	.....	Village of Gooloogong	1 2 0	Wesleyan Church and Minister's Residence	78-4,858 "	C. 697-1,984
Do.	Do.	.....	.....	.....	Do.	7 2 0	General Cemetery	3,945 "	698
Do.	Do.	1, 2, & 10	23	.....	Do.	1 2 0	Roman Catholic Church, and Presbytery.	3,944 "	699
Glen Innes	Gough	15, 16	12	.....	Town of Glen Innes	1 2 0	Presbyterian Church and Manse.	13,518 "	695
Goulburn	Argyle	.....	.....	.....	City of Goulburn	0 1 0	Primitive Methodist Burial Ground.	79-3,302 "	730
Gregra	Ashburnham	.....	.....	152-3	Parish of Gregra	1 2 0	Church of England Church and Parsonage.	2,343 "	670
Gunning	King	.....	Part of 23	.....	Town of Gunning	0 3 4	Cemetery	78-10,605 "	G. 20-1,011
Liverpool	Cumberland	.....	.....	.....	Parish of St. Luke	1 0 0	Roman Catholic Burial Ground	79-4,013 "	C. 744-1,984
Lord Howe's Island.	.....	.....	.....	6	Pacific Ocean	1 0 0	Public School	78-14,000 "	P. 492-1,978
Manly	Cumberland	.....	.....	.....	At Manly	abt. 2 2 26	Public Recreation	79-4,182 "	Parish Map.
Do.	Do.	.....	.....	.....	Do.	6 2 27	Do.	Do.	Do.
Do.	Do.	.....	.....	.....	Do.	8 3 6	Do.	Do.	Do.
Mathoura	Cadell	.....	.....	89	Town of Mathoura	2 0 0	Public School	78-11,685 "	P. 487-1,978
Do.	Do.	5-8	99	.....	Do.	1 2 0	Church of England Church and Parsonage.	11,686 "	C. 696-1,984
Mendooran	Napier	2 & 1	13	.....	Village of Mendooran	1 2 0	Presbyterian Church and Manse.	14,045 "	727
Moorwatha	Hume	.....	.....	311	Parish of Moorwatha	2 0 0	Public School	79-4,988 "	P. 501-1,978
Mudgee	Wellington	1-3	65	.....	Town of Mudgee	1 2 0	Primitive Methodist Church and Minister's Residence	78-15,017 "	C. 709-1,984
Mundowry	Mitchell	.....	.....	116	Parish of Mundowry	3 0 0	Public School	13,792 "	P. 493-1,978
Narriga	St. Vincent	.....	.....	99	Do. Meangora	2 0 0	Roman Catholic Burial Ground	108 "	C. 651-1,984
Nelson	Dampier	.....	.....	118-9	Tanja	1 2 0	Roman Catholic Church and Presbytery.	1,059 "	634
Do.	Do.	.....	.....	120	Do.	2 0 0	Public School	1,069 "	P. 421-1,978
Nunby	King	5 & 10	19	.....	Village of Nunby	1 0 0	Additional site, Public School	79-7,607 "	434
Oxley Island	Macquarie	.....	.....	171	Parish of Oxley	5 2 26	General Cemetery	78-12,170 "	C. 707-1,984
Parkes	Ashburnham	.....	.....	223	Do. Currajong	6 0 0	Public Recreation	79-6,100 "	A. 2,461-1,770
Redbank Creek	Wellington	.....	.....	134	Do. Mudgee	2 0 0	Public School	78-15,016 "	P. 503-1,978
Salisbury	Sandon	.....	.....	210	Do. Salisbury	2 0 0	Do.	79-4,053 "	505
South Deniliquin.	.....	.....	.....	.....	.....	1 2 0	.....	.....	.....
Do.	.....	.....	.....	.....	.....	3 0 0	.....	.....	.....
Do.	.....	.....	.....	.....	.....	7 2 0	.....	.....	.....
Do.	.....	.....	.....	.....	.....	7 2 0	.....	.....	.....
Do.	.....	.....	.....	.....	.....	2 1 35	Public Recreation and Conservation of Water.	78-7,149 "	D. 36-1,458 R.
Do.	.....	.....	.....	.....	.....	3 2 0	.....	.....	.....
Do.	.....	.....	.....	.....	.....	6 2 0	.....	.....	.....
Do.	.....	.....	.....	.....	.....	2 1 35	.....	.....	.....
Do.	.....	.....	.....	.....	.....	10 2 28	.....	.....	.....
Do.	.....	.....	.....	.....	.....	1 0 18	Water Works	15,021 "	D. 38-1,458 R.
St. Leonards	Cumberland	.....	.....	.....	At St. Leonards	40 0 0	Public Recreation	78-1,913 Rds	.....
Tipperary	Monteagle	.....	.....	1,394	Parish of Young	2 0 0	Public School	77-10,566 "	P. 424-1,978
Gully.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Upper Tumbarumba.	Selwyn	.....	.....	32	Do. King	2 0 0	Do.	79-6,782 "	497
Wagara	Buecleuch	.....	.....	121-2	Do. Wagara	1 2 0	Roman Catholic Church and Presbytery.	78-15,105 "	C. 641-1,984

1878-9.

NEW SOUTH WALES.

CROWN LANDS.

(AUTHORIZED TO BE DEDICATED TO RELIGIOUS AND PUBLIC PURPOSES.)

Presented to Parliament, pursuant to Act 25 Vic. No. 1, sec. 5.

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

Place.	County.	Allotment.	Section.	Portion.	Locality.	Area.	To what purpose dedicated.	No. of Papers.	Cat. No. of Plan.
Albury	Goulburn ..	5 & 6	98.	....	Town of Albury	a. r. p. 1 2 0	Presbyterian Church and Manse.	78-12,077 Ms.	C. 456-1,984
Brolgar	Ashburnham			69	Parish of Martin	2 0 0	Public School.....	79- 7,502 "	P. 475-1,978
Caloola	Cadell			88	" Caloola	2 0 0	"	4,715 "	547
Campbell's River	Georgiana ..			85	" Walbrook	2 0 0	"	4,401 "	550
Conargo	Townsend ..			101	" Thulabin	2 0 0	"	5,791 "	551
Coomber	Roxburgh ..			123	" Rylstone	2 0 0	"	78- 5,618 "	483
Darlington Point	Boyd			201	" Uri	2 0 0	"	79- 2,648 "	542
Glenroy	Selwyn			12	" Glenroy	2 0 0	"	5,971 "	466
Grafton	Clarence		48 & 49	....	Town of Grafton	16 0 0	Public Recreation.....	6,785 "	Town Map.
Grenwich Park	Argyle			90 & 89	Parish of Cookbundoon	1 2 10	Church of England Church and Parsonage.	6,380 "	C. 757-1,984
Irishtown	Georgiana ..			128	" Bolong	2 0 0	Public School.....	2,009 "	P. 536-1,978
Narriga	St. Vincent ..			100 & 101	" Meangora	1 2 0	Wesleyan Church and Minister's Residence.	5,001 "	C. 701-1,984
Stonehenge	Gough			244	" Stonehenge ..	0 3 19	Public School.....	78-12,568 "	P. 488-1,978
Tallagandra	Murray			135	" Tallagandra ..	2 0 0	"	79- 3,906 "	543
Turlinjah	Dampier			355	" Congo	2 0 0	"	399 "	524
Underbank	Gloucester ..			60	" Underbank ..	2 0 0	"	2,007 "	529
Walang	Roxburgh ..			154	" Melrose	2 0 0	"	78-15,479 "	525
Waterview	Clarence			169	" Southampton	2 0 0	"	79- 3,524 "	555
Wellington	Gordon			24	" Curra	11 0 0	Public Recreation.....	5,115 "	Town Map.
Welshman's Creek	Durham			167	" Wallarebba ..	2 0 0	Public School.....	4,597 "	P. 541-1,978
Wilcannia	Young			20	" Wilcannia	320 0 0	Public Recreation.....	5,508 "	Y. 42-1,991
Wilson's Ridges	Ross			182	" Lismore	2 0 0	Public School.....	6,228 "	P. 540-1,978
Windowe Flat	Wynyard			119	" Gilmore	2 0 0	"	78-12,420 "	477
Wollar	Phillip	4 to 7	13	....	Town of Wollar.....	2 0 19	"	79- 4,780 "	546

1878.

NEW SOUTH WALES.

CROWN LANDS.

(AUTHORIZED TO BE DEDICATED TO THE USE AND GENERAL PURPOSES OF PASTORAL AND AGRICULTURAL ASSOCIATIONS)

Presented to Parliament, pursuant to Act 39 Vic. No. 13, sec. 32.

ABSTRACT of Crown Lands authorized to be dedicated for the use and general purposes of Pastoral and Agricultural Associations, in accordance with the 32nd section of the Act 39 Victoria, No. 13.

Place.	County.	Portion.	Section.	Locality.	Area.	Society or Association.	No. of Papers.	Cat. No. of Plan.
Casino	Richmond ..	56	.....	Town of Casino.....	a. r. p. 10 0 0	Richmond River Agricultural and Horticultural Society.	Ms. 78-3,696	C. 28-1,590
Cooma	Beresford ..	152	.....	Parish of Cooma	5 0 0	Monaro Pastoral and Agricultural Association.	77-3,811	B. 1,261-1,765
South Deniliquin	Townsend ..	.....	.....	Town of South Deniliquin	abt. 5 0 0	Deniliquin Pastoral and Agricultural Society.	78-6,477	D. 33-1,458
Tumut	Wynyard.....	.....	part of 56	Town of Tumut	2 2 0	Tumut Agricultural and Horticultural Society.	77-13,265	T. 15-1,344
Wellington	Wellington	61	Town of Wellington	10 0 0	Wellington Pastoral and Agricultural Association.	11,080	W. 46-1,281

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1878.

NEW SOUTH WALES.

CROWN LANDS.

(AUTHORIZED TO BE DEDICATED FOR THE USE OF PASTORAL AND AGRICULTURAL ASSOCIATIONS.)

Presented to Parliament, pursuant to Act 39 Vic. No. 13, sec. 32.

ABSTRACT of Crown Lands authorized to be dedicated for the use and general purposes of Pastoral and Agricultural Associations, in accordance with the 32nd section of the Act 39 Victoria, No. 13.

Place.	County.	Allotment.	Section.	Locality.	Area.	To what Purpose Dedicated.	No. of Papers.	Catalogue number of Plan.
					a. r. p.			
Tenterfield ..	Clive	Part of 41.		Town of Tenterfield.	abt 10 0 0	For the use of the Tenterfield Pastoral, Agricultural, Mining, and Horticultural Association.	Ms. 77-11,436	
Tumut	Wynyard....	Part of 56.		Town of Tumut..	2 2 0	Additional grant for the use of the Tumut Agricultural and Pastoral Association.	77-13,265	T. 15-1,344.

1878.

NEW SOUTH WALES.

CROWN LANDS.

(AUTHORIZED TO BE DEDICATED FOR THE USE OF PASTORAL AND AGRICULTURAL ASSOCIATIONS.)

Presented to Parliament, pursuant to Act 39 Vic. No. 13, sec. 32.

ABSTRACT of Crown Lands authorized to be dedicated for the use of Pastoral and Agricultural Associations, in accordance with the 32nd section of the Act 39 Victoria, No. 13.

Place.	County.	Section.	Portion.	Locality.	Area.	Name of Association.	No. of Papers.	Cat. No. of Plan.
Casino	Richmond ..	56	Town of Casino.....	a. r. p. 10 0 0	Richmond River Agricultural and Horticultural Society.	Ms. 78-3,696	C. 28-1,590

1878-9.

NEW SOUTH WALES.

CROWN LANDS.

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Presented to Parliament, pursuant to Act 39 Vic. No. 13, sec. 32.

ABSTRACT of Crown Lands authorized to be dedicated for the use of Pastoral and Agricultural Associations, in accordance with the 32nd section of the Act 39 Victoria No. 13.

Place.	County.	Section.	Locality.	Area.	Name of Association.	No. of Papers.	Cat. No. of Plan.
Tamworth	Inglis	Part of 43	Town of Tamworth	a. r. p. 3 0 0	Liverpool Plains, Pastoral and Agricultural Association.	Ms. 77-12,841	T. 41-1,393
Do.	Do.	" 44	Do.	5 0 0	Do. ....	.....	.....
Wagga Wagga	Wynyard	Section 85	Town of Wagga Wagga ..	10 0 0	Murrumbidgee Pastoral Association.	77- 7,393	W. 51-1,345

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

RESERVES NEAR WESTERN RAILWAY.

(CORRESPONDENCE, TRACING, &c.)

Ordered by the Legislative Assembly to be printed, 14 May, 1879.

RETURN *in part* to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 1 May, 1877, That there be laid upon the Table of this House,—

“ A Return and Tracing showing all lands within three miles of the Western
“ Railway, between Emu Plains and Lithgow Valley, that have been
“ reserved for any public purpose; also, copies of any Correspondence, or
“ Minutes thereon, having reference to said Reserves.”

(*Mr. Macintosh.*)

RESERVES NEAR WESTERN RAILWAY.

RETURN of Reserves within 3 miles on each side of the Railway Line from Emu Plains to Lithgow Valley.

No.	Area.	Locality.	Date of Notification.	Purpose.
3	85½ acres ...	Parish of Hartley ...	17 April, 1866 ...	Water supply.
5	104 „ ...	“ Blue Mountain Inn” ...	4 June, 1867 ...	„ for railway engines.
6	40 „ ...	Weatherboard ...	24 September, 1867..	Railway purposes.
10	260 „ ...	Darling Causeway ...	10 November, 1868..	Approach to railway.
13	2½ square miles ...	“ Weatherboard Inn” ...	25 January, 1870 ...	Public recreation.
27	3 acres ...	Springwood ...	5 November, 1875...	Public purposes.
29	2,100 „ ...	Govett's Leap ...	28 March, 1876 ...	„
30	.....	Watershed of the Grose River	7 December, 1875...	Water supply for city of Sydney.
31	1 acre 27 perches.	Seventeen-mile Hollow ...	23 February, 1876 ...	Access to platform.
32	685 acres ...	Weatherboard ...	10 May, „ ...	Water supply and railway purposes.
34	250 „ ...	Mount Piddington ...	26 July, „ ...	Public purposes.
35	360 „ ...	Blue Mountain Railway Platform.	22 August, „ ...	„
36	480 „ ...	Blue Mountain Railway Platform.	22 „ „ ...	„
37	50 „ ...	Henderson's Railway Platform.	22 „ „ ...	„
38	50 „ ...	Bull's Camp ...	22 „ „ ...	„
39	125 „ ...	Strathdon ...	22 „ „ ...	„
40	234 „ ...	Emu ...	22 „ „ ...	„
41	280 „ ...	Mount Victoria...	22 „ „ ...	„
42	67 „ ...	Strathdon ...	15 „ „ ...	„
43	4 „ ...	Wascoe's Platform ...	13 January, 1877 ...	„
43a	300 „ ...	Emu ...	15 March, „ ...	„
46	320 „ ...	Mount York ...	8 August, „ ...	„
47	115 „ ...	Emu Plains ...	20 November, „ ...	Rifle ranges.
48	2 „ ...	At the “ Crushers” ...	25 January, 1878 ...	Railway purposes.
49	8½ „ ...	Parish of Lett ...	22 March, „ ...	Public purposes.
50	640 „ ...	„ ...	20 May, „ ...	Travelling stock.
55	The Crown Land lying between the Road and the Railway from Emu Plains to One Tree Hill.	Vide note on Tracing ...	29 April, „ ...	Public purposes.
57		Parish of Clwydd ...	12 August, „ ...	Trigonometrical station.
58	45 „ ...	Parish of Lett ...	29 July, „ ...	Water supply.
59	123 „ ...	„ ...	29 „ „ ...	Travelling stock.
61	34 „ ...	Blackheath ...	30 September, „ ...	Railway and public purposes.
62	20 „ ...	„ ...	30 „ „ ...	Recreation and public purposes.
63	20 „ ...	„ ...	30 „ „ ...	„
64	60 „ ...	Strathdon ...	25 November, „ ...	Access to water.
65	480 „ ...	Parish of Lett ...	1 „ „ ...	Public purposes.
—	100 „ ...	Twenty-four-mile Hollow ...	23 December, „ ...	Water supply and travelling stock.

NOTE.—Reserves of a less area than 20 acres are not shown on the Tracing.

SCHEDULE.

NO.	PAGE.
1. Application by James Tobias Ryan for the conditional purchase of 40 acres, county of Cook. 6 February, 1864 ...	3
2. Licensed-Surveyor Pitt to the Surveyor General, with enclosure. 19 July, 1865	3
3. Same to same, with minutes thereon. 4 January, 1866	4
4. Memorandum of instructions from Surveyor General to Licensed-Surveyor Pitt. 20 April, 1866	4
5. Minute by the Engineer-in-Chief, with minutes thereon. 18 April, 1867	4
6. Minute of Executive Council, with minutes thereon. 16 May, 1867	4
7. Gazette notice.—Reserve from conditional purchase. 4 June, 1867	4
8. Under Secretary for Lands to the Land Agent, Hartley. 9 July, 1867	5
9. Minute by the Chief Draftsman. 15 August, 1867	5
10. Under Secretary for Public Works to the Under Secretary for Lands. 21 August, 1867	5
11. Minute by the Surveyor General. 21 August, 1867	5
12. Commissioner for Railways to the Under Secretary for Lands, with minute thereon. 28 August, 1867	5
13. Minute of Executive Council, with minutes thereon. 31 August, 1867	6
14. Gazette notice.—Reserve from conditional purchase. 24 September, 1867	6
15. Under Secretary for Lands to Land Agent, Hartley. 15 October, 1867	6
16. Minute by the Surveyor General. 12 October, 1868	6
17. Minute of Executive Council, with minutes thereon. 17 October, 1868	6
18. Gazette notice.—Reserve from conditional purchase. 10 November, 1868	7
19. Under Secretary for Lands to Land Agent, Hartley. 17 November, 1868	7
20. Surveyor John W. Deering to the Surveyor General, with minutes thereon. 21 October, 1875	7
21. The Surveyor General to the Under Secretary for Lands. 4 November, 1875	8
22. Minute of Executive Council. 6 December, 1875	8
23. Gazette notice.—Reserve from sale for future water supply to Sydney and suburbs. 7 December, 1875	8
24. Minute by the Deputy Surveyor General, for the Surveyor General. 18 January, 1876	8
25. Minute of Executive Council. 31 January, 1876	8
26. Gazette notice.—Reserve from sale for access to platform. 23 February, 1876	9
27. Under Secretary for Lands to Land Agent, Hartley. 27 July, 1876	9

No. 1.

Mr. J. T. Ryan to The Land Agent, Penrith.

Application for the conditional purchase of unimproved land, without competition, by
James Tobias Ryan, of Emu Plains.

RECEIVED with deposit, this 11th day of February, 1864, at 3 o'clock, by James Tobias Ryan.

RICHARD BROOKS,
Land Agent for Penrith District.

Sir,

Penrith, 6 February, 1864.

I desire to purchase, under the Crown Lands Alienation Act of 1861, without competition, the portion of unimproved Crown land hereunder described; and I tender herewith a deposit at the rate of five shillings per acre on the area for which I apply.

I am, &c.,
JAMES T. RYAN.

DESCRIPTION.

County of Cook, parish unnamed, 40 acres, near Weatherboard, on the Bathurst Road, at the northern side thereof: Commencing at the north-east corner of John Mills's (now William Boyle's) 100 acres, along that line northerly 40 chains; thence on the north by a line easterly 20 chains; thence on the east by the western boundary of 640 acres put up for lease at Penrith on the 20th January, 1864, to the Great Western Road; thence on the south by that road to the point of commencement.

Should there not be a sufficient frontage on the said road, I am willing to have the difference to make the quantity at the rear.

No. 2.

Mr. Licensed-Surveyor Pitt to The Surveyor General.

Sir,

North Richmond, 19 July, 1865.

In compliance with your instructions by letter dated 17th June, 1864, I have the honor to state that I have surveyed and marked out 40 acres of land situate on the Bathurst Road, county of Cook, selected by James Tobias Ryan, under the 13th clause of the Crown Lands Alienation Act, and herewith forward *plan.

*Not necessary.

A tenant of Mr. Ryan's was residing on the land at the date of survey, but I was informed that Mr. Ryan's sons lived on the selection from the date of inspection to June, 1865. I have enclosed the application.

I have, &c.,

GEORGE M. PITT, Junior.

[Enclosure to No. 2.]

Report on Conditional Purchase, County of Cook, Police District of

Land Office No.	Name of Purchaser.	Date of Purchase.	Clause.	Area.	Situation.	Date of Survey.	Nature of Improvements.	Value of Improvements.	Residence.	Remarks.
Not mentioned	James Tobias Ryan.	1864. 6 Feb. ...	13	40 acres	Bathurst Road	1865. 17 July..	Dwelling and outbuildings.	£50	Non ...	G. M. Pitt, junior, licensed surveyor, 19th July, 1865.

No. 3.

Mr. Licensed-Surveyor Pitt to The Surveyor General.

Sir,

North Richmond, 4 January, 1866.

* Not required.

In compliance with your instructions (which I have somewhere unfortunately mislaid), I have the honor to state I have enclosed *plan of amended survey of 40 acres of land conditionally purchased by James Tobias Ryan, under the 13th clause of the Crown Lands Alienation Act, and situate at the Weatherboard, Bathurst Road, county of Cook.

I have, &c.,

GEORGE M. PITT, Junior

Recommended to be reserved for railway by Honorable Minister for Works.—J.W.E, 21 August, /67.

No. 4.

Memorandum of instructions from the Surveyor General.

MEMORANDUM of subject requiring explanation or completion in connection with the survey and plan of 40 acres at the Weatherboard, county Cook, transmitted by Mr. Licensed-Surveyor Pitt's letter of 19th July, 1865, and on which Mr. Pitt's report in explanation is requested.

Subject.

Report.

Mr. Pitt was requested (in the former memo., which he mislaid) to state whether this portion was numbered of the year or of a proposed parish, and no mention has been made about the numbering in his letter answering the memo.

Of the year only. It should be numbered XIX as of a parish. I will introduce the number on the trees on my next trip up the road.

GEORGE M. PITT, Jun.

May 10, 1866.

20 April, 1866.

W.R.D.

No. 5.

Minute by the Engineer-in-Chief.

Railway Department, Sydney, 18 April, 1867.

* Not required.

I ENCLOSE a tracing* showing the creek from which water can be obtained for the locomotive engines on the Western Line, near to the "Blue Mountain Inn."

I recommend that the land enclosed by the Government be reserved from conditional purchase.

J.W., 18/4/67.

Minutes on above.

Approved—Secretary for Lands.—J.B., 23/4/67. Under Secretary for Lands, B.C., 24/4/67. —W.H., for the Under Secretary. Surveyor General, 25 April.—M.F. Mr. Ellis, for description.—W.R.D., 25 April, 1867. The necessary description is enclosed for notification under the provisions of the 4th section, Crown Lands Alienation Act.—W.R.D., B.C. 1 May, 1867. Under Secretary for Lands.

See No. 7.

No. 6.

Minute for the Executive Council.

Department of Lands, Sydney, 16 May, 1867.

See No. 5.

It is recommended to His Excellency the Governor and the Executive Council, for the reasons given in the enclosed report of the Surveyor General, that the portion of Crown land within described, at the "Blue Mountain Inn," county of Cook, containing about 104 acres, be reserved from sale until surveyed for the preservation of water supply for railway purposes, under the 4th section of the Crown Lands Alienation Act of 1861.

G. EAGAR.

Minutes on above.

The Executive Council advise that the portion of land herein described be reserved from sale until surveyed for the preservation of water supply for railway purposes, in terms of the 4th clause of the Crown Lands Alienation Act of 1861.—ALEXANDER C. BUDGE, Clerk of the Council.

Approved.—J.Y., 27 May, 1867. Licensed-Surveyor Pitt informed.—J.W.S., 4 June. The necessary *tracing showing reserve is forwarded for the information of the Land Agent at Penrith.—B.C., 4 July, 1867. The Under Secretary for Lands.

See remark on No. 5.

No. 7.

Gazette Notice.

Department of Lands, Sydney, 4 June, 1867.

RESERVE FROM CONDITIONAL PURCHASE.

HIS Excellency the Governor, with the advice of the Executive Council, directs it to be notified that in pursuance of the provisions of the Crown Lands Alienation Act of 1861, the land specified in the schedule appended hereto shall be reserved from sale until surveyed for the preservation of water supply for railway engines.

J. BOWIE WILSON.

No. 5. County of Cook, on the Bathurst Road, at the "Blue Mountain Inn," containing about 104 acres. The Crown Lands within the following boundaries: Commencing on the northern side of the Great Western Railway, at a point bearing about north $47\frac{1}{2}$ degrees east, and distant 27 chains from

5

from the northern corner of the "Blue Mountain Inn"; and bounded thence on the north by a line bearing west 6 degrees north 7 chains 40 links; and thence by a line bearing west 1 degree south 27 chains; on the north-west by a line bearing south 41½ degrees west 49 chains to the Great Western Railway Line aforesaid; and on the south and south-east by that railway easterly and north-easterly to the point of commencement.

No. 8.

The Under Secretary for Lands to The Land Agent, Hartley.

Sir,

Department of Lands, Sydney, 9 July, 1867.

I am directed to transmit herewith for your information a description with a *tracing showing a portion of land at the Weatherboard, county of Cook, which, by notice in the Government Gazette of the 4th ultimo, has been reserved from sale until surveyed, under the 4th section of the Crown Lands Alienation Act, for the preservation of water supply for railway engines.

For description.
See No. 7.
*Unnecessary.
See No. 7.

I have, &c.,

MICHAEL FITZPATRICK.

No. 9.

Memorandum by the Chief Draftsman.

Mr. Ellis,

15 August, 1867.

The Secretary for Works has requested that the 40 acres forfeited by Ryan, near the Weatherboard, should be reserved. Be so good as to take the necessary steps. The Secretary for Lands concurs.

(Written by Chief Draftsman.)

Description forwarded under blank cover, 21 August, 1867.—J.W.E., 21 August, 1867.

No. 10.

The Under Secretary for Public Works to The Under Secretary for Lands.

Sir,

Department of Public Works, Sydney, 21 August, 1867.

I am directed to request that you will have the goodness to move the Honorable the Secretary for Lands to reserve from sale or free selection a block of land at the Weatherboard, on the Western line of railway, which was originally selected, and since forfeited, by Mr. J. T. Ryan.

2. I am to observe that it is desirable that this land should be reserved for railway purposes, and to request that the Commissioner for Railways may receive authority to occupy it in that behalf, so that he may be able to deal with intruders thereupon.

I have, &c.,

JOHN RAE.

No. 11.

Memorandum by the Surveyor General.

A DESCRIPTION is enclosed defining the boundaries of 40 acres, a forfeited conditional purchase by James T. Ryan, situate at the Weatherboard, on the Bathurst Road, county of Cook, the Honorable the Minister for Works having requested that the same should be reserved for railway, under the 4th section of the Crown Lands Alienation Act.

See No. 14.

W. R. DAVIDSON,

B.C., 21 August, 1867, S.G. Office.

Mr. T.—On receipt of approval, inform Under Secretary for Works.—27.

No. 12.

The Commissioner for Railways to The Under Secretary for Lands.

Sir,

Department of Public Works, Railway Branch, Sydney, 28 August, 1867.

I have the honor to request you will be so good as to move the Honorable the Secretary for Lands to cause to be reserved for railway purposes a block of land at the Weatherboard which was free selected by Mr. Tobias Ryan, and subsequently abandoned.

I have, &c.,

JAMES BYRNES,

Commissioner for Railways.

Minute on above.

There is not any purchase by Tobias, but there is one by James Tobias Ryan, at Penrith, which, perhaps, is the one referred to. (Vide C.P. 64/257.)

No. 13.

Minute-paper for the Executive Council.

Department of Lands, Sydney, 31 August, 1867.

See No. 11

It is recommended to His Excellency the Governor and the Executive Council, for the reasons given in the enclosed report of the Surveyor General, that the portion of Crown land within described, at Weatherboard, on the Bathurst Road, containing 40 acres, be reserved from sale until surveyed for railway purposes, under the 4th section of the Crown Lands Alienation Act 1861.

J. BOWIE WILSON.

Minutes on No. 13.

Clerk of the Council.—M.F., B.C., 2 Sept.

The Executive Council advise that the portion of land at the Weatherboard, Bathurst Road, herein described, be reserved from sale until surveyed for railway purposes, in terms of the 4th clause of the Crown Lands Alienation Act of 1861.—ALEX. C. BUDGE, Clerk of the Council.

Minute 67/39.—10 Sept., 1867. Confirmed.—17 Sept., 1867. Approved.—J.Y., 19 Sept., 1867.

* See remark on No. 15

The necessary *tracing for the information of the Land Agent at Hartley is enclosed.—J. S. ADAM (for Surveyor General), B.C., 7 Oct., 1867. Under Secretary for Lands.

Draw the attention of the Under Secretary for Works to the notice.

No. 14.

Gazette Notice.

Department of Lands, Sydney, 24 September, 1867.

RESERVE FROM CONDITIONAL PURCHASE.

His Excellency the Governor, with the advice of the Executive Council, directs it to be notified that, in pursuance of the provisions of the Crown Lands Alienation Act of 1861, the land specified in the schedule appended hereto shall be reserved from sale until surveyed for railway purposes.

J. BOWIE WILSON.

6. County of Cook, on the Bathurst Road, at the Weatherboard, 40 acres. The Crown lands within the following boundaries: Commencing on the Bathurst Road, at the south-east corner of W. Boyle's 100 acres; and bounded thence on the west by the east boundary of that 100 acres, bearing north 40 chains and 23 links; on the north by a line bearing east 10 chains; on the east by a line bearing south 43 chains and 33 links to the Bathurst Road; and on the south by that road, westerly, to the point of commencement.

No. 15.

The Under Secretary for Lands to The Land Agent, Hartley.

Sir,

Department of Lands, Sydney, 15 October, 1867.

For description see No. 14.
* Not requisite.
See No. 14.

I am directed to transmit herewith for your information a description with a *tracing showing a portion of land at the Weatherboard, county of Cook, which, by notice in the Government Gazette of the 24th ultimo, has been reserved from sale until surveyed, under the 4th section of the Crown Lands Alienation Act, for railway purposes.

I have, &c.,

MICHL. FITZPATRICK.

No. 16.

Memorandum by the Surveyor General.

SUBMITTED for the consideration of the Honorable the Minister for Lands, that the defined portion of land at the Darling Causeway, county of Cook, containing about 260 acres, be reserved, under the provisions of the 4th section of the Crown Lands Alienation Act, for approach to railway.

P. F. ADAMS,

B.C., 12 Oct., 1868, S. G. Office.

No. 17.

Minute-paper for the Executive Council.

Department of Lands, Sydney, 17 October, 1868.

See No. 16.

It is recommended to His Excellency the Governor and the Executive Council, for the reasons given in the enclosed report of the Surveyor General, that the portion of Crown land within described, at the Darling Causeway, county of Cook, containing about 260 acres, be reserved from sale until surveyed for approach to railway, under the 4th section of the Crown Lands Alienation Act of 1861.

J. BOWIE WILSON.

Clerk of the Executive Council.—M.F., B.C., 17 October, 1868.

The Executive Council advise that the portion of land herein described be reserved from sale until surveyed for approach to railway, in terms of the 4th clause of the Crown Lands Alienation Act of 1861.—ALEX. C. BUDGE, Clerk of the Council.

Min. 68/48, 19 October, 1868. Confirmed, 30 October, 1868. Approved.—B., 5/11/68.

* Not necessary.

The necessary tracing* enclosed, showing reserve for approach of railway at the Darling Causeway, county of Cook, is now forwarded for transmission to the Land Agent at Hartley.—J. W. ELLIS (for Surveyor General), B.C., 17 November, 1868.

No. 18.
Gazette Notice.

Department of Lands, Sydney, 10 November, 1868.

RESERVE FROM CONDITIONAL PURCHASE.

His Excellency, with the advice of the Executive Council, directs it to be notified that, in pursuance of the provisions of the Crown Lands Alienation Act of 1861, the land specified in the schedule appended hereto shall be reserved from sale until surveyed for approach to railway.

WILLIAM FORSTER.

No. 10. County of Cook, at the crossing of the Great Western Railway over Bell's line of road, at the Darling Causeway, containing 260 acres. The Crown lands within the following boundaries: Commencing at the south-eastern corner of J. Pool's 40 acres conditional purchase, at the Darling Causeway, parish of Hartley; and bounded thence on the north by the south boundary of that land bearing west to its south-west corner; on the west by a line bearing south 30 chains; on the south by a line bearing east crossing the railway line 72 chains; on the east by a line bearing north 40 chains; on the north by a line bearing west to the east boundary of J. Pool's 40 acres aforesaid; and thence by that boundary southerly to the point of commencement.

No. 19.

The Under Secretary for Lands to The Land Agent, Hartley.

Sir,

Department of Lands, Sydney, 17 November, 1868.

I am directed to transmit herewith for your information a description with a tracing* showing a portion of land at Darling Causeway, county of Cook, which, by notice in the Government Gazette of the 10th instant, has been reserved from sale until surveyed, under the 4th section of the Crown Lands Alienation Act, for the approach to railway.

For description see No. 18.
Unnecessary. See No. 18.

I have, &c.,

MICHAEL FITZPATRICK.

No. 20.

Mr. Surveyor Deering to The Surveyor General.

Sir,

21 October, 1875.

The Surveyor General lately deputed me to report on the reserve at Govett's Leap, and therefore he may not consider it out of place in me now to formally propose that the whole of the Grose Valley to the eastward of Govett's Leap be permanently reserved. A selection has been made, or is about to be made, in the valley. As I have already been spoken to on the subject, I hope not to exceed my duty in expressing a conviction that no such selection or alienation in any form should be permitted. The Grose Valley is a national spectacle. A house of accommodation for excursionists at the bottom of the valley can be managed without alienation.

I think it will be found that portions of the Yosemite Valley were once alienated, and resumed with compensation by the United States Government.

It is probable that the Grose Valley will now be frequently visited, for a track has been found near the waterfall, and ascent actually made from the junction of the Govett's Leap with the Grose, a point at present about three hours' walk from the fall, within the last few days, thus avoiding the long detour of many miles.

JOHN W. DEERING.

Minutes on above.

Surveyor General.—Shall this be carried out?—J.W.E., 2 November, 1875.

I should like the opinion of Mr. Du Faur, who has paid great attention to this place. I am also disposed to recommend the reserve for future water supply to Sydney.—P.F.A., 2 November, 1875.

I would fully endorse the enclosed recommendation of Mr. Surveyor Deering; but would further define the proposed reservation as follows, viz.: All the watersheds of the Govett's Leap Creek, extending from the perpendicular cliffs bounding it on the north, west, and south to its confluence with the Grose River; also the valley of that river, bounded by similar cliffs, for a distance of 2 miles above and 2 miles below the confluence of Govett's Leap Creek. With reference to the selection mentioned by Mr. Deering, I believe it to be 40 acres selected by Carver, an old settler, near the junction of the Grose with the Nepean. Carver appears to have been well acquainted with the Grose Valley for many years previous to the time of the survey made by the sappers and miners. At that time he turned some cattle into the flats at junction of Govett's Leap Creek, 30 miles above the Nepean, and 12 miles below the Darling Causeway, and at the present time there are many of their progeny running wild there which he has never succeeded in mustering. Carver joined our recent camp, with his two sons, and for several days endeavoured to muster or shoot some of the wild cattle, without success. He informed me that he had selected 40 acres "at the foot of Mount King George, at the confluence of Govett's Leap Creek with the Grose." This spot can be made easily accessible within an hour's walk from the end of the 4 mile 60 chain road recently cleared from Blackheath along the range on north side of the Govett's Leap Gorge, if a small amount were spent on a track, by which some of our party climbed out of the gorge without any difficulty. As Carver proposed erecting a substantial hut on his selection, I am inclined to think that his settling there would do much towards opening up these gorges for tourists and artists, and that his selection might be measured so as to in no way interfere with the public interests, unless at some future time, as shadowed forth in the Surveyor General's minute, the Grose Valley might be converted into a series of reservoirs for water supply of Sydney. A small homestead, where potatoes, corn, and dairy produce could be raised, and the necessity for transporting rations avoided, would do more than anything else towards the early development of the locality, in which there are many other falls and spots of almost equal interest with the one generally known as Govett's Leap, which would soon be opened up by tourists but for the difficulty of obtaining supplies.—E. DU FAUR, 2 November, 1875.

The Surveyor General.

The Commissioner for Roads has promised to take an early opportunity of obtaining a report on the track by which we climbed out from the junction, and as to the feasibility of making it more generally accessible.

No. 21.

No. 21.

The Surveyor General to The Under Secretary for Lands.

Surveyor General's Office, 4 November, 1875.

See No. 20

For reasons stated in the letter of Mr. Surveyor Deering, in view of possible future requirements of Sydney in water supply, I think it would be desirable to reserve the valleys of Govett's Leap Creek and the Grose, from its source to a point 2 miles in a direct line below the junction of Govett's Leap Creek, from conditional purchase.

P. F. ADAMS.

No. 22.

Minute of the Executive Council.

Reserves from sale under the 4th section of the Crown Lands Alienation Act of 1861.

Department of Lands, Sydney, 6 December, 1875.

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 purposes specified in connection therewith.

THOMAS GARRETT.

The Executive Council advise that the portions of land specified in schedule be reserved from sale, in terms of the 4th clause of the Crown Lands Alienation Act of 1861.—ALEX. C. BUDGE, Clerk of the Council.

Registration Number.	Area.	Situation.	Purpose of reservation.
Ms. 75-8,483	County of Cook, within the watershed of the river Grose.	Future water supply to Sydney and suburbs.

No. 23.

Gazette Notice.

Department of Lands, Sydney, 7 December, 1875.

RESERVE FROM SALE FOR WATER SUPPLY TO SYDNEY AND SUBURBS.

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 future water supply to city of Sydney and suburbs.

THOMAS GARRETT.

No. 30. County of Cook. The Crown lands within the watershed of the river Grose, from its source downwards to a point 2 miles in a direct line below the junction of Govett's Leap Creek.

No. 24.

Memorandum by the Surveyor General.

18 January, 1876.

SUBMITTED for the consideration of the Honorable the Minister for Lands, that the defined area containing 1 acre 27 perches, at the Seventeen-mile Hollow, on the Great Western Railway, county of Cook, be reserved from sale, under the provisions of the Crown Lands Act, for access to the platform, as recommended by Mr. Surveyor Deering.

R. D. FITZGERALD.
(For the Surveyor General.)

The Under Secretary for Lands. B.C., 18 Jany., /76.

No. 25.

Minute for the Executive Council.

Reserves from sale under the 4th section of the Crown Lands Alienation Act of 1861.

Department of Lands, Sydney, 31 January, 1876.

It is recommended to His Excellency the Governor and the Executive Council that the portions of Crown lands described in the annexed schedule be reserved from sale, under the 4th section of the Crown Lands Alienation Act of 1861, for the several purposes mentioned in connection therewith.

THOS. GARRETT.
The

Approved.—H.R., 3/2/76.

The Executive Council advise that the portions of land specified in schedule be reserved from sale for the purposes specified in terms of the 4th clause Crown Lands Alienation Act of 1861.—ALEX. C. BUDGE, Clerk of the Council.

Min. 76/5.—1/2/76. Confirmed.—7/2/76.

Registration Number.	Area.	Situation.	Purpose of Reservation.
*	a. r. p. 1 0 27	County of Cook, parish of Magdala	For access to platform.
*	*	*	*

No. 26.

Gazette Notice.

Department of Lands, Sydney, 23 February, 1876.

RESERVE FROM SALE FOR ACCESS TO PLATFORM.

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 access to platform.

THOMAS GARRETT.

No. 31. County of Cook, parish of Magdala, 1 acre 27 perches, the Seventeen-mile Hollow. The Crown lands within the following boundaries: Commencing on the Great Western Railway, at the north-east corner of portion 75 over 1, of 3 roods 20 perches; and bounded thence on the west by the east boundary line of that portion bearing south 1 chain 77 links to the Main Western Road from Sydney to Bathurst; on the south by that road easterly to the Great Western Railway fence; thence by that fence westerly to the point of commencement.

No. 27.

The Under Secretary for Lands to The Land Agent, Hartley.

Sir,

Department of Lands, Sydney, 27 July, 1876.

I am directed to transmit herewith for your information, a description with a tracing* showing portion of land, in the parish of Magdala, county of Cook, which, by notice in the Government Gazette of the 23rd February last, has been reserved from sale, under the 4th section of the Crown Lands Alienation Act, for access to platform. *Not necessary. Res. No. 31. See No. 26.

I have, &c.,

A. O. MORIARTY.

(For the Under Secretary).

SCHEDULE.

NO.	PAGE.
1. Minute by the Deputy Surveyor General, for the Surveyor General, with minute thereon. 3 October, 1867	10
2. Minute of Executive Council, with minutes thereon. 29 October, 1867	10
3. Gazette Notice—Reserve from Conditional Purchase. 26 November, 1867	10
4. Under Secretary for Lands to Land Agent, Hartley. 10 December, 1867	11
5. Same to Land Agent, Penrith. 10 December, 1867	11
6. Licensed Surveyor Wyndham to the Surveyor General, with minute thereon. 24 December, 1867	11
7. Memorandum of Instructions from the Surveyor General to Licensed Surveyor Wyndham. 31 December, 1867	11
8. Licensed Surveyor Wyndham to the Surveyor General, with minutes thereon. 10 January, 1868	12
9. Minute by the Deputy Surveyor General. 25 February, 1868	12
10. Surveyor General to Surveyor Wyndham. 27 February, 1868	12
11. Surveyor Wyndham to the Surveyor General, with minutes thereon. 26 March, 1868	12
12. Minute by Mr. Draftsman Johnson. 14 August, 1868	12
13. Minute by the Chief Draftsman, for the Surveyor General. 1 September, 1868	12
14. Minute of Executive Council, with minute thereon. 1 September, 1868	12
15. Minute by the Deputy Surveyor General. 22 September, 1868	13
16. Minute of Executive Council, with minute thereon. 30 September, 1868	13
17. Gazette Notice—Revocation of Temporary Reserve. 9 October, 1868	13
18. Under Secretary for Lands to Land Agent, Penrith. 20 October, 1868	13
19. Same to Land Agent, Hartley. 20 October, 1868	14
20. Gazette Notice—Revocation of Temporary Reserve. 24 October, 1868	14
21. Under Secretary for Lands to Land Agent, Hartley. 17 November, 1868	14

No. 1.

Minute by the Deputy Surveyor General.

ATTENTION has been called to the existence of certain natural features, such as waterfalls, fine views, &c. upon or near the line of Railway passing the Weatherboard and Blackheath, and to the necessity of reserving certain spots in their neighbourhood for public recreation, &c., also for subdivision for sale into portions of suitable area for residences.

In order that an examination and the necessary surveys may take place, the accompanying description of a temporary reserve from conditional purchase is submitted, with a view to its proclamation. The area is necessarily large, 44 square miles, extending 1 mile or 1 and 2 miles on the other side of the road. The land embraced is unsuited to conditional purchase for agricultural purposes.

P. F. ADAMS,
(For the Surveyor General),
3 October, 1867.

Approved.—J.B.W., 11 October, 1867.

No. 2.

Minute-paper for the Executive Council.

Department of Lands, Sydney, 29 October, 1867.

It is recommended to His Excellency the Governor and the Executive Council, for the reasons given in the enclosed report of the Surveyor General, that the portion of Crown lands within described at the Weatherboard and Blackheath, in the county of Cook, containing 44 square miles, be reserved from sale until surveyed for public recreation, &c., under the 4th section of the Crown Lands Alienation Act of 1861.

J. BOWIE WILSON.

Minutes on above.

Clerk of the Executive Council.—M.F., B.C., 29 October, 1867.

The Executive Council advise, as herein recommended, that the portion of land containing 44 square miles, herein described, be temporarily reserved from sale, for public recreation, &c., in terms of the 4th clause of the Crown Lands Alienation Act of 1861.—ALEX. C. BUDGE, Clerk of the Council.

Min. 67/47, 5 Nov., 1867. Confirmed.—13 Nov., 1867. Approved, 15 Nov., 1867.—J.Y.

Mr. District-Surveyor Fisher, Mr. Licensed-Surveyor Pitt, and Mr. Licensed-Surveyor Finley informed.—3 December, 1867.

The necessary tracings are enclosed for the information of the Land Agents at Hartley and Penrith.—W. R. DAVIDSON, Surveyor General's Office, B.C., 4 December, 1867.. The Under Secretary for Lands.

No. 3.

Gazette Notice.

Department of Lands, Sydney, 26 November, 1867.

RESERVE FROM CONDITIONAL PURCHASE.

His Excellency the Governor, with the advice of the Executive Council, directs it to be notified that, in pursuance of the provisions of the Crown Lands Alienation Act of 1861, the land specified in the schedule appended hereto shall be reserved from sale until surveyed for public recreation, &c.

J. BOWIE WILSON.

County of Cook, on the Bathurst Road, from One-tree Hill to the "Blue Mountain Inn," at 24-mile Hollow, containing 44 square miles. The Crown Lands within the following boundaries: Bounded on part of the west, from the Bathurst Road, by the east boundary of J. Finn's 40 acres C.P., parish of Hartley, at One-tree Hill, and its northerly prolongation, bearing north in all 2 miles; on the north-east by

11

by a line south-easterly, generally parallel with the Bathurst Road, and distant 2 miles from that road, to within 1 mile northerly from that road near David Jones's 30 acres; thence on the north by a line easterly and generally parallel to the Bathurst Road aforesaid, and distant 1 mile from it to its intersection with a line forming the northerly prolongation of the west boundary of H. Wilson's 100 acres at "Blue Mountain Inn," 24-mile Hollow; thence on the east by that line and the west boundary of that 100 acres, bearing south in all about $3\frac{1}{4}$ miles, crossing the Bathurst Road aforesaid; thence on the south by a line westerly, generally parallel to the Bathurst Road aforesaid, and distant 2 miles therefrom to Pulpit Hill; thence on the south-west by a line north-westerly, generally parallel with the road aforesaid, and distant 1 mile from it to its intersection with the southerly prolongation of the east boundary of 40 acres, portion 90, on the Bathurst road aforesaid, adjoining 320 acres mineral conditional purchase by L. E. Threkeld; and on the remainder of the west by a line bearing north to the south-east corner of that 40 acres, by the east boundary of that land bearing north to the road aforesaid; and thence crossing that road northerly, to the point of commencement.

No. 4.

The Under Secretary for Lands to The Land Agent, Hartley.

Sir,

Department of Lands, Sydney, 10 December, 1867.

I am to transmit herewith for your information a description with a *tracing showing a portion of land at the Weatherboard, county of Cook, which, by notice in the Government Gazette of the 26th ultimo, has been reserved from sale until surveyed, under the 4th section of the Crown Lands Alienation Act, for public recreation, &c.

For description see No. 3.
*Not requisite.
See No. 3.

I have, &c.,

MICHAEL FITZPATRICK.

No. 5.

The Under Secretary for Lands to The Land Agent, Penrith.

Sir,

Department of Lands, Sydney, 10 December, 1867.

I am to transmit herewith for your information a description with a *tracing showing a portion of land at the Weatherboard, county of Cook, which, by notice in the Government Gazette of the 26th ultimo, has been reserved from sale until surveyed, under the 4th section of the Crown Lands Alienation Act, for public recreation, &c.

For description see No. 3.
*Not requisite.
See No. 3.

I have, &c.,

MICHAEL FITZPATRICK.

No. 6.

Mr. Licensed-Surveyor Wyndham to The Surveyor General.

Sir,

158, Burton-street, Darlinghurst, Sydney, 24 December, 1867.

I have to report that in compliance with your instructions I have examined the land in the neighbourhood of the waterfalls at the Weatherboard and at Blackheath, with reference to the sale of portions as sites for summer residences, &c.; and that I have made a feature survey of the land available for that purpose at the former place, which I herewith transmit to you. Nearly the whole of the unalienated land shown on the plan is well suited for the proposed purpose.

There is a portion of alienated land of which one corner only is shown on the plan, as owing to an error in the reference of the County Map (as it appears to me) I have no copy of the original plan of the portion, and could not therefore show it without making a fresh survey of it.

With regard to the land at Blackheath, I do not consider it so well adapted to the intended purpose as that at the Weatherboard, as the land from whence a view of the valley can be obtained only extends a short distance from the edge of the cliffs, near which some few portions might be laid out with advantage.

I have, &c.,

EDWARD S. WYNDHAM,

Licensed Surveyor.

The instructions did not convey the scale upon which Mr. Wyndham was required to plot this work. He is therefore requested to replot it upon a scale of 8 chains to the inch, and furnish a design for subdivision into portions of suitable area for the purpose, say from 5 to 15 acres, also a reserve for public recreation.—P.F.A., 31st December.

No. 7.

Memorandum from the Surveyor General to Mr. Licensed-Surveyor Wyndham.

MEMORANDUM of subjects requiring explanation or completion in connection with the Survey and Plan of features near the Weatherboard, county of Cook, transmitted by Mr. Licensed-Surveyor Wyndham, by letter of the 24th December, and on which Mr. Wyndham's report in explanation is requested.

Subject.

Report.

It should have been stated on the plan that corners marked G and H were found*. Traverse line 106 is entered in the traverse table as bearing south $24^{\circ} 5'$ east; it plots S. $14^{\circ} 5'$ east.

Frost's 40-acre portion, as fixed by Charlton, (licensed surveyor) is shown on the attached tracing in black lines.

The red lines show its position according to present survey.

The corners G and H were found. I will attend to this in future.

*This is a clerical error in the plan. The bearing in field-book is S. $14^{\circ} 5'$ E.

I found the S.E. corner of this portion and the S. boundary marked on tracing. The ground as shown in my plan.

EDWARD S. WYNDHAM,

Licensed Surveyor.

P. F. ADAMS,

31st December, 1867.

No. 8.

No. 8.

Mr. Licensed-Surveyor Wyndham to The Surveyor General.

Sir,

Sydney, 10 January, 1868.

*Not requisite.
†Not required.

In compliance with your instructions, I herewith transmit to you a plan* of my survey near the Weatherboard, on a scale of 8 chains to an inch, and also a tracing† of the same, showing design for subdivision into allotments.

I also return the papers sent to me with the instructions.

I have, &c.,
EDWARD S. WYNDHAM.

Mr. Adam,—This design may be adopted, and when Mr. Wyndham completes the surveys he is now doing for the Water Commission he may be instructed to lay out a few portions for sale.

A tracing may be prepared for the Minister, showing the approximate areas of the portions designed and the approximate position of the railway store.—P.F.A., 16 January.

Mr. Wyndham may be instructed to measure ten or twelve portions for sale, selecting those most likely to sell.—P.F.A.

No. 9.

Minute by the Deputy Surveyor General.

MR. ADAM,—Mr. Surveyor Wyndham may be instructed to lay out some ten or twelve allotments at the Weatherboard, in accordance with his design, in the positions most likely to sell.

P.F.A., 25 February, 1868.

No. 10.

The Surveyor General to Mr. Licensed-Surveyor Wyndham.

Sir,

Surveyor General's Office, Sydney, 27 February, 1868.

I have to request that you will be good enough to lay out some ten or twelve allotments at the Weatherboard, in accordance with the design furnished recently by you, in the position most likely to sell.

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

No. 11.

Mr. Licensed-Surveyor Wyndham to The Surveyor General.

Sir,

26 March, 1868.

Herewith I transmit to you the plan* of allotments at the Weatherboard, measured in accordance with your instructions.

I have, &c.,
EDWARD S. WYNDHAM.

Mr. Adam,—Should these lots go on as suburban or country, and what should be the upset price per acre?—A.J., 29th July, 1868. Country, at £2.—29. These portions are within reserve from sale until surveyed, &c. Can they be sold without that portion of the reserve being revoked?—T.H.C., 3 July, 1868.

No. 12.

Minute by Mr. Draftsman Johnson.

MR. ADAM,—The accompanying plan of lands at the Weatherboard should be sent to Mr. Ellis for revocation of that part of the reserve from sale, &c., in which they are situated.

A.J., 14 August.

No. 13.

Minute by the Chief Draftsman.

SUBMITTED for the information of the Honorable the Minister for Lands, that the portion of the reserve from sale at the Weatherboard, notified 26th November, 1867, lately subdivided by Mr. Licensed-Surveyor Wyndham, be now revoked, under the provisions of the 6th section of the Crown Lands Alienation Act.

J. S. ADAM.
(For Surveyor General.)

Under Secretary for Lands, B.C., 1 September, 1868.—Sur. Gl. Office.

No. 14.

Minute-paper for the Executive Council.

Department of Lands, Sydney, 17 September, 1868.

It is recommended to His Excellency the Governor and the Executive Council, for the reasons given in the enclosed report of the Surveyor General, that the temporary reservation, notified on 26th November, 1867, of the within described land, situated at the Weatherboard, be now revoked, under the 6th section of the Crown Lands Alienation Act of 1861.

J. BOWIE WILSON.

Clerk

13

Clerk of the Executive Council, B.C., 18 Sept., 1868.

The Executive Council advise that the temporary reservation from sale of the portion of land at the Weatherboard, herein referred to, be now revoked, in terms of the 6th clause of the Crown Lands Alienation Act of 1861.—ALEX. BUDGE, Clerk of the Council.
Min. 68/42, 21st Sept., 1868. Confirmed, 28 Sept., 1868. Approved.—B., 30/9/68.

The necessary information showing the portion of the reserve for recreation at the Weatherboard, revoked by notice, 9th Oct., is enclosed for transmission to the Land Agent at Hartley and Penrith.—J. W. ELLIS (for Sur. General), 14 Oct., /68. The Under Secretary for Lands.

No. 15.

Memorandum by the Deputy Surveyor General.

SUBMITTED for the consideration of the Honorable the Minister for Lands, that the defined portion of the reserve for public recreation, &c., county of Cook, notified 26th November, 1867, be now revoked, that the land might be brought forward for sale.
P. F. ADAMS,

The Under Secretary for Lands, B.C., 22nd September, 1868.—Surveyor General's Office.

No. 16.

Minute-paper for the Executive Council.

Department of Lands, Sydney, 30 September, 1868.

It is recommended to His Excellency the Governor and the Executive Council, for the reasons given in the enclosed report of the Surveyor General, that the temporary reservation, notified on the 26th November, 1867, of the within described land, situated in the parish of Megalong, county of Cook, be now revoked, under the 6th section of the Crown Lands Alienation Act of 1861.

J. BOWIE WILSON.

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

The Executive Council advise that the temporary reservation from sale of the portion of land herein referred to be now revoked, in terms of the 6th clause of the Crown Lands Alienation Act of 1861.—ALEX. C. BUDGE, Clerk of the Council, 12th Oct., 1868. Confirmed 16th Oct., 1868. Approved.—B., 20/10/68.

The necessary tracing showing the portion of the recreation reserve revoked under notice 24th Oct., 1868, is enclosed for transmission to the Land Agent at Hartley.—J. W. ELLIS (for Surveyor General), 16th Nov., 1868.

No. 17.

Gazette Notice.

REVOCATION OF TEMPORARY RESERVE.

Department of Lands, Sydney, 9 October, 1868.

It is hereby notified for general information that His Excellency the Governor, with the advice of the Executive Council, has been pleased to revoke, under the 6th section of the Crown Lands Alienation Act of 1861, the temporary reservation from sale of the portion of land hereinafter described.

JOHN BOWIE WILSON.

County of Cook, on the Bathurst Road, 98 acres 2 roods 18 perches. That portion of reserve from sale until surveyed for public recreation, &c., notified 26th November, 1867, included in portions 1 to 6 and 8 to 10 inclusive, parish of Jamieson, within the following boundaries: Commencing at the south-western corner of portion 1, parish of Jamieson; and bounded thence on the south by the southern boundaries of that portion and portion 2, being in all a line bearing east 10 chains 73 links, by the south-eastern boundary of the latter portion and its north-easterly prolongation, bearing north 44 degrees 3 minutes east, about $2\frac{1}{2}$ chains to the south-western corner of portion 3; thence by the road forming the southern boundaries of portion 3 aforesaid, and portions 4, 6, 9, and 10, crossing Jamieson's Valley Creek south-easterly to the southern corner of the latter portion; and thence by the south-eastern boundary-line of that portion bearing east 26 degrees 58 minutes, north 5 chains 29 links; on the east by the eastern boundary-line of that portion bearing north 11 chains 86 links; thence by part of the northern boundary-line of that portion bearing west 4 chains; thence by a line bearing north 1 chain, and by the eastern boundaries of portions 8 and 7, being in all a line bearing north 20 chains 99 links to Small Creek, forming the northern boundary of the latter portion; thence by that creek downwards to Jamieson Valley Creek, and by Jamieson Valley Creek downwards to the north-eastern corner of portion 5; on the north by the northern boundaries of that portion and portions 4, 3, 2, and 1 aforesaid, being in all a line bearing west 40 chains 30 links; and on the west by the western boundary-line of the last-mentioned portion bearing south 11 chains, to the point of commencement.

No. 18.

The Under Secretary for Lands to The Land Agent, Penrith.

Sir,

Department of Lands, Sydney, 20 October, 1868.

I am directed to transmit herewith for your information a description with a tracing* showing the portion of the reserve from sale for public recreation at the Weatherboard, county of Cook, which has been revoked by notice in the Government Gazette of the 9th instant.

The reserve has been subdivided for sale.

I have, &c.,

MICHAEL FITZPATRICK.

No. 19.

The Under Secretary for Lands to The Land Agent, Hartley.

Sir,

Department of Lands, Sydney, 20 October, 1868.

For description
see No. 17.
*Not required.
See No. 17.

I am directed to transmit herewith for your information a description with a tracing* showing the portion of the reserve from sale for public recreation at the Weatherboard, county of Cook, which has been revoked by notice in the Government Gazette of the 9th instant.

The reserve has been subdivided for sale.

I have, &c.,

MICHAEL FITZPATRICK.

No. 20.

Gazette Notice.

REVOCATION OF TEMPORARY RESERVE.

Department of Lands, Sydney, 24 October, 1868.

It is hereby notified for general information that His Excellency the Governor, with the advice of the Executive Council, has been pleased to revoke, under the 6th section of the Crown Lands Alienation Act of 1861, the temporary reservation from sale of the portion of land hereinafter described.

JOHN BOWIE WILSON.

County of Cook, parish of Megalong on the Sydney and Bathurst Road, portions 10 and 11, 80 acres. That portion of the reserve from sale until surveyed for public recreation, &c., from Onetree Hill to the "Blue Mountain Inn," at 24-mile Hollow, as notified in the Government Gazette of 26th November, 1867, within the following boundaries: Commencing on the Sydney and Bathurst Road, at the south-eastern corner of portion 9, parish of Megalong; and bounded thence on the north by part of the southern boundary line of that portion, being the northern boundaries of portions 10 and 11 aforesaid, bearing west 28 chains 45 links; on the west by the western boundary-line of the last-mentioned portion, bearing south 31 chains 10 links to the edge of the Sandstone Cliff; on the south by the edge of that cliff easterly to the south-eastern corner of that portion; on the east by part of the eastern boundary-line of portion 11 aforesaid, bearing north 17 chains 68 links; again on the south by the southern boundary-line of portion 10 aforesaid, bearing east 33 chains 10 links; again on the east by the eastern boundary line of that portion bearing north 6 chains 70 links to the Sydney and Bathurst Road; and on the north-east by that road north-westerly to the point of commencement.

No. 21.

The Under Secretary for Lands to The Land Agent, Hartley.

Sir,

Department of Lands, Sydney, 17 November, 1868.

For description
see No. 20.
*Not wanted.
See No. 20.

I am directed to transmit herewith for your information a description with a tracing* showing the portion of the reserve for recreation in the parish of Megalong, county of Cook, which has been revoked by notice in the Government Gazette of the 24th ultimo.

The reserve has been subdivided for sale, and is now open to conditional purchase.

I have, &c.,

MICHAEL FITZPATRICK.

Letters similar to above sent to Land Agent at Penrith on 17 November, 1868.

[Plan.]

[1s.]

PLAN

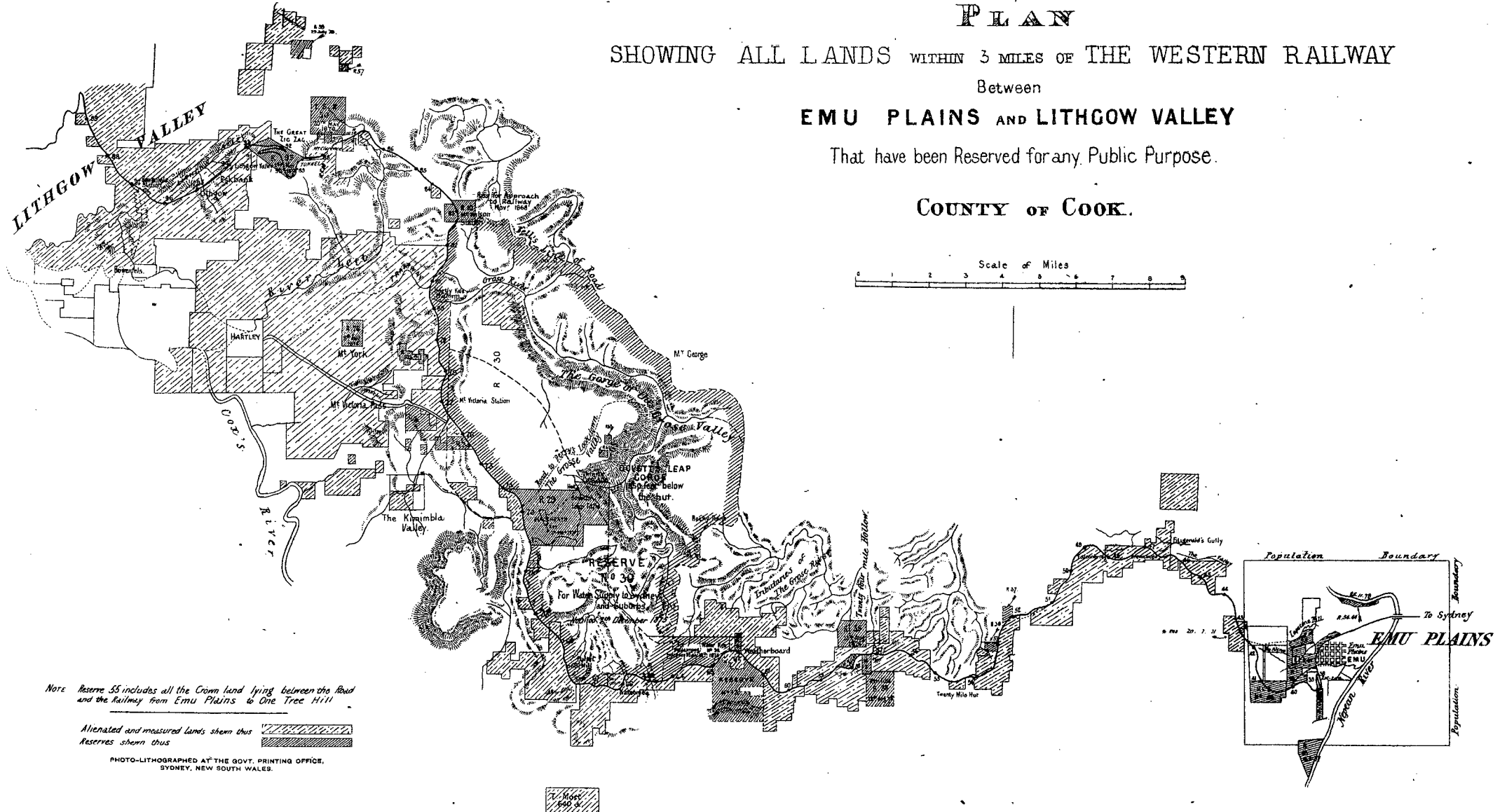
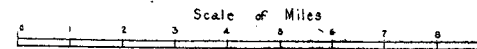
SHOWING ALL LANDS WITHIN 3 MILES OF THE WESTERN RAILWAY

Between

EMU PLAINS AND LITHGOW VALLEY

That have been Reserved for any Public Purpose.

COUNTY OF COOK.



Note Reserve 55 includes all the Crown land lying between the Road and the Railway from Emu Plains to One Tree Hill

Alienated and measured lands shown thus
Reserves shown thus

PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

NAMOI-NARRABRI TIMBER RESERVE.

(SURVEYORS' REPORTS AND PLANS.)

*Ordered by the Legislative Assembly to be printed, 7 May, 1879.**[Laid upon the Table in accordance with promise made in answer to Question of Mr. Dangar, M.P., 8 October, 1878.]*

SCHEDULE.

NO.	PAGE.
1. Dist.-Sur. Dewhurst to the Surveyor General, recommending boundaries for a forest reserve, counties of White and Baradine, with tracing enclosed. 30 December, 1876	1
2. Petition from residents of Narrabri and Namoi River <i>in re</i> timber reserve near Narrabri.....	1
3. James Ward, Forest Ranger, to Chief Officer, Occupation of Lands, reporting on above petition. 8 June, 1877.....	2
4. Dist.-Sur. Dewhurst to the Surveyor General, also reporting on above petition and reserve. 23 June, 1877.....	2
5. Surveyor M'Master to the Surveyor General, reporting on timber reserves, counties of White and Baradine, with tracing enclosed. 12 November, 1877.....	3
6. Dist.-Sur. Dewhurst to the Surveyor General, reporting upon the various timber reserves in his district, including those in the counties of White and Baradine, with tracing enclosed. 6 May, 1878.....	3

No. 1.

Mr. District-Surveyor Dewhurst to The Surveyor General.

Sir,

Tamworth, 30 December, 1876.

In compliance with your memorandum, I have the honor to recommend the adoption of the boundaries shown in the enclosed *tracing, which will include a large forest of valuable timber.

The area proposed to be reserved is of great extent. This becomes necessary, as it is impossible to define with any degree of exactness where the timber is good or where it is worthless, and I have to be entirely guided by the result of my observations when engaged some years ago in a two months' feature-survey, traversing the various creeks and tracks which intersect the country.

I beg especially to call your attention to the large plan I had the honor to transmit to you with my letter referred to in the margin, dated March 26th, 1872. You will there observe that the lines shown here cut through or come near certain known points in the scrub; also, that they include certain country known by observation to be well timbered, while they exclude much that is known to be worthless.

I have, &c.,

A. DEWHURST.

No. 2.

Petition from Residents of Narrabri and Namoi River.

1876-7.—Legislative Assembly, New South Wales.

Timber Reserve near Narrabri.—(Petition respecting—Residents of Narrabri and Namoi River.)

Ordered by the Legislative Assembly to be printed, 16 May, 1877.

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

The humble Petition of the undersigned Residents of Narrabri and that portion of the Gwydir District known as the Namoi,—

Showeth:—

1. That with surprise and alarm your Petitioners have been made aware, by notification bearing date the 20th day of March, in the year of our Lord 1877, and published in the New South Wales Government Gazette, dated 23rd day of the same month, and in the same year, that a reserve, numbered 1,088, of an area of some five hundred and twenty square miles, extending from Turrawan to four miles below Pilliga Hut, fronting close on to the Namoi River, and at or opposite the town of Narrabri, stretching backwards some sixteen miles, has been proclaimed by the Government for the preservation and growth of timber, and is moreover reserved from sale under the "Crown Lands Alienation Act of 1864," and exempted from the operation of licenses issued under the Crown Lands Regulations.

2. That, with the exception of a small supply remaining on the right bank of the river, far removed from the town, and which is calculated to last three months at the very outside, your Petitioners are cut off from all timber for fencing or building purposes by the aforesaid reserve having been proclaimed.

3. That the result of the aforesaid reserve having been made has been that many of your Petitioners have been deprived of the means of earning an honest livelihood by splitting and sawing; that the building and other trades depending upon an adequate supply of timber are either already brought, or will shortly be brought, to a standstill; that a sudden and decided stop has been put to the progress of the township; that the Crown lessees will have to discontinue fencing and other improvements; and the conditional purchasers will be debarred from fulfilling the conditions of improvement imposed upon them by the "Crown Lands Alienation Act of 1864."

4. That a more careful survey of the country lying between the Namoi and Castlereagh Rivers will show that the very best ironbark timber lies from fifteen to twenty-five or thirty miles back from the former river; that in the reserve aforesaid the ironbark timber is scarce and of inferior quality, unfit for Government purposes, but fit for the requirements of your Petitioners; and that the aforesaid reserve contains large quantities of oak, box, pine, and belar, such as (of no use to the Government or the Government's contractors) are of the greatest value to your Petitioners.

5. That the contractor for the bridges over the Narrabri Creek and Namoi River has had to pass right through and beyond the aforesaid reserve before he could find ironbark timber suited to his purposes.

6. That the action of the aforesaid reserve is proving and must prove most injurious to the welfare and detrimental to the prosperity of your Petitioners.

7. That the condition attaching to the so-called permit, prohibiting the cutting of any tree of a less diameter than twenty-four inches, precludes the utilizing of box, oak, pine, belar, and other useful timbers, which only in very rare instances attain to such dimensions.

Your Petitioners, under the aforesaid circumstances, respectfully pray that your Honorable House will cause inquiry to be made by disinterested experts into the truth of the aforesaid allegations, and extend to your Petitioners such measure of relief, either by revocation of or throwing back the aforesaid reserve some twelve or fifteen miles, as may seem meet to your Honorable House.

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

[Here follow 210 signatures.]

No. 3.

Forest Ranger Ward to The Chief Officer, Occupation of Lands.

*See No. 2.

Report on the *Petition of the residents of Narrabri and Namoi.

Narrabri, 8 June, 1877.

1st. The several statements set forth in this clause are correct.

2nd. The timber fit for building purposes is far removed from Narrabri, some 16 miles, except on reserve 1,088, and is scant in quantity.

3rd. It is incorrect that any of the petitioners or any other person has been deprived of the means of support by splitting or sawing, or that building or other trades depending on an adequate supply of timber are either brought or will be brought to a standstill; nor has the progress of the township been interfered with. The Crown lessees are fencing as quickly as the scarcity of labour will permit; and the conditional purchasers are not only fencing and building, but making fresh selections.

4th. Quantities of good timber can be found beyond the reserve. Oak, pine, &c., can be found on the reserve fit for fencing, &c., but of no use for large works.

5th. The contractor for bridges at Narrabri had to go beyond the reserve for hardwood, as the species on that part of the reserve ripen before attaining maturity.

6th. In no way has the reserve interfered with the welfare of the petitioners, or the prosperity of Narrabri.

During the last three months several buildings have been put up, and others (some of large dimensions) are in course of erection. Special permits have been applied for and issued, and every facility given to applications to prevent inconvenience.

7th. The conditions attaching to permits as regards pine have been reduced from 24 to 12 inches. The hardwood can be found the size required by the permits in quantities on the reserve.

The prayer of the petitioners could be attended to by severing that portion of the reserve from Tarawan to Brigalow Creek, about 17 miles frontage to Namoi River. Brigalow Creek will be a well-defined boundary; the best timbers on that portion of the reserve are found on Sandy, Jack's, and Bohena Creeks. The reserve would then have a frontage of 90 miles to the river.

JAMES WARD,
Forest Ranger.

No. 4.

District-Surveyor Dewhurst to The Surveyor General.

Sir,

Tamworth, 23 June, 1877.

I have the honor to inform you that I have read the petition respecting the timber reserve near Narrabri, and as you desire me to report further on the subject, or to reconsider my previous recommendations, I beg to state that, on a careful review of the plans in my possession and the former report, together with the various clauses of the petition, I can arrive at no other conclusion but that the boundaries of the reserve as proclaimed, embrace a vast amount of excellent, soft, and hardwood timber. It is satisfactory to observe that the petitioners, while they endeavour for present necessities to frustrate the value of the reserve, completely indorse my report, showing that even in the vicinity of the river extensive splitting and fencing operations are carried on.

So far as protecting the valuable timber from wanton destruction or careless use is concerned, the end appears to have been well obtained by the proclamation of the present boundaries; but I am very far from being prepared to advance as my opinion, that any town should be shut out from the privilege of availing itself of the careful use of fine timber that may grow in its precincts, for the benefit of a town that may in that respect stand in a less-favoured situation. I may well call your attention to my letter, in

in which I showed the pitiable state Tamworth was reduced to a few years ago, by an arbitrary lock up of a vast area of Crown lands containing all the available timber. The ultimate result of my letter was, that the reserve was at length thrown open to the public under certain rules and regulations, and the best sawn timber can now be delivered in Tamworth, a distance of 40 miles, for £1 2s. per 100 feet.

This statement of figures and facts goes far to prove that the present rules and regulations and the price of permits cannot be so crushing as the 210 Narrabri consumers and petitioners seem to imagine; but I may suggest that they be carefully reconsidered and revised, with some regard to the different species of timber, and that if it be considered expedient, the reserve should be set back from the river 2 miles along its course.

I have, &c.,

A. DEWHURST.

No. 5.

Surveyor M^cMaster to The Surveyor General.

Sir,

12 November, 1877.

In connection with circular, dated October 17th, 1877, I have the honor to report, viz. :—

Paragraph 1.—There are no reserves in my district that would come under this class.

Paragraph 2.—With the exception of the modification I have proposed on annexed* tracing, I consider that for the present the whole of reserve No. 1,088, in the counties of White and Baradine, should be classified under this paragraph. * Appendix B.

The country upon reserve No. 1,088 is of such a very poor nature that even were it not reserved it would not be required for alienation by the public for many years to come, and therefore no injustice would be done by bringing this reserve under the provisions of the 39th section of the Crown Lands Act 1875, until some future date, when the railway and other causes shall more fully determine the value of the at present comparatively unknown forest of ironbark and pine upon this reserve.

I may also mention that it would require a week or ten days at the very least to inspect and classify each particular part of this large reserve.

Reserve No. 987, I would class under the second paragraph without any alteration.

The two reserves mentioned above are the only timber reserves I know in my district.

Paragraph 3.—Probably a large portion of reserve No. 1,088 will hereafter be classed under the third paragraph.

Paragraph 4.—I have forwarded herewith a tracing showing a portion of reserve No. 1,088; that I propose should be cancelled, as it does not contain timber of sufficient value to warrant its being retained as a reserve for the preservation of timber.

Paragraph 5.—I do not know of any places in my district that require reserves for the preservation of firewood.

I have, &c.,

C. J. M^cMASTER,

Surveyor.

No. 6.

District-Surveyor Dewhurst to The Surveyor General.

Sir,

Tamworth District Office, 6 May, 1878.

In compliance with the instructions contained in your circular letter, dated 17th October, 1877, I have the honor to enumerate the various timber reserves in my district, classifying the same as nearly as possible in accordance with its terms.

To facilitate reference, and for future comparison, I will take the districts by the counties; and as far as possible by the parishes they include. Plan—
Appendix C.

County of Buckland.

1st Class.—No reserve.

2nd " "

3rd " "

4th " "

5th " " Will be treated hereafter.

County of Inglis.

1st Class.—No reserve.

2nd " "

3rd " "

4th " "

5th " " Will be treated hereafter.

County of Darling.

1st Class.—No reserve.

2nd " "

3rd " "

4th " "

5th " " Will be treated hereafter.

County of Jamison.

1st Class.—No reserve.

2nd " "

3rd " "

4th " "

5th " " Will be treated hereafter.

County of Denham.

1st Class.—No reserve.

2nd " "

3rd " "

4th " "

5th " " Will be treated hereafter.

County

County of Nandewar.

1st Class.—No reserve.
2nd " "
3rd " "
4th " "
5th " " Will be treated hereafter.

County of Parry.

1st Class.—No reserve.
2nd " Parish Nundle, Nundle Forest Reserve.
3rd " No reserve.
4th " "
5th " " Will be treated hereafter.

County of Baradine.

1st Class.—No reserve.
2nd " Parishes Talluba, reserve 1,104. Notified August 22nd, 1877.—Moglewit and Bullerawa. Amended by plan herewith.
3rd " No reserve.
4th " "
5th " " Will be treated hereafter.

County of White.

1st Class.—No reserve.
2nd " Parishes Gurleigh and Molle, reserve, 1,104. Notified August 22nd, 1877.—Boral and Turrawon: This reserve may be modified as shown on plan herewith. See also Surveyor M'Master's report, appended.—Parishes Wee Waa and Gurleigh, reserve 987. Notified January 25th, 1876: This reserve should be curtailed in extent, and described as bounded on the north and west by the stock road newly marked from Narrabri to Walgett, and on the east and south by the Wee Waa parish boundary. It should then be classified as a "parish timber reserve."
3rd " No reserve.
4th " "
5th " " Will be treated hereafter.

County of Pottinger.

1st Class.—No. reserve.
2nd " Parish of Doona, reserve 743. Notified on the 18th August, 1874.—Parish of Black Jack, reserve 889. Notified on the 16th July, 1875. This reserve may be curtailed by the cancellation of the southern portion of the same, as suggested by Mr. Licensed-Surveyor Capper, 28th November, 1877 (herewith).
3rd " No reserve.
4th " Parish Doona. Reserve 725, notified on the 18th August, 1874; may be dealt with as suggested by Mr. Licensed-Surveyor Capper.
5th " No reserve. Will be treated hereafter.

It appears therefore that out of ten counties of which my district is made up, six have no timber reserves whatever.

2nd. That the four remaining counties contain six reserves, one of which is recommended for cancellation, and another to be reduced to half its present area.

3rd. That the excessive reservations have not been made in the Liverpool Plains district.

It is evident also, looking upon the timber supply of a great country from an economic point of view, that the forest reserves in this district are not nearly equal to its future requirements.

Quoting a well-known work, page 1,305 of the "Dictionary of Commerce," on the importance of a cheap supply of timber, the writer states: "If there be one article more than another with which it is of pecuniary importance that a great commercial and manufacturing nation should be abundantly supplied on the lowest terms, that article is timber."

The Conservator of State Forests, New Zealand, reports: "In comparatively young colonies like New Zealand, we must not forget to provide for the requirements of a future dense population, bearing in mind that in the case of forests, perhaps more than in any other, it is much easier to keep and improve what we have got than to create it anew when required."

And again, from the very able report of the Secretary for Agriculture (Mr. A. R. Wallis), of Victoria: "In a new country it is not easy to err on the side of proclaiming *too large* an area of forest land, as it is always more difficult as settlement proceeds to extend than it is to diminish a reserve for any purpose."

The extent of the demand, present and future, can be, as far as the future is concerned, only speculated upon, though estimates of the growth of population, the effects of cost of carriage of timber from remote parts of the forest, upon the demand for export or for other purposes, of possible competition with other forests, or with timber brought beyond the seas, may be made with some show of usefulness in guiding the judgment in making the required reservations.

The grave importance of conserving for future demand, and managing for present supply, the most valuable tracts of land bearing timber of commercial value, has evidently not been overlooked in the neighbouring colonies; and the report before quoted will show that most energetic steps are being taken to increase the areas already reserved, to proclaim additional reserves wherever practicable, and to place (what I may term from their system of classification) the woods and forests under the most careful and systematic management.

It would, perhaps, be well to take a cursory review of what has already been done in Victoria, and of the steps proposed to be taken with regard to forest reservations and management, before submitting a course of action which might be followed in this district—a course that differs considerably from that followed elsewhere.

In

In Victoria the reserves are classed—

1. State Forests.
2. Permanent Timber Reserves.
3. Temporary Timber Reserves.

To commence with the reservation for timber of the first class, which answer to the "forest reserves" in this Colony.

The number of State forests in Victoria appears to be twenty-eight, embracing an area of 889,951 acres. The definition of such is, "that they should comprise large areas of good soil, heavily timbered, which would, under proper management, yield sufficient timber to supply, without impoverishment, all demands upon them"; but it is admitted that only nine of the number can ever be made to meet these requirements on all points.

Foresters have been appointed, after examination by a Board of Officers of the Department of Agriculture, to take charge of nine State forests, and substantial quarters have been erected for them within the forest boundaries.

Their duties will be to enforce the regulations for cutting and removing timber (regulations which deserve careful study); but they will devote as much time as possible to surveys that will show the position and extent of timber of different kinds and ages, and they will furnish reports at stated times as to the extent of the cutting and other matters of interest.

No. 2.—Permanent Timber Reserves.

These comprise those reserves which are in a condition to supply both the kind and quantity of timber for the furnishing of which they are set apart, and which are so situated as to render their permanent retention expedient.

No. 3.—Temporary Timber Reserves

Are reserves made from time to time, generally in newly-settled districts, for the purpose of supplying timber for fencing and fuel. They are of small extent, and only local value.

No system of management has, I believe, yet been adopted for reserves of the 2nd and 3rd class; but suggestions have been made as to the desirability of placing them under the control of shire or municipal councils—bodies that do not unfortunately exist in this Colony.

This is the merest outline of the course that has been taken with respect to the preservation of timber in the younger Colony. I may, however, observe that it is based on principles that are working so successfully in India, which were derived from a careful study of forestry in the leading countries in Europe.

With respect to the proportion of the public estate that it is desirable to reserve for forest purposes, great difference of opinion appears to exist. In Germany 25 per cent. of the total area is forest, while 12½ per cent. is State forest.

In Bavaria the proportion of forest is 34 per cent. Sir Julius Vogel recommends reservations to the extent only of 3 per cent. in New Zealand, which the Conservator of Forests considers should be the minimum for State purposes.

In Victoria the reserves amount to over 2 per cent. of the area; but large extensions are being made wherever possible.

In South Australia I am unable to state with precision the proportion that timber reserves have to the acreage of the Colony;* but I find that inducements have been held out to private enterprise to plant and preserve small blocks of land with eucalypti and other trees.

In Queensland, 292,689 acres have been reserved specially for timber, or about 1½ per cent. of the area, but I understand that active steps are being taken to increase the area very considerably.

In New South Wales, 2,799,061 acres have been set apart temporarily for the supply, but not for the preservation of indigenous timber, or nearly 1½ per cent. of the area, and the issue of the circular herewith seems to indicate a disposition to decrease these reserves.

In the district of Liverpool Plains, the forest and timber reserves that have been already proclaimed, equal about 2½ per cent. of the area, but this comparatively large percentage has been reached by the notification of reserve 1,104, which in itself contains 294,400, or over 2 per cent. of the acreage of the district. I may add, that the boundaries of this forest embrace a large area of land which could profitably be excised, and should the recommendation I have submitted in this report be carried into effect, its area will be reduced to about 100,000 acres.

As I look upon the excessive reservation as only temporary (but under present circumstances absolutely necessary), the actual figures that will represent the proportion, should be equal to about 1½ per cent.—a proportion not equal to future requirements.

In making the following suggestions, I cannot but feel that I may be considered overstepping the limits of a simple reply to your circular, and to a certain extent acting in antagonism to its spirit, which seems to point only to modifications and curtailments, and not to judicious extension of timber reserve either by increase of area to those already notified or the recommendation of others; but if you will be pleased to bear in mind that in six counties out of the ten that comprise my district, no reservations whatever have been made, and that the issue of the circular seems to display the intention of placing them on some definite footing, you will I trust acquit me of such intention.

Before proceeding, I deem it necessary to lay before you what, from my point of view, would be a complete design for the wise preservation of indigenous timber.

Looking forward to a time, probably not far distant, when the central Government will so far consult the interest of the country as to divide the interior into shire or county municipalities with a certain amount of subordinate local government (a principle highly approved of by the present Agent-General of this Colony, and universally adopted with success in other countries), I am of opinion that each shire or county which in New South Wales contains about 973,000 acres should be made as complete as possible in itself, and therefore that each county should be able to claim among other advantages, a State forest reserve—such reserves should be however controlled by the central Government, for obvious reasons, one of which would be, that they should be under uniform rules and regulations.

I recommend that the definition applied to State forests in Victoria be that adopted for forest reserves, and that in such, where much timber-cutting is going on, foresters be appointed on the same terms

* I have since ascertained that the area reserved up to date is 127,768 acres.

terms as those in that Colony, with the express stipulation of residence within the boundaries, provision being duly made for the same.

Each county is divided into parishes containing on an average 30,000 acres, and as in each parish there are numerous reserves for water supply or some other public benefit, a careful revision should be made like that of the county of Buckland, transmitted to you with my letter, and those recommended to be reserved from lease should be placed under the control of trustees, freeholders of the parish, who would in the common interest make the necessary rules with respect to agistment, watering, and the supply of timber for building, fencing, or firewood, subject, however, to the superior control of the more important shire government, when such may be established.

Such reserves comply with the conditions of class No. 2 in Victoria, and meet those under head 5 of your circular.

The county State forest directly under Government control, and the parish reserves for timber and other purposes, actually meet every case that can be suggested for the future good of the district or colony and the present requirements of the people.

The "temporary" or third class reserves of Victoria, are in my opinion unnecessary, inasmuch as in "newly settled districts" the larger scope of vacant Crown lands is an open field for the supply of all sorts of timber.

Neither of the two classes of reserves that I recommend would meet the terms of head one of your circular, nor would it be desirable that they should; as, when timber has arrived at maturity, it should at once be felled for use, whether a demand existed for it for public works or otherwise. If allowed to stand awaiting such demand, its decay would be injurious to other growing timber.

Neither of these two classes of reserves should be divided into two, four, or five mile blocks for indiscriminate, and, in many cases, wanton destruction, having in view their revocation for sale. It is known from experience that reserves denuded of timber, but covered with lumber, and thick set with heavy stumps and crooked growing sprouts and saplings, would not, except favoured by position, command a price at all equal to that readily obtained for other land not so hampered; but, on the contrary, the greatest care should be exercised by the forester to see that only mature trees are cut down; that even of these a limited number should be preserved for seed and shelter over the entire area, and thus keep up to its highest point the productive value of the reserve.

To recapitulate: The reserves that appear to meet all the requirements, present and future, for the preservation of timber, may be limited to two classes—those from lease, distributed through each parish, which would be managed by local Boards, and the forest reserves proper, which would be under the direct control of the central Government.

I claim perfect originality for this scheme, whether it may be approved or condemned; but I have ascertained that Captain Walker (before quoted) recommends forest reserves to be divided into "State" and "Commercial," that is to say, reserves for the use of communities, municipalities, endowments, &c., which recommendation is in perfect agreement with my hypothesis.

On this basis I will now give a list of the former, so far as the compilation of my district will allow me to be explicit, and a description of the latter, which can scarcely be open to serious objection.

See forms at end
of report.—A.D.

I present them on printed forms, devoting a separate sheet to each class, and I purpose to give a detached account of each forest reserve, which will embrace all the information I have been able to collect.

The Nundle Forest Reserve

Is situated in the county of Parry. It however slightly encroaches on the county of Hawes. This forest was notified on the 29th of April, 1872, on the recommendation of Mr. Licensed-Surveyor Dowe. It was exempted from the operation of licenses till the year 1875-6, when, on the application of Mr W. C. Browne, M.P., it was thrown open to the public, on payment of an annual special license.

From the time of its proclamation to this date, illegal timber-cutting has been carried on, with little or no obstruction from the Government.

In the year 1876 a forest ranger was appointed to enforce the holding of special licenses, but up to the present time all attempts at the prosecution of offenders by the rangers have failed, owing to his inability to swear positively to the boundaries of the reserve.

On the 19th November, 1877, instructions issued from the Surveyor General's Office to survey and mark the south-west boundary, and towards the end of January, 1878, I commenced the survey.

As the work proceeded, and I became acquainted with the nature of the country, it became apparent that other boundaries required marking, in order to enable the ranger to carry out his duties effectively. I therefore extended my survey to the south-eastern and part of the north-western boundaries, a tracing of which I had the honor to transmit to you on the 2nd March, 1878.

This survey is, I believe, the first that has been made in this Colony with a view to the preservation of its timber, and on the plan, which is embraced in the parish map of Nundle, all matters of detail or interest that I could afford time to define are shown as clearly as possible.

I will now report on the soil, vegetation, varieties of timber within the reserve, the climate, and means of access.

The soil is exceedingly rich; it is of a deep chocolate black colour, overlying trap-rock, with veins of green-stone and quartz, and running up without change to the top of the hills. From my recollection it is remarkably like that found at Mount Macedon State Forest, Victoria.

It is covered with a thick mat of the grasses generally growing on high New England country, fairly nourishing during summer, but, except in very sheltered situations, only barely capable of sustaining stock during winter.

Ferns of great beauty and size grow in various parts of the forest, and can be found in rich variety in the various gullies and in the low-lying land.

Cleared and cultivated, the soil would produce from twenty-five to thirty bushels of wheat to the acre for some years without manure, and off the stubble the same year it has produced from six to seven tons of potatoes, twelve tons of mangel-wursel, and twenty-five tons of Swede turnips per acre have been frequently gathered.

Aided by climate, it is favourable to all the fruits that can be grown in England or even in the north of France without shelter or protection.

The

The indigenous timber is made up of the following varieties:—

Stringy-bark, woolly-butt, black-butt—used for house-building purposes.
Blue-gum—not Tasmanian, but used in the construction of drays and waggons.
Peppermint—a soft wood, not at present used in trade.
Cherry—an ornamental tree.
Sassafras—a hard and dense wood used in medicine, and for cabinet-work.
Myrtle—an ornamental tree.

Wattle—used in the production of tannin.

The various descriptions of stringy-bark, so valuable for building purposes, which are growing so closely together, and to such a prodigious size, together with the wattle for its bark, mark this reserve as one of the finest hard-wood forests in New South Wales.

Taking the mean of several counts to the north-east and south-west of the reserve, I should estimate the number of such trees as sixty to the acre, cutting on an average 600 feet surface, but of this number twenty have passed their prime and are now in process of decay, and twenty are ready for the axe, pointing to the desirability of not placing too many restrictions on, but rather to the encouragement of, the timber trade.

I wish it to be clearly understood that I am in this case selecting particular parts of the forest, and that I do not wish to convey the impression that this would be the average "out-turn" of the whole area.

It may be interesting to know that the average out-turn of the forests of New Zealand has been calculated at 15,000 feet surface, and that in that country localities could be selected that would give 30,000 feet to the acre.

The number of saplings growing among the large timber is scarcely to be calculated. Thinning out to promote rapid growth would be desirable.

The climate.

Situated at an altitude of about 3,500 feet above the ocean, and within the influence of the sea breezes, the climate is temperate in the English acceptation of the term, but scarcely so in that generally implied in Colonial parlance.

In the shade at midsummer the mean temperature at 2 p.m. is 70°; in winter, 50°.

The seasons, unlike those in the low lands, are distinctly defined as spring, summer, autumn, and winter.

Wheat is sown in May and housed in December. Swedes (turnips) are planted in January, and taken off in July and August. Mangel-wurzel planted in October come off in June; and potatoes sown in November are gathered in May.

Frosts set in during May and generally end in September.

The rainfall is regular and ample for agricultural purposes, and it is supplemented by mists from the sea, which keep up the even moisture of the soil.

Snow storms frequently occur during the winter, and snow lies on the ground to a depth of 2 feet.

Essentially, from its soil, position, and climate, the country is adapted for agriculture. Partially with the aid of artificial protection and stall-feeding, it may be made available for the raising and fattening of stock.

Access to the reserve and table-land generally has been provided by means of a new road constructed from Nundle up to the Hanging Rock, which is to be continued to Tamworth.

The cost of the former work has been about £3,000. It has been carried out under the able superintendence of the officers of the Road Department; but, in my opinion, other and more convenient access should be still provided.

An excellent road could be constructed at small comparative cost up Duncan's Creek. The only cuttings of any magnitude would be confined to a distance of about half-a-mile, up the side of what is known as the "Sand Hill." This road would shorten the distance to Tamworth by (8) eight miles, and would relieve the loaded teams from the most difficult and trying part of the journey. The expense of the necessary work would not exceed £1,000.

I have now the honor to recommend the extension of the forest reserve along the road leading to Callaghan's Swamps and Walcha to the one marked broad-arrow over A over 73 by Mr. L.-S. Dowe.

The width of this extension should be half-a-mile, or 20 chains on each side of the creek. It will include magnificent timber, which should certainly come under the same rules and regulations that may be applied to the present reserve.

With a statistical table showing the extent of the timber trade at this forest, I will close my report on this reserve.

STATISTICS—Nundle Forest Reserve, 1878.

Name of owner of mill.	Where situated.	No. of engines.	Total horse power.	No. of men employed at the mill.	No. of fallers.	No. of log carriage drivers.	No. of teamsters.	No. of logs used at mill per week.	Average No. of feet super. per log.	Average cost of logs delivered at mill.	Rate of log cutting and preparing at stump.	Total quantity of timber cut per week—super.	Remarks.
William Pittfield	Hanging Rock	1 (stationary)	10	5	2	1	5	20	250	s. d. 10 0	s. d. 4 6	5,000	A race to supply water to the mill has been constructed, length about $\frac{1}{2}$ a mile—the flume is cut out of the solid and not built.
												£ s. d.	
Average cost to mill-owner of preparing 100 feet super.												0 9 6	
Local market value of same												0 12 0	
Tamworth " "												1 7 0	
Carriage of same to Tamworth from mill												0 15 0	
Number of men engaged in forest not employed by saw-millers, 2.													
Cost of rails per 100 at stump												1 5 0	
" palings " "												0 6 0	
Rates of wages without rations—ordinary labourers and splitters, per day or week.....												2 5 0	
" " " skilled workmen												3 0 0	

Forest

Forest Reserve, 1,104.

This reserve was notified August 22nd, 1877, on my recommendation.

I would suggest that, as no local name would be applicable to this forest, from its extent, that it should be called the "Robertson Forest." Sir John, then Mr. Robertson, spent many years in this neighbourhood when engaged in squatting pursuits. He was one of the first settlers who explored this forest. He, as a Minister of the Crown, years afterwards, recommended an extensive reservation, pointing out its stores of magnificent timber, and it would be a tribute of respect to one of the first leading politicians under Responsible Government.

This reserve is situated in the counties of White and Baradine, and meets the definition of "State Forest" in all particulars but that of soil.

In so large an area as that under consideration, the soil must necessarily vary considerably in character; but taken generally, it is of a light and sandy character in the high lands, running into deep heavy clay in the depressions of the country.

Many thousand acres are fairly but thinly grassed; taken as a whole the forest in its natural state would be classed as fourth class country for stock.

At least one half the reserve is covered with low bushy scrub, consisting of wattle and other varieties of no value.

Owing, however, to the prevalence of bush fires, the forest is now more open than formerly.

In various localities small circular open plains occur. These are generally covered with carbonate of soda, in an efflorescent state, to a depth varying from $\frac{1}{2}$ of an inch to 1 inch, and have the appearance of land on which a snow-storm has fallen.

On these plains, and in their vicinity, the very extraordinary "mud wells" are found, a description of which I sent to London and Philadelphia, and which I referred to in my report to your office.

Efflorescent soda is found in different parts of Europe and Asia, but I am not aware of any country in which these peculiar circular quicksands are met with.

Water is abundant throughout the forest, and a considerable portion of the area is fairly adapted for agricultural purposes, and would be favourable to the production of wheat, only it is opposed by climatic influences.

The timber consists of—

Iron-bark—for railway sleepers, building, posts, rails, &c. (of magnificent quality).

Pine—building (of large growth and excellent quality).

Wattle—for bark and tannin.

Oak—for fencing, hurdles, and cabinet-work.

Red gum—inferior.

Apple—inferior.

Brigalow—not used (ornamental).

Box—inferior quality.

Scrub.

Wattle, Yarren Coocoraba—may be utilized in commerce hereafter for axe-handles, &c., &c.

Under-growth of brown prickly bush and porcupine grass.

Of all the descriptions and varieties of timber named in the foregoing list, the iron-bark and pine are the most valuable, and are seen in this forest, perhaps, to the greatest perfection. Their value for commercial purposes is scarcely to be excelled. They are almost proof against changes of temperature, and the effects of moisture or age.

I am unable to give an estimate of the number of these trees to the acre with any degree of accuracy, but I may state that many ironbarks I saw would turn out 2,000 feet super. to the tree.

The young timber is not showing much promise for future supply, healthy straight saplings being comparatively few in number. This I attribute to the devastating fires of late years, which have been purposely ignited by settlers to clear the scrub, and to increase the quantity and improve the quality of the grass for their stock—a practice which should be put a stop to by the Government.

The Climate.

Situated so far inland (200 miles, with a high coast range intervening), on the low level of the Colony, surrounded by vast, open, dry plains, this great peninsula of scrub and forest country is subject to intense heat, and is deprived of all the benefits attending country which is fanned and moistened by sea breezes.

The seasons are divided into summer and winter, the duration of the former comprising eight months, and the latter four months of the year.

The average heat (Fahr.) in summer is 96° at 3 p.m., and ranges from 86° to 110° .

In the winter the reading is occasionally as low as 32° at 5 a.m., but frost is a rare occurrence, and by no means usual in winter.

Access.

The level nature of the country makes access to the interior of the forest exceedingly easy, but if extensive cuttings for railway or other great works were proposed, a tramway from Narrabri to Bolivia would be of great advantage, owing to the soft and yielding nature of the soil, which would prove a drawback to heavy traffic.

Although I am aware that the boundaries of the forest (even amended as I have suggested) will include a considerable area of country, not even of a present or prospective value for timber, I am not in a position at present to recommend any further curtailments; but when it is considered necessary or desirable to appoint a forester and staff for its preservation and management, the earliest opportunity should be taken to gain the information referred to on page 7 of this report, and by actual survey the positions of the most valuable timber will be defined, pointing to modification it will be expedient to make.

With a statistical table, showing the extent of the timber trade at this forest, I will close my report on reserve 1,104.

Statistics

Logs for public and private works and buildings at Boggabri have been drawn from Mount Lindsay. It is the only stringy-bark forest that exists on the borders of the great Liverpool Plains, and the wattle thrives in great luxuriance—so valuable for its bark.

I consider this one of the most valuable timber reserves in the district, and I hope that regulations may issue to prevent the Crown lessees destroying the timber by "ringing." Access to this forest is comparatively easy from some points; but if extensive cutting was projected, it would be desirable to form a road up the hill, which would, however, not involve any great expense. No ranger has been appointed for this forest, and whatever cutting may be going on is probably illegal.

The Buckland Forest Reserve, County of Buckland.

This forest is situated partly in the county of Parry. It is the only area which contains a good supply of stringy-bark and other hardwoods. The soil is red loam, running into lighter soil up the range, where it is rocky and steep. The water may be reported as permanent; it may be found during all seasons of the year in the Splitters' and Quirindi Creeks.

Access can be got to the top of the range in many places—up easy spurs. The timber consists of stringy-bark, gum, and iron—the former of excellent quality. Logs were got from here for the construction of the Quirindi railway bridge, 40 feet long, squared to over 1 foot. Regulations should issue, as recommended in other cases, to prevent the destruction of the timber by ring-barking.

Any cutting that may be going on is probably illegal.

The Eckford Forest Reserve, County of Jamison.

This is the forest that I have recommended for reservation in the county of Jamison.

The country included by the boundaries of this forest stand at a slight elevation with respect to the great surrounding plains. It is made up of low sand ridges, and depressions of red clayey soil. Owing to the density of the scrub and undergrowth, it can produce little grass or herbage, and these are of a sour and inferior quality. Cleared and cultivated, it would produce wheat and cereals, were it not for its position—so far inland—and the long seasons of drought and intense heat that this country is liable to.

There is no permanent water in the forest, but facilities exist for the construction of tanks and dams.

The timber consists of belar or forest oak, pine, and other small trees which are ornamental but of no value at present commercially. The pine has been thinned out to a great extent by the Crown lessees, for the creation of houses, yards, and fences.

I observe that now they are compelled to make use of the belar for the posts of wire fences. Belar is inferior timber for works of any kind, but as this is the most extensive and the best forest in the country, it is desirable to preserve it from wanton destruction, or from being rung or girdled by the run owners for the sole object of improving the grasses.

No timber-cutting is being carried on by the general public, nor is a ranger required for this forest at present.

The Moonbi Forest Reserve, County of Inglis.

I have recommended that this forest be reserved, in the county of Inglis.

This reserve is situated between the towns of Moonbi and Bendemeer, and extends from the Great North Road westerly to Moor Creek.

It is particularly well defined, and requires but a short length of survey to complete the marking of its boundaries.

The soil is generally sandy and light, but considerable areas exist of rich alluvial, and also red clay.

The timber consists of stringy-bark, gum, box, apple, and peppermint.

The first-named, and most valuable timber, has been greatly thinned out, much of it having been wantonly destroyed for the purpose of obtaining a single sheet of bark; but numerous young trees are coming on, and there is a very extensive growth of saplings, which require immediate protection, and will then be of great value to the large towns in the vicinity.

Abundance of water can be procured in this forest.

There is no regular cutting going on at present, and as no supervision is exercised over the Crown lands in this neighbourhood, licenses are not considered necessary.

The Darling Timber Reserve, County of Darling.

This forest has been recommended on the report of Mr. Licensed-Surveyor Dowe.

It is situated in the parishes of Hobden and Quipolly, and includes part of the reserve No. 203.

The soil is varied from black alluvial to sandy and light, with gravelly ridges.

It is watered by Quipolly Creek and Black Mountain Gully.

The timber consists of stringy-bark, box, gum, apple, and currajong.

Some of the first named is of good quality, and the reserve is heavily timbered in parts.

The only timber-cutting going on at present is that for local demand in the immediate vicinity.

The boundaries of this reserve should be marked, and steps taken at once to prevent the lessees of the run from "ringing" the timber.

Durham Forest Reserve, County of Durham.

I have not been able at present to decide on boundaries for a forest reserve in this county. Mr. Licensed-Surveyor Christie reports that the timbered areas are very limited in extent, which affords one the best possible reasons, in my opinion, for endeavouring to protect them.

Looking at the management of forests or state reserves from a financial point of view, it is evident from the statistics drawn from Nundle Forest that a certain yearly pecuniary loss must be entailed by the present system, and a greater loss if the new system herein suggested be adopted, but when it is borne in mind that the object of such reservation is the protection of indigenous timber for the future benefit of the Colony, and that the permission to cut for present use is to be granted with a view of enhancing the value of the timber year by year, by clearing off that which reaches, or has passed maturity, the deficit, whatever it may be, takes the form of an investment in a property of yearly increasing value, which will in after years return a good interest.

Quoting

Quoting the remarks of Captain Campbell Walker, F.R.G.S., of the Indian Forest Department—he says: “The question of direct financial gain, or extracting a revenue from the forest by the State, should ever be subordinate to their conservancy for climatic considerations and improvements to meet the demands for the future. So long as this is borne in mind, and we are not tempted to overdraw and trench on the capital as well as the income of our forests, in the shape of timber and minor produce, there is no reason why they should not be dealt with like any other property, nor why the State, as proprietor in trust for the public, should not derive from them the maximum amount of revenue compatible with the general welfare of the people.” And the report to the Governor of India, 1876:—“It has been the policy of this Government (Madras), a policy which has been approved by the Secretary of State, that the production of a surplus is neither the present nor ultimate primary object of forest operations; and while seeking to increase the productive powers and revenues of the forest, the Government has had mainly in view the utilization of increasing revenues in extending plantations, and in conserving indigenous forests, and by this means supplying the people and railways with cheap fuel, and preserving or restoring those climatic conditions which appear to be more or less dependent on the existence of woodlands.”

Statement of Accounts, Nundle Forest:—Fifteen men employed in the forest, supposed to hold special permits, £90; ranger's salary, £150.

The management of forests having been so ably treated in the Victorian report before alluded to, I need only commend it to your consideration, but I shall take the present opportunity of pointing out apparent anomalies that exist in the present licensing system, that I believe it would be expedient to consider and correct, and of suggesting such amendments as appear suitable to the existing timber trade carried on in this Colony.

I have ascertained that the cost of a license for the cutting of cedar over areas not specially reserved in the Colony is 15s. per quarter.

And that the ordinary license for cutting hardwood over similar areas is 5s. per quarter.

So far the difference in respect to the cost of license seems judicious.

I find on inquiry that 15s. per quarter is the licensee fee for cutting cedar anywhere, and that 30s. is that for cutting hardwood over special reserves.

The expense, therefore, of a license for cutting cedar where it can only be got, and cutting hardwood where only it can be got of value for sawing, is 15s. per quarter for cedar, and 30s. for hardwood.

It is well known that cedar is the most valuable wood produced in our forests; and, also, that the forests in which this timber can be found are extremely limited in extent, being found only on the eastern slopes and valleys of the sea range; that these forests are already stripped of their best timber wherever means of access is at all practicable, and that in consequence of the absence of proper regulations and supervision its waste and destruction has been enormous.

It requires little foresight to see that in a few years the supply of cedar will be worked out, and that timber capable of fulfilling its uses must be imported to this country by sea from abroad, yet eighty cedars are sold by the Government for 15s., or 2½d. per tree.

The Eucalypti or hardwood trees are to be met with all over the Colony. With a little care, even at this late date, provisions can be made for its inexhaustible supply. Practically there need be no anxiety about its exhaustion; yet eighty trees are sold by the Government for 30s., or 4½d. per tree.

It may be advanced that a single license will not be the proper gauge from which to estimate the value of a tree, inasmuch as separate licenses must be taken out for felling, cutting, sawing, splitting, and removing timber; but a little consideration will show that one man, holding one license, can fell, cut, or split a tree on Crown lands, and remove the same, either as logs or rails, to private lands, where it may be dealt with by persons who hold no license whatever.

I look therefore on the multiplication of licenses as not necessarily adding revenue to the Crown, but as prejudicial to the interests of the community in increasing the cost of worked timber.

While treating the question of licenses for cutting timber, I must take the opportunity of referring back to Forest Reserve No. 1,104, near Narrabri. I find that a ranger has been appointed to this forest, at a salary of £200 per annum, and 10s. per night, when out on duty.

That last year sixty special licenses were taken for the forest, but that in February a fee for special license was returned, with a memorandum “That the Crown Law officers had decided that the issue of such licenses was illegal, and likely to bring the Government into collision with its Crown tenants.”

The issue of licenses has therefore been suspended, and persons are availing themselves of the opportunity of cutting timber without expense or hindrance of any kind.

How such a decision could have been arrived at, in the face of clause No. 62 of the Crown Lands Amendment Act, I am at a loss to understand. It will scarcely be held that the difference in the rate of fees, amounting to 25s. per quarter, that distinguishes a “special” permit from an ordinary one, raises the difficulty, but rather I presume that all timber licenses of every description are against law.

In either case the decision, however it may have been arrived at, points clearly to immediate action, or the discontinuance of the salary of Mr. Forest-Ranger Ward.

So far as the Crown tenants stand in the way of forest management, it appears to me that they should be placed in the same position as other persons. A case lately occurred in the vicinity of Gunnedah which was reported to me officially, with the request that some steps should be taken at least to prevent its recurrence.

The applicant, the owner of a steam saw-mill in the town, took up a selection of 40 acres outside the population boundary, to enable him to work a very excellent pine forest in its neighbourhood. Immediately, the superintendent of the run, acting on behalf of the Crown lessee, despatched a number of men to the forest and levelled every valuable tree. The number thus cut down, split to pieces, and rendered utterly worthless, was stated at from 3,000 to 4,000, and the consequence was that Swagor's conditional purchase was rendered valueless, as the timber he proposed to saw was destroyed.

A case of this sort, it is to be hoped, stands alone, as one of extreme vandalism.

It is painful to consider that such a deed could have been done in an English community. I can only hope that if an investigation were to be made, it would be found to have been stated with great exaggeration; but there is, I am aware, sufficient truth in the report to hasten the preparation of such rules and regulations as may prevent a repetition of similar atrocity.

It appears, therefore, that legislation might be profitably directed towards the amendment of the law in respect to licenses.

In anticipation of revenue from the erection of saw-mills on Crown lands, regulations have been made to permit the occupation of areas of land, but they are of no value because indefinite; inasmuch as they point to no limitation of area, and to no fixed rate of fees—these most important national considerations being left to be decided by Crown Lands commissioners or land agents,—persons eminently unfitted for such duties.

The occupation of areas should be of the most limited extent, embracing (say) 5 acres, for the erection of a mill and the necessary out-buildings and cottages. That for cutting timber should never exceed half-a-mile square or 160 acres in some other form, which would be under the regulations made by the Government for the protection of young and growing timber, and open to the continual supervision of the forester.

In Victoria the license for occupying a site for a saw-mill (3 acres) in a State forest is not less than £10 per annum; while the fees for felling for the supply of the mill are £5 per annum for each person so engaged, and £12 per annum each for jinkers for drawing the logs to the mill.

The fees for cutting and splitting hardwood timber are £1 over ordinary Crown lands, while for State forests higher fees are determined by the district surveyor, as chairman of the local Board appointed by the Government to deal with such matters; and an excellent regulation has been made, however defective in its clauses, which provides for the exclusive right to cut and transport timber from defined areas in State forests by or under one license only, the fees to be determined by the local Board above referred to.

The fees for cutting timber in Queensland are—for softwood £5, and for hardwood £3 per annum, over unreserved Crown lands; but special licenses are granted (on the recommendation of the Commissioner) by the Minister for Lands for the exclusive right of cutting over a defined area, at the rate of £15 for each square mile, the cost of survey being paid by the applicant.

In South Australia, by a recent regulation, 15th May, 1876, the old system of licenses has been discontinued, and by clause 22 the timber is to be classified by an officer of the Board, and marked either for protection or consumption; if for the latter purpose, it is to be sold in lots at public auction, conditions to be published prior to sale.

This is imitating the course pursued in parts of England and on the Continent, a course that appears reasonable and even desirable there, but totally inapplicable to any of the Australian Colonies. The framer of such regulations is perhaps to be congratulated on having provided rules suitable for a time some hundred years hence.

The right of cutting over defined areas under a single license appears to me to be the best method for advantageously working the forest reserves in this Colony. The area should be limited, however, to 160 acres, and defined by the forester; and the fees, instead of depending on the judgment or partiality of the district surveyor and his local Board, should be determined by a general rule drawn from the number of horse-power of the engine. This system of letting off the forest in small areas at a fixed sum would render the duty of issuing licenses exceedingly light and simple, and would give the forester in charge every possible opportunity of seeing the regulations were complied with.

The number of men, waggons, or timber trucks employed would be no item in the account; the effective work that could be done by an engine of a certain horse-power would be the only point of reference.

Among other minor details it would be necessary that each person employed should hold a ticket from the mill-owner or lessee, and that each waggon leaving the reserve should have the name of the lessee and that of the mill, fixed to it while loaded.

As infinitely more damage and destruction is effected by splitters than by sawyers, the former cutting the straightest timber and leaving trees to rot on the ground which are at all difficult to "run out," I should certainly advocate an increase in the fees for splitting, with a heavy fine for cutting down trees and not using them to their full extent; such a fine to be enforced by suspension of license.

I must now bring this report to a close. It has already exceeded the usual space devoted to matters of ordinary interest; but I feel that as a report it is not exhaustive, therefore defective.

It will probably be remarked that I have treated forest reservations from only one point of view—that of the supply of timber for present and future requirements, and that I have failed or not attempted to display their value for purposes more important; for instance, as they affect climate, rainfall, and the storing of moisture; but I may observe that in that direction the subject has been fully treated by the ablest men in Europe,—that their opinions have been practically tested and indorsed, and that they are published for the information of those who may be desirous to learn.

I have no desire to parade their scientific theories, but have contented myself by touching the question where it is most likely to be taken up, and making suggestions that appear suitable and requisite.

It is quite possible that I may have failed to make good the positions I have taken, although I have endeavoured to back them by the conclusions of very eminent men; if so, I may be allowed to hope that some other surveyor in charge of a large district may present a better theory, and deal with the subject in such a way as may lead ultimately to wise legislation.

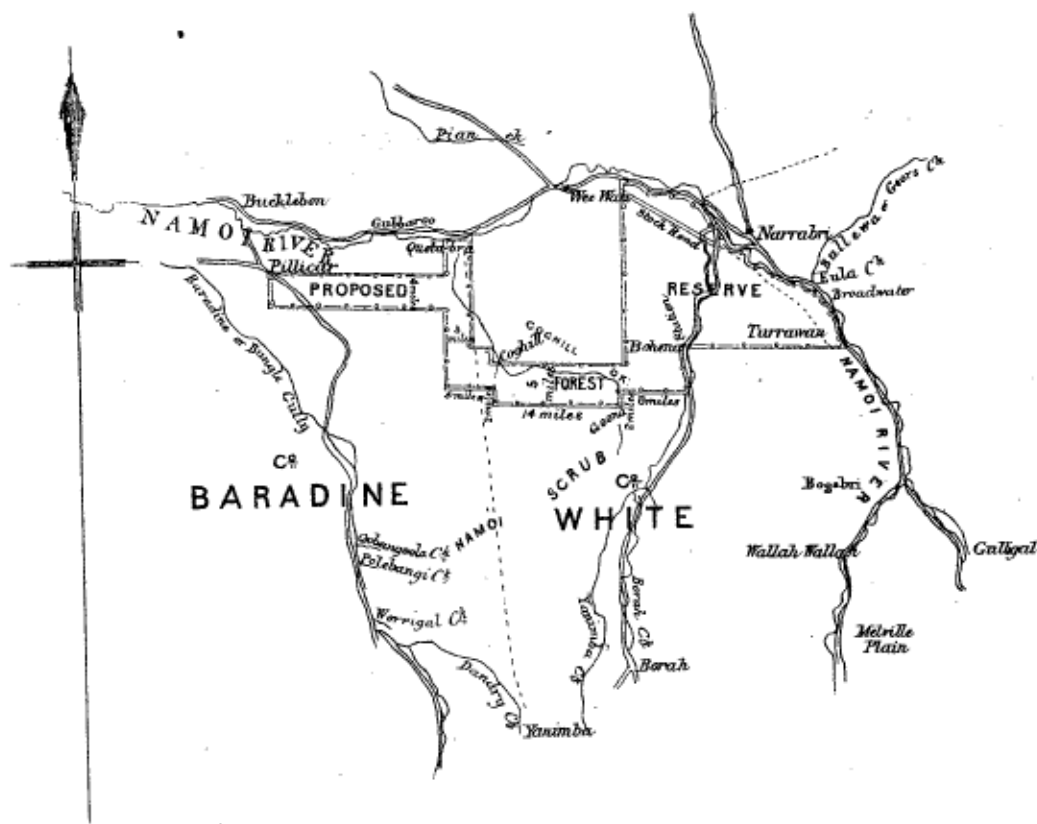
I have, &c.,

ARTHUR DEWHURST.

[Three plans.]

Appendix A.

PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.



Forest Reserve edged thus —○—○—○—○—○—

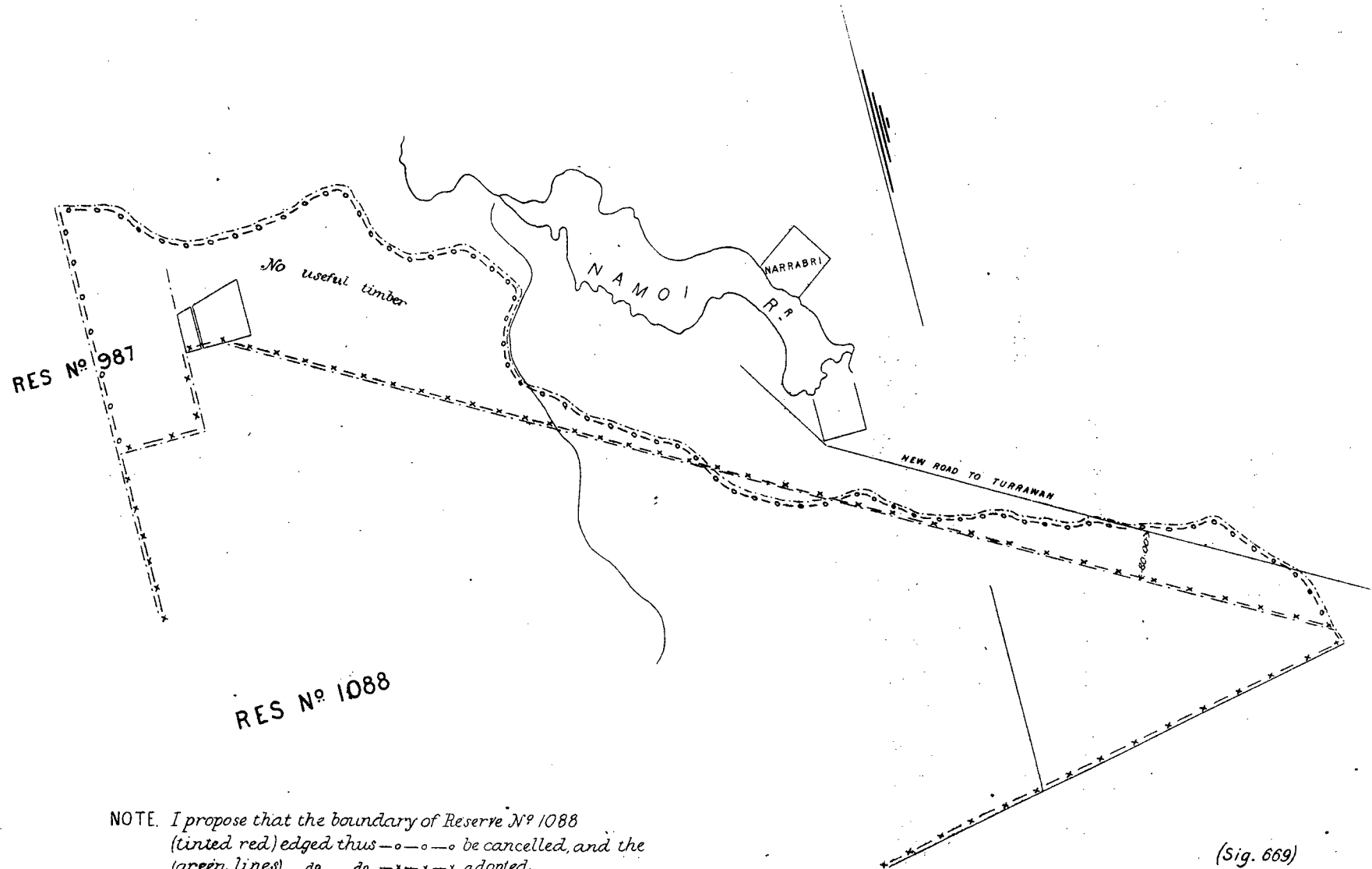
(Sig: 669) .

To the Surveyor General
with my letter 76/158 dated 30th v. 76
(Signed) Albino Cruz 8

APPENDIX B.

Enclosure to Mr Mc Masters Report 12/11/77

Enclosure to N^o 5.



Forwarded with my letter N^o 77/39
dated November 12th 1877
(signed) Colin Jas. Mc Master

Enclosure to N^o 6.

COPY
OF
TRACING

FOREST RESERVE N^o 1104

Notified 22nd Aug^r 1877

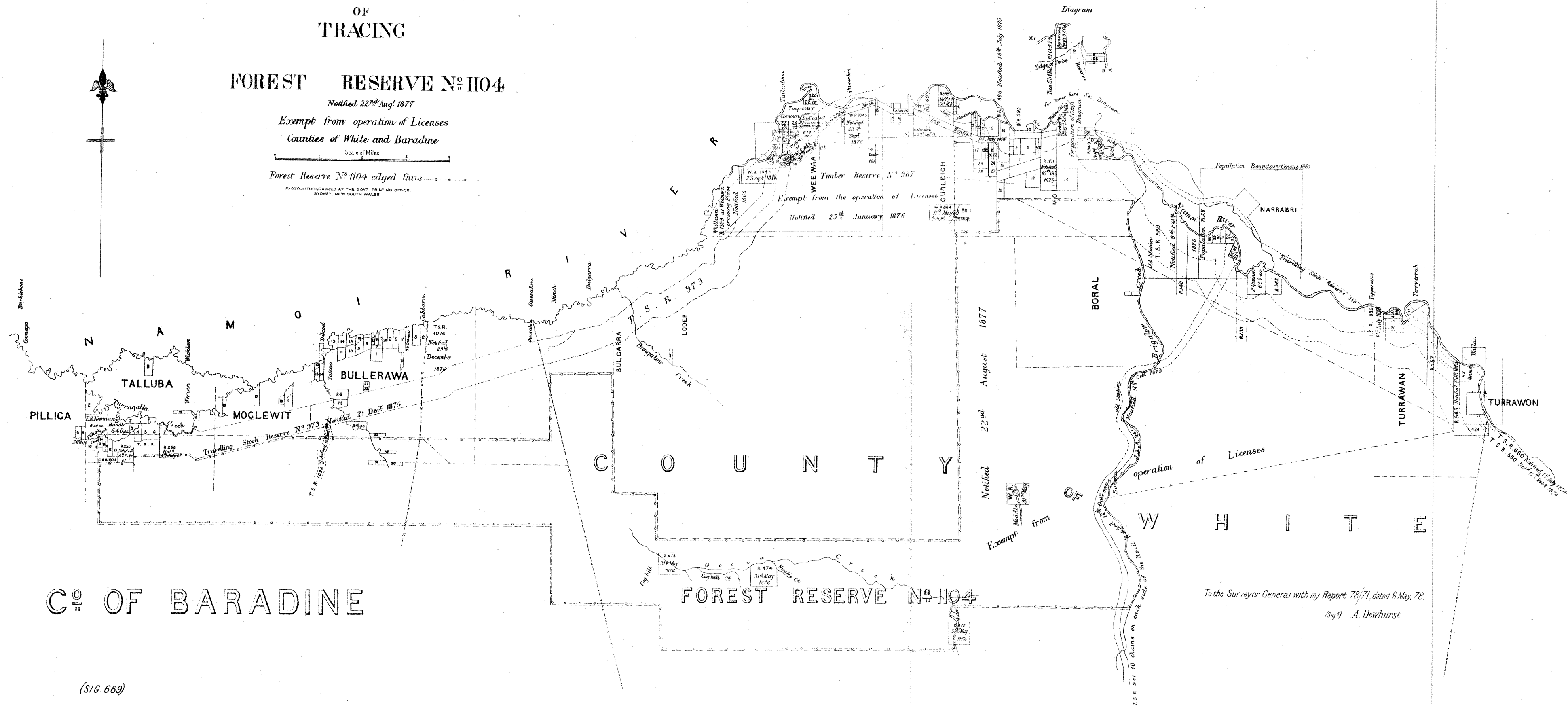
Exempt from operation of Licenses
Counties of White and Baradine

Scale of Miles.

Forest Reserve N^o 1104 edged thus

PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.

APPENDIX C.



1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

RESERVES ON RUNS.

(CONDITIONS OF MAKING.)

Ordered by the Legislative Assembly to be printed, 12 June, 1879.

MEMORANDUM prepared by the Surveyor General on the 29th August, 1865, explaining the conditions under which Reserves on Runs would be made. Copies of such memorandum having been issued to lessees of runs upon application therefor.

APPLICATIONS for reserves from sale for water supply to squatting runs should, if possible, be accompanied by a plan, otherwise by a distinct and separate description of each proposed reserve, in which should be stated the width of the frontage, if less than 1 mile, which is the maximum allowed for reserves of this class;—the approximate bearings of its side lines, and the distance which it is proposed to extend the reserve back from the water, as it may, if necessary, be carried to the boundary of the run. The position of the starting point should also be definitely fixed, by reference to some known and permanent object, such as a station hut, yard, crossing-place of a creek, the extremity or centre of a well-known water-hole, &c.

If a suitable object does not exist in a convenient position from which to start one of the boundary lines of the proposed reserve, a tree may be marked, by removing a portion of the bark, and cutting the letter or number (to be referred to in the description) deeply and permanently in the wood; and in this case, the approximate bearing of the tree, and its distance from some known object as above mentioned, should be given.

For example, a description might run as follows, viz.:—Commencing on Creek, at a box-tree marked E 9, distant about 1 mile and a half in a south-westerly direction, from the station hut, and bounded on the north by a line extending westerly (here state the distance approximately in miles the reserve is to extend back, or if to the boundary of the run); on the south by a line 1 mile from and parallel to the north boundary line.

When the proposed reserve is not upon the frontage of the run, and the object is to secure access to a permanent water-hole, the description may, for example, run thus:—Commencing at a point 10 chains west from a tree marked A.C., at the south-western extremity of the water-hole, and bounded on the west by a line extending in a southerly direction to the southern boundary of the run, and northerly $2\frac{1}{2}$ miles; on the east by a line parallel to and 1 mile from the west boundary aforesaid.

In cases where permanent or comparatively permanent water exists only on the frontage, or upon a creek or watercourse flowing through the block, reservations to the extent of one-fourth of the frontage to such river, creek, or watercourse may be allowed, and the reserved frontage reckoned on the general course of the river, from one side of the run to the other, and not following the meanderings of the stream. Where reserves are to be proposed both on frontage and on back water, only a fifth of the general frontage can be reserved on the river. In determining the most suitable reserves for water supply, &c., the inclusion (in cases where water is only obtainable at times) of the most valuable cattle camps, for the beneficial occupation of the run, should also be aimed at; but where they cannot be so included, reservations of 640 acres each in a square, to embrace the camp and temporary water, and to be described from a marked tree in the centre of each, may be allowed, provided that they do not amount to more than one portion of 640 acres for every 4,000 acres that the run may contain.

Reserves of the character above described will not necessarily be made for the inclusion of water artificially preserved, as, for instance, dams or dug water-holes, as the right to purchase the same in virtue of improvements is secured to the lessee in the Alienation Act of 1861.

In cases where the general practice herein provided will not meet the requirements of any run, applications should show the nature of the peculiarity requiring different treatment, and the mode of treatment proposed; this memorandum having been printed merely to facilitate intending applicants.

The Surveyors of each district will send in recommendations for water reserves, in any cases which may arise, where the leaseholder may desire to purchase an undue proportion of the water on a run, to the injury of the public estate.

Applications should be addressed to the Chief Commissioner of Crown Lands in Sydney, enclosing descriptions of the reservations, on separate sheets, in order that delay in dealing with them may be obviated, should any of the number be so imperfect as to necessitate its return for amendment.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

WAGGA WAGGA COMMON.

(PLANS OF, AND CORRESPONDENCE, &c., RESPECTING DONNELLY'S APPLICATION.)

Ordered by the Legislative Assembly to be printed, 28 February, 1879.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 12th February, 1879, That there be laid upon the Table of this House;—

“Copies of all Papers, Correspondence, Minutes, &c., in reference to an application to purchase part of the Common at Wagga Wagga by Mr. Donnelly; also date of application to purchase, the date on which the Common was proclaimed, the date on which the land was reserved from lease; also the date on which the reserve was originally made, and copy of any plans showing the position of the reserve, and date of its revocation, if any.”

(Mr. McElhone.)

SCHEDULE.

NO.	PAGE.
1. George Forsyth to the Colonial Secretary, nominating trustees for the temporary and permanent commons of Wagga Wagga District. 2 February, 1874	3
2. Minute of Executive Council, appointing the trustees as nominated. 18 February, 1874	3
3. Petition from inhabitants of Gumly Gumly, praying that a certain area may be reserved for water supply in said locality, with minutes thereon. 23 July, 1875	3
4. John Bentley to the Minister for Lands, in reference to above petition, with enclosure. 4 August, 1875.....	4
5. James H. Wood, District Surveyor, to the Surveyor General, reporting on same, with minutes thereon. 25 August, 1875	4
6. Minute of Executive Council, reserving from lease certain land in the Murrumbidgee District, with minute thereon. 8 November, 1875	4
7. C. F. Bolton, District Surveyor, to the Surveyor General, in reference to Mr. Donnelly's erection of improvements on a certain reserve, Gumly Gumly, with minutes thereon. 15 November, 1875.....	5
8. Fitzhardinge and Sons to the Minister for Lands, on behalf of residents of Gumly Gumly, for a reserve for public use in that locality, with minute thereon. 15 November, 1875	5
9. Petition from inhabitants of Wagga Wagga, praying for the dedication of a permanent common for said place, with minute thereon. 16 November, 1875	5
10. Gazette Notice—Reserve from lease, Murrumbidgee District. 10 December, 1875	6
11. C. F. Bolton, District Surveyor, to the Surveyor General, in reference to the application for a common, Gumly Gumly, with minutes thereon and enclosure. 22 December, 1875	6
12. Thomas Hodson to the Minister for Lands, respecting Mr. Donnelly's erection of improvements. 5 January, 1876	7
13. Henry J. Withers & Co. to the Under Secretary for Lands, on behalf of Mr. Donnelly protesting against reserve No. 142, with minute thereon. 8 January, 1876	7
14. Under Secretary for Lands to Fitzhardinge & Sons, in reply to No. 8. 31 January, 1876	8
15. Henry Freeman to Minister for Lands, on behalf of Mr. Donnelly, <i>in re</i> his claim to certain improved land, with minutes thereon. 14 March, 1876	8
16. Under Secretary for Lands in reply to No. 15. 17 March, 1876.....	8
17. Henry Freeman in reply to No. 16, with minute thereon and enclosures. 24 March, 1876.....	8

NO.	PAGE.
18. Under Secretary for Lands in reply to No. 17. 1 April, 1876	9
19. Memorandum by George Lewis, respecting measurement of Donnelly's land in virtue of improvements, with minutes thereon. 24 April, 1876	9
20. Henry Freeman to the Minister for Lands—further respecting same. 20 July, 1876	10
21. Application for the purchase of improved Crown lands by John Donnelly, parish of Gumly Gumly, county of Wynyard, with minutes thereon. 28 July, 1876	10
22. Under Secretary for Lands in reply to No. 20. 7 August, 1876	10
23. Extract from Gazette notice, dedication of Crown lands, Gumly Gumly. 15 August, 1876	10
24. C. F. Bolton, District Surveyor, to the Surveyor General, <i>re</i> survey of Donnelly's land, with minutes thereon. 29 August, 1876	11
25. John Bentley to L. G. Thompson, for description of permanent common, Gumly Gumly, with minutes thereon. 8 September, 1876	11
26. Memo. by Mr. District-Surveyor Wood. 16 October, 1876	11
27. John Bentley to the Colonial Secretary, respecting trustees of permanent common, Gumly Gumly, with minutes thereon. 20 October, 1876	11
28. Memo. by J. G. Hay, with minute thereon. 31 October, 1876	11
29. Principal Under Secretary to trustees of Wagga Wagga Commons, respecting management of same. 4 November, 1876	12
30. Under Secretary for Lands in reply to No. 25. 6 November, 1876	12
31. John Bentley to the Principal Under Secretary, in reply to No. 29, with minutes thereon. 15 November, 1876	12
32. Minute of Executive Council, reserving from lease portion of Gumly Gumly Run. 27 November, 1876	12
33. Gazette Notice, reserve from lease, Gumly Gumly Run. 29 December, 1876	12
34. John Bentley to Lindsay Thompson, in reply to No. 30. 5 January, 1877	13
35. Same to Principal Under Secretary, further respecting Wagga Wagga Common and Donnelly's purchase of improved land. 15 February, 1877	13
36. Memo. by George Lewis. 24 February, 1877	13
37. Licensed Surveyor Macpherson to the Surveyor General, reporting on Donnelly's improvement purchase. 28 March, 1877	13
38. Henry Freeman to the Minister for Lands, further respecting Donnelly's claim. — April, 1877	14
39. Telegram to District Surveyor Wood, for return of papers in Donnelly's case, with minutes thereon. 3 May, 1877	14
40. Telegram from District Surveyor Wood, in reply to No. 39. 3 May, 1877	15
41. Telegram to Licensed Surveyor Macpherson, for return of papers in Donnelly's case. 7 May, 1877	15
42. Telegram from Licensed Surveyor Macpherson, in reply to No. 41. 14 May, 1877	15
43. Licensed Surveyor Macpherson to Surveyor General, further respecting same, with minute thereon. 29 May, 1877	15
44. Telegram from Licensed Surveyor Macpherson—same subject. 30 May, 1877	15
45. Henry Freeman to the Minister for Lands, for an interview <i>re</i> Donnelly's claim. 18 June, 1877	15
46. Same to same, on behalf of Donnelly, with minutes thereon. 19 June, 1877	16
46A. Memo. of instructions to District Surveyor Wood, with tracing. 22 June, 1877	16
47. Case of John Donnelly, lessee of Gumly Gumly Run	16
48. Telegram from George Mair, Chairman of Trustees of Wagga Wagga Commons, to the Minister for Lands, <i>re</i> survey of Donnelly's purchase, with minutes thereon. 9 July, 1877	17
49. George Mair to the Under Secretary for Lands, further respecting same, with minutes thereon. 16 July, 1877	18
50. Licensed Surveyor Macpherson to the Surveyor-General, reporting on Donnelly's improvements, with enclosure and tracing. 16 July, 1877	18
51. Under Secretary for Lands, in reply to No. 49. 21 July, 1877	19
52. George Mair to the Colonial Secretary, objecting to Donnelly's claim, with minutes thereon and tracings. 2 August 1877	19
53. Same and others to the Minister for Lands—same subject. 20 August, 1877	19
54. Under Secretary for Lands, further in reply to No. 49. 22 August, 1877	19
55. Same to Henry Freeman, in reference to No. 18. 22 August, 1877	20
56. Principal Under Secretary, in reply to No. 52. 23 August, 1877	20
57. Telegram from George Mair, in reply to No. 54. 27 August, 1877	20
58. George Mair to Principal Under Secretary, in reply to No. 56. 27 August, 1877	20
59. J. McElhone, M.P., to the Minister for Lands, forwarding correspondence by George Mair on foregoing case, with minutes thereon. 29 August, 1877	20
60. Under Secretary for Lands, further in reference to No. 49. 11 September, 1877	22
61. Same, in reply to No. 59. 11 September, 1877	23
62. George Mair to the Under Secretary for Lands, in reply to No. 60, with minutes thereon. 14 September, 1877	23
63. M'Carthy, Robertson, and Fisher to the Under Secretary for Lands, on behalf of John Donnelly, with minutes thereon. 9 January, 1878	23
64. Memo., by George Lewis, in the case. 12 February, 1878	23
65. Under Secretary for Lands to John Donnelly, in reference to his application of 28 July, 1876, No. 21. 18 March, 1878	24
66. Same, in reply to No. 63. 18 March, 1878	24
67. Same, in reply to No. 62. 5 April, 1878	24
68. John Donnelly to Under Secretary for Lands, in reply to No. 65. 15 April, 1878	24
69. George Mair to same, in reply to No. 67, with minute thereon. 16 April, 1878	24
70. Under Secretary for Lands to George Mair, further in reference to No. 67. 26 April, 1878	25
71. Francis Fitzpatrick to the Minister for Lands, on behalf of Donnelly. 26 April, 1878	25
72. George Mair to the Under Secretary for Lands, in reference to No. 70. 29 April, 1878	25
73. Same to Minister for Lands, for copy of petition, on behalf of John Donnelly. 22 May, 1878	25
74. M'Carthy, Robertson, and Fisher to same, forwarding petition in favour of Donnelly, and opinion of Mr. Butler in the case. 19 August, 1878	26
75. <i>Précis</i> of the case, with Minister's decision thereon. 21 October, 1878	27
76. Under Secretary for Lands to John Donnelly, conveying Minister's decision. 21 December, 1878	28
77. Same to John McElhone, M.P., with like information. 21 December, 1878	28
78. Same to George Mair, to same effect. 21 December, 1878	28
79. John McElhone, M.P., to the Minister for Lands, in reference to No. 77. 8 January, 1879	29
80. George Mair to the Under Secretary for Lands, in reply to No. 78. 8 January, 1879	29
81. Minute and decision of the Minister for Lands in the case. 9 January, 1879	29
82. Under Secretary for Lands, in reply to No. 80. 16 January, 1879	29
83. Same to John McElhone, M.P., in reply to No. 79. 16 January, 1879	29
84. Memo. by the Minister for Lands, for certain information respecting the case in question. 12 February, 1879	30
85. Memo. by George Lewis, in reply to No. 84. 13 February, 1879	30

WAGGA WAGGA COMMON.

No. 1.

Mr. G. Forsyth to The Colonial Secretary.

Sir,

Council Chambers, Wagga Wagga, 2 February, 1874.

I do myself the honor of reporting that the meeting called for the 29th January ultimo, in pursuance of the Act 36 Victoria No. 23, lapsed, and trustees were not appointed.

With the concurrence of the Aldermen of the Borough, in their position of commoners, I beg respectfully to request that, by virtue of the power conferred upon him by the Act, His Excellency the Governor will be pleased to nominate and appoint Messrs. George Forsyth, George Mair, Charles Wall, Robert Nixon, and Thomas Henry Cummins trustees for each of the commonages (temporary and permanent) of this district for the ensuing three years.

I have, &c.,

GEO. FORSYTH,

Late Senior Trustee and Mayor.

George Forsyth, commission agent, Kincald-st.
George Mair, commission agent, Best-st.
Charles Wall, storekeeper, Fitzmaurice-st.
Robert Nixon, miller, Fitzmaurice-st.
Thomas Henry Cummins, butcher, Bridge Road.

No. 2.

Minute Paper for the Executive Council.

Colonial Secretary's Office, Sydney, 18 February, 1874.

No trustees having been elected at the meeting held in the month of January last for the election of trustees of the Wagga Wagga Commons, I recommend that, in accordance with section 3 of the "Commons Regulation Act of 1873," Messrs. George Forsyth, George Mair, Charles Wall, Robert Nixon, and Thomas Henry Cummins be nominated trustees of such commons for the three years ending in the month of January, 1877.

HENRY PARKES.

The Executive Council advise that the gentlemen herein named be appointed trustees of the Wagga Wagga Commons, in terms of the 3rd clause of the "Commons Regulation Act of 1873."—ALEX. C. BUDGE, Clerk of the Council. Min.—74/10, 23rd February, 1874. Confirmed.—2nd March, /74.

Approved.—H.R., 23/2/74.

His Excellency the Governor and the Executive Council notified 6 March, 1874.

No. 3.

Petition from Inhabitants of Gumly Gumly to The Secretary for Lands.

To the Honorable the Minister for Lands, Sydney.

The humble and earnest petition of the undersigned landowners and others in the parish of Gumly Gumly, county of Wynyard, in the Murrumbidgee District,—

Respectfully Showeth:—

That on the 12th of March, 1863, a portion of land (reserve No. 134) on the Gumly-Gumly Qy. 1869. Run was gazetted, as your petitioners understand, a permanent public reserve; and that on the 14th of November, 1864, a larger portion (reserve No. 142), adjoining the abovementioned on the west, and extending further south (*as per accompanying description, which appears to include both), was "reserved from sale until surveyed for the preservation of water supply, or other public purposes," and that the latter reserve has been and is held by the lessee of Gumly Gumly Run as a portion of such run.

*See Enclosure to No. 4.

2. That reserve No. 142, lying between your petitioners' land and the first gazetted reserve (No. 134), the stock of sundry of your petitioners and that of others have to cross the former (No. 142) to reach the latter (No. 134) for water, and have been and are impounded by the lessee of the before-mentioned run, such impounding being a source of great inconvenience and loss to the owners of stock so impounded.

3. That upon a portion of reserve (No. 142) there is a waterhole or lagoon which would, if not controlled by the lessee aforesaid, who has fenced it in, be of considerable value to your petitioners and the public at large, being as it is situate near the Tarcutta highway, and the only available water nearer than the Murrumbidgee River, which is distant about 1 mile from said lagoon.

4. That your petitioners have reason to believe that the lessee of Gumly Gumly Run is about to build a dwelling upon the portion of the reserve containing the aforesaid lagoon, with a view ultimately to claim pre-emptive right to purchase said portion with lagoon in virtue of improvements.

5. That if your petitioners and the public generally should be shut out from said lagoon, and thereby entirely deprived of its use, they sincerely believe such deprivation would be not only a great hardship but an act of injustice. For the foregoing reasons your petitioners most respectfully pray that you may see fit to cause reserve No. 142 to be permanently reserved for water supply for public use.

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

Gumly Gumly, 23 July, 1875.

[Here follow 30 signatures.]

Minutes on No. 3.

The reserve No. 142 of the notice 14 November, 1864, includes 1,500 acres, and was never intended to be permanently dedicated, but to be subdivided for sale at a future date. But on the report of Mr. District-Surveyor Wood a portion of the same reserve (125 acres) was reserved from lease, 18 September,

September, 1868, and has since been dedicated for public watering-place, extending from the Murrumbidgee River southerly to the Tarcutta Road, by a width of 10 chains. The 1,500 acres referred to, minus the portion dedicated above, 125 acres, still forms part of the Gumly Gumly Run, and is not open to the petitioners to run their stock. Referred to Mr. District-Surveyor Bolton.—ROBT. D. FITZGERALD (for Surveyor General), B.C., 16 August, 1875.

Transferred to Mr. District-Surveyor Wood, as being within his district.—C. F. BOLTON, D.S., 23 August, 1875.

No. 4.

Mr. J. Bentley to The Secretary for Lands.

Sir,

Wagga Wagga, 4 August, 1875.

I have the honor to state for your information that the enclosed extract from the Gazette is intended to be portion of a petition forwarded to you this day by certain landowners and others on Gumly Gumly, and which was by an oversight omitted from the envelope containing the petition.

I have, &c.,

JOHN BENTLEY,
(Pro ROBERT IRVING & OTHERS.)

[Enclosure to No. 4.]

Extract from Gazette.

Department of Lands, Sydney, 14 November, 1864.

Reserve from Conditional Purchase.

His Excellency the Governor, with the advice of the Executive Council, directs it to be notified that, in pursuance of the provisions of the "Crown Lands Alienation Act of 1861," the land specified in the Schedule appended hereto shall be reserved from sale until surveyed for the preservation of water supply or other public purposes.

J. BOWIE WILSON.

Pastoral District of Murrumbidgee.

No. 142. County of Wynyard, parish of Gumly Gumly, containing about 1,500 acres. The Crown Lands within the following boundaries: Commencing on the Murrumbidgee River, at the north-western corner of J. Peters's 165 acres; and bounded thence on the east by the west boundary line of that land, bearing south to its south-western corner; on the north by the south boundary of that land, bearing east 20 chains; again on the east by part of the western boundary of portion 52; and (crossing a road 1 chain wide) by the western boundaries of portions 57 and 58, bearing south to the south-western corner of the latter portion; on the south by a line bearing west 44 chains; on the west by a line bearing north 70 chains and 61 links; again on the south by a line bearing west to the eastern boundary of portion 27; again on the west by the eastern boundaries of that portion, and portions Nos. 23, 19, and 7, northerly to the Murrumbidgee River; and on the north by that river upwards, to the point of commencement.

No. 5.

Mr. District-Surveyor Wood to The Surveyor General.

Sir,

District Survey Office, Albury, 25 August, 1875.

In compliance with your B.C. instructions of the 16th of August to Mr. District-Surveyor Bolton, transferred to me, requesting a report on a petition from the inhabitants of Gumly Gumly to have reserve No. 142 dedicated as a public reserve, I have the honor to inform you that the position of the waterhole referred to is shown on the lithograph map of portions in the parish of Gumly Gumly, and is situated within (designed) portion No. 18. This waterhole is not permanent, but it contains water for many months of the year, and in a more convenient position than going down to the river.

2. I would beg to suggest that reserve No. 134 be extended westerly, to include portions designed Nos. 17 and 18. As it is stated that the lessee of the run contemplates erecting improvements near the waterhole, it would be desirable to withdraw the area from lease at an early date.

I have, &c.,

JAMES H. WOOD, D.S.

Minutes on No. 5.

On this report it is submitted for the consideration of the Honorable the Minister for Lands that the defined 173 acres, county of Wynyard, parish of Gumly Gumly, be reserved from lease for public camping-place and water supply; it forms part of reserve for water supply 142, notified 14th November, 1864.—ROBT. D. FITZGERALD (pro Surveyor General), B.C., 28th October, 1875. Under Secretary for Lands, for minute, 3rd Nov., /75.—T.G. Executive Council minute, 8th Nov., /75.

No. 6.

Minute for the Executive Council.

Department of Lands, Sydney, 8 November, 1875.

It is recommended to His Excellency the Governor and the Executive Council that the portion of land particularized in enclosed description be reserved from lease under the 5th section of the "Crown Lands Occupation Act of 1861," for a public watering and camping-place.

T. GARRETT.

The Executive Council advise that the portion of land specified in Schedule be reserved from lease, in terms of the 5th clause of the "Crown Lands Occupation Act of 1861," for the purpose specified.—ALEX. C. BUDGE, Clerk of the Council.

Mins. 75/56, 8/11/75. Confirmed, 15/11/75.

Approved.—H.R., 15/11/78.

For description, see No. 10.

Minute

Minute on No. 6.

Mr. Ellis, 14/12/75. A tracing is enclosed showing the position of reserve 205 from lease, notified the 10th of December, 1875, county of Wynyard, for the information of the Land Agent at Wagga Wagga.—J. W. ELLIS, for Sur.-Genl. Under Secretary for Lands, B.C., 6th Janry., 1876.

No. 7.**Mr. District-Surveyor Bolton to The Surveyor General.**

Sir,

District Surveyor's Office, Wagga Wagga, 15 November, 1875.

I do myself the honor to inform you that the Police Magistrate, Mr. Henry Bayliss, waited on me at my office to-day, in reference to certain buildings, &c., being erected by Mr. John Donnelly on reserve 142, parish of Gumly Gumly, county of Wynyard, in consequence of the numerous appeals made to him by persons interested in preserving a right of access to a certain waterhole in the reserve in question, it being alleged that these improvements are being erected in order to secure a right to purchase the reserve on which the waterhole stands; further, that the improvements are in no way necessary for the beneficial occupation of the small portion that is left of the Gumly Gumly Run; also, that if any new buildings, &c., were required, Mr. Donnelly, owning as he does nearly all the land from the west boundary of the parish of South Wagga Wagga to Tarcutta, could find more suitable sites on the numerous eligible building sites that abound on his very extensive estate.

From my own personal knowledge of the locality, and from the statements made by the numerous persons who have called also on me respecting this matter, I am bound to believe that the buildings now in course of erection for Mr. Donnelly are being put there for the sole purpose of securing a right to purchase the land by virtue of improvements.

The waterhole in question is not quite permanent, but being near the main road (which is a long way off the river at this place) is of great value as a watering-place for farmers' cattle, as well as to travelling stock.

For these reasons I would recommend that Mr. Donnelly be cautioned against proceeding with his improvements, which, although of a substantial character, "are not for a legitimate purpose, beyond the securing of the land in supposed right thereof," as suggested in your circular of 2nd October, 1874; and I would further recommend that the land lying between the old Tarcutta road and the new, and bounded on the west by portion 19, and on the east by reserve 134, be withdrawn from lease.

Not required.

I have, &c.,

C. F. BOLTON,

District Surveyor.

Forwarded through Mr. District-Surveyor Wood, in whose district it is.

Minutes on No. 7.

The land has been reserved from lease for public watering-place and camping, under notice 10th December, 1875. Mr. Bolton should be so informed, and steps taken to inform Mr. Donnelly, referred to by Mr. Bolton.—J.W.E., 28th July, 1876. See No. 10.

Contents noted and papers returned to head-quarters. B.C., 9 Feby., 1877.—C. F. BOLTON, District Surveyor.

No. 8.**Messrs. Fitzhardinge & Sons to The Secretary for Lands.**

Sir,

Wagga Wagga, 15 November, 1875.

We have the honor again to request, on behalf of the settlers and residents about Gumly Gumly, that you may be pleased to cause a reserve for watering for public use to be proclaimed on that portion of Gumly Gumly reserved from sale in November, 1864. As we have already on several occasions pointed out, it is a matter of very pressing and urgent necessity to the settlers to have access to water before the heat of summer fully sets in, because the present lessee has shut out access to the River Murrumbidgee almost the whole distance from Tarcutta to Wagga Wagga, and is erecting improvements on the Crown lands available for access to water with the evident intention of purchasing the land.

Unless steps are shortly taken to comply with the request of the settlers, numbers of them will, in the midst of the summer, be put to heavy loss and expense, and will almost be compelled to abandon their settlements, on which they have expended much time, labour, and money.

We have the honor urgently to press upon you the necessity of speedy action in this matter, and sincerely trust that as we are acting for the benefit of a number of persons not over wealthy, who are trying to make a living, that you may be pleased to cause something to be done without delay.

Yours, &c.,

FITZHARDINGE & SONS.

Minute on above.

The land referred to has been withdrawn from lease, under notice 10 December, 1875, for public watering-place and camping, under report and recommendation attached.—ROBERT D. FITZGERALD (for Surveyor General), B.C., 30 December, 1875.

No. 9.**Petition from Inhabitants of Wagga Wagga to The Secretary for Lands.**

To the Honorable the Minister for Lands, Sydney.

The humble petition of the undersigned residents in the town of Wagga Wagga and its vicinity,—
Respectfully Showeth:—

1. That to most thinking men here it is moderately clear that Wagga Wagga is destined to become one of the most important towns in the Southern Districts. Its commercial connections and influence are at the present considerable, and its contributions to the Public Treasury will compare favourably with those of any provincial town (of perhaps far greater pretensions) in the Colony. 2.

2. That experience has shown the folly, if not the blindness, of those past, whose duty it was to look to the future, in not providing young towns with lands for their own use, such as reserves for public recreation, gardens, squares, commons, &c., &c. Part of this experience your petitioners have found in Wagga Wagga, where the only land that can be said to be of any particular benefit to the townspeople is the racecourse, a reserve of 161 acres, dedicated in 1865 for a racecourse and public recreation.

The only other land dedicated or reserved is included in a permanent and a temporary common, situate to south-west of the town, also a piece of land on the hills to the south.

3. Your petitioners therefore believe that they are not only consulting their own but the interests of those who may live after them in praying that you will be pleased to cause to be dedicated as a permanent common the portion of land lying to the east of Wagga Wagga, as shown in the accompanying plan.

Your petitioners could advance many good reasons in support of this their earnest prayer, but they deem them tedious and unnecessary. Trusting that this, their humble request, will be complied with,

Your petitioners, as in duty bound, will ever pray, &c.

[Here follow—

THOMAS HUDSON, J.P., Mayor,
And 208 signatures.]

Wagga Wagga, 16th November, 1875.

Minute on No. 9.

Referred for the consideration of Mr. District-Surveyor Fisher.—R.D.F. (for Surveyor General), B.C., 27 Nov., 1875.

No. 10.

Gazette Notice.

Department of Lands, Sydney, 10 December, 1875.

Reserve from lease for public watering-place and camping.

It is hereby notified for general information that His Excellency the Governor, with the advice of the Executive Council, has been pleased to withdraw, for public watering-place and camping, the portion of land hereinafter described from the Gumly Gumly Run, of which it hitherto formed part.

THOMAS GARRETT.

Murrumbidgee District.

No. 205. County of Wynyard, parish of Gumly Gumly, 173 acres: Commencing on the Tarcutta and Wagga Wagga Road, at its intersection with the west boundary of reserve from lease No. 134, notified 18th September, 1868, and dedicated for public watering-place 12th March, 1869, at a point 10 chains west from the west boundary of J. Peters's 165 acres; and bounded thence on the east by part of the west boundary of that reserve, bearing south about 46 chains to a point 10 chains west from the south-west corner of the aforesaid 165 acres; on the south by a line west 43 chains to the south-west corner of J. Gormly's portion 19 of 48½ acres; on the west by the east boundary of that portion, bearing north 34 chains 62 links to the aforesaid road; on the north by that road easterly, to the point of commencement.

No. 11.

Mr. District-Surveyor Bolton to The Surveyor General.

Sir,

District Surveyor's Office, Wagga Wagga, 22 December, 1875.

I beg to acknowledge the receipt of you B.C. of the 27th ultimo, forwarding a plan* showing land applied for as a common in the parish of Gumly Gumly, county of Wynyard, being situated near the town of Wagga Wagga, for my report, and in reply, I do myself the honor to inform you that the land applied for is the only remaining land on east side of the town of Wagga Wagga now available for a common for the use of residents in the eastern suburbs of the town. Also, that it is the only vacant land in that direction from which a supply of firewood may be obtained. Again, it would be of great use in affording sustenance for travelling stock.

So that, notwithstanding the fact that commons are usually so monopolized by some adjacent resident as to be rarely of much public benefit, I would, under the circumstance, recommend that the petition to have the land in question dedicated as a permanent common be granted.

I have, &c.,

C. F. BOLTON.

Forwarded through Mr. Dist.-Surveyor Wood, as being in his district.—C.F.B. I can recommend the adoption of Mr. Dist.-Surveyor Bolton's report.—J. H. WOOD, D.S.

Minutes on No. 11.

Tracing wanted.

The land applied for for commonage is shown by red edging on tracing attached. It includes an area of 1,770 acres. Mr. District-Surveyor Wood, on margin of Mr. Bolton's report, recommends its permanent dedication. It includes reserve from lease 205 for public camping and water, under notice 17 June, 1873. The area tinted pink, westerly of the town of Wagga Wagga, 720 acres, was permanently dedicated for commonage, and under notice dated 10th January, 1873, 360 acres and 1,000 acres adjoining that 720 acres were declared temporary commonage, with 4,273 acres at North Wagga Wagga, county of Clarendon. The census gives the population of Wagga Wagga to be 1,858 souls.—J.W.E.

Submitted for approval. Recommended.—P.F.A.

Under the reports of Mr. District-Surveyors Wood and Bolton it is submitted for the consideration of the Honorable the Minister for Lands that the area (1,770 acres) shown by red edging be permanently dedicated for commonage for Wagga Wagga, in addition to the 720 acres dedicated under notice 17 June, 1873. The necessary description is enclosed, defining the commonage and from reservation from lease.—ROBT. D. FITZGERALD (pro Surveyor General).

See No. 33.

B.C., 29 March, /76, Sur. Genl.'s Office. Submitted for approval, 19/4/76. Approved.—T.G., 1 May, /76.

[Enclosure

* Not with papers.

[Enclosure to No. 11.]

Department of Lands, Sydney, 10 January, 1873.

Temporary Commonage, Wagga Wagga.

His Excellency the Governor, with the advice of the Executive Council, directs it to be notified, that in pursuance of the provisions contained in the Regulations under the "Crown Lands Occupation Act of 1861," the land described hereunder shall be devoted to temporary commonage for Wagga Wagga.

JAMES S. FARNELL.

360 acres, county of Mitchell, parish of Uranquinty. The unalienated Crown Lands within the following boundaries: Commencing at the south-east corner of portion 233, parish of Wagga Wagga South, county of Wynyard; and bounded thence on the east by a line south about 86 chains to the Wagga Wagga and Deniliquin Road; on the south-west by that road north-westerly to the eastern boundary of portion 54, parish of Uranquinty; on the west by that boundary northerly to the south boundary of portion 49 of that parish; and on the north by part of the south boundary of that portion easterly, and by the south-western boundaries of portions 232 and aforesaid 233 south-easterly, to the point of commencement.

1,000 acres, counties of Mitchell and Wynyard, parishes of Wagga Wagga South and Uranquinty. The unalienated Crown Lands within the following boundaries: Commencing at the north-west corner of portion 122, parish of Wagga Wagga South; and bounded thence on the east by the west boundaries of that portion and portions 123 and 176 bearing south in all about 127 chains to the south-west corner of the latter portion; on the south by a line west about 59 chains to the east boundary of portion 46, parish of Uranquinty; thence by part of that boundary bearing north about 15 chains to its north-east corner; and thence by the north boundary of that portion bearing west 30 chains to its north-west corner, and by a line west 1 chain to the east boundary of portion 41; on the west by the east boundary of that portion and portions 40, 39, 38, and 37, bearing north in all about 98 chains to the Wagga Wagga and Deniliquin Road; and on the north by that road easterly, to the point of commencement.

4,273 acres, county of Clarendon, parishes of North Wagga Wagga and Gobbagumbalin. The unalienated and unappropriated Crown Lands within the following boundaries: Commencing at the north-east corner of portion 267, parish of North Wagga Wagga; and bounded thence on the north by the north boundary of the reserve on account of population of Wagga Wagga, as by census of 1871, being a line west about 3 miles 64 chains to the east boundary of portion 57, on Houlaghan's Creek, parish of Gobbagumbalin; thence by 4 chains of that boundary southerly to the south-east corner of that portion; and thence by the south boundary of that portion westerly to Houlaghan's Creek; on the west by that creek downwards to the north boundary of portion 61, parish of Gobbagumbalin; on the south by the north boundary of that portion easterly to the west boundary of portion 54; thence by the west and north boundaries of that portion northerly and easterly, and a line east, to the west boundary of portion 55; thence by the west, the north, and the east boundaries of that portion northerly, easterly, and southerly, the north and part of the east boundary of portion 30 easterly and southerly, and the north boundaries of portions 10, 11, 12, easterly, to the north-east corner of the latter portion; thence by a line northerly 1 chain, and by the west boundary of portion 45, parish of North Wagga Wagga, northerly to the north-west corner of that portion; and thence by the north boundaries of portions 45, 46, 47, 64, 65, 66, 67, 70, 71, and 74 easterly to the north-east corner of the latter portion; thence by a line north-easterly to the south-west corner of portion 255; and thence on the east by a line forming partly the west boundaries of portions 255, 258, northerly 52 chains 56 links, and the southern and the eastern boundaries of portion 267 easterly 40 chains 12 links, and northerly 65 chains 27 links, to the point of commencement.

And portions 74, and 175 to 180 inclusive, parish of North Wagga Wagga, containing in all 154 acres.

No. 12.

Mr. T. Hodson to The Secretary for Lands.

Sir,

Wagga Wagga, 5 January, 1876.

I do myself the honor to inform you that the lessee of Gumly Gumly Run, Mr. John Donnelly, is erecting a dwelling upon a piece of land which was notified on 10th of December ultimo as a reserve from lease for public watering-place and camping.

This land is included and fully described in a petition forwarded to you on the 22nd November last from residents in Wagga Wagga and its neighbourhood, praying that the whole of the land described in said petition be dedicated as a common.

Were there a Crown Land Bailiff in the district I should have laid this information before that officer.

I have, &c.,

THOMAS HODSON.

No. 13.

Messrs. H. J. Withers & Co. to The Under Secretary for Lands.

Sir,

18 Bridge-street, Sydney, 8 January, 1876.

On behalf of Mr. J. S. Donnelly, lessee of Gumly Gumly Run, we must protest against reserve 142 being proclaimed a public watering-place, there being already sufficient accommodation for the public. The application was got up by a man who had not very friendly feelings towards the squatter, and he employed some one to canvass for names upon this application. Mr. District-Surveyor Wood reported that as there was a waterhole which during a part of the year contained water it would be more convenient to the public having it than the river.

Notified 14th
Nov., 1864.
Murrumbidgee.

This would have been all very well if our client had not some £500 or £600 worth of improvements. The very house he is residing in is here situated, and if the reserve is allowed, the public can even enter the place.

We request that you will see fit to revoke a portion of this reserve, if not altogether, than allow it, or a portion of it, to remain as before, under lease.

We have, &c.,

HENRY J. WITHERS & Co.

Minute on No. 13.

A petition was received from the inhabitants of Gumly Gumly, praying that the site should be declared a public reserve. The report from Mr. District-Surveyor Wood was obtained, who recommended the immediate withdrawal from lease, as the lessee contemplated making improvements near the waterhole. The reserve was withdrawn from lease on the 10th December, 1875.—ROBERT D. FITZGERALD (for Surveyor General), 18th February, 1876.

No. 14.

No. 14.

The Under Secretary for Lands to Messrs. Fitzhardinge & Sons.

Gentlemen,

Department of Lands, Sydney, 31 January, 1876.

No. 8.

See No. 10.

With reference to your letter of the 15th November last, further respecting the withdrawal from lease for a public watering and camping place, of certain land on the Gumly Gumly Reserve, I am directed to invite your attention to a notice published in the Government Gazette of the 10th ultimo, from which you will perceive that the land in question has been withdrawn from lease for the purposes mentioned.

I have, &c.,
W. W. STEPHEN.

No. 15.

Mr. H. Freeman to The Secretary for Lands.

Sir,

18, Bridge-street, Sydney, 14 March, 1876.

At the instance of Mr. John Donnelly, of Gumly Gumly Run, near Wagga Wagga, I have already had the honor to beg your approval of his claim to hold certain improved lands on that run at a site covered by reserve No. 142. I am now in a position most positively to state that my client erected the valuable improvements in question and had accepted tenders for the construction of his homestead on this spot (the only site for miles around suitable for his dwelling-house) at a time long prior to the Government notice withdrawing the reserve from his pastoral lease. His improvements have been fully placed on the ground at a cash cost of £1,155, as per plans and specifications submitted herewith, as an evidence of Mr. Donnelly's *bond-fides* in the matter. It is quite impossible for my client to remove his homestead, &c., as ordered by the Department. His loss would scarcely be increased by the application of a firebrand to the structure, were the determination to eject him pressed.

This locality has already been specially favoured by the reservation of four different areas for water supply within a distance of 2 miles; and my client very respectfully urges that there is no true necessity for this reserve, which is flanked and adjoined by another reserve 10 chains wide leading to the river from the main road Wagga to Tarcutta, thus preserving every requisite means of access for stock. When I have explained that my client's application, if complied with, could scarcely secure him one-third of the area he could hope to acquire elsewhere in virtue of such valuable and extensive improvements, I hope I have adduced fair evidence that Mr. Donnelly would gain little but his due in the matter.

The reserve having originally been made in the interest of the run, and my client's improvements laid out and formally contracted for before any change took place in the nature of the reserve, are facts freeing Mr. Donnelly from any imputation of trifling with the power of the Minister to place the reserve beyond his reach by further proclamation.

I have, &c.,
HENRY FREEMAN.

Minutes on No. 15.

There has been no dedication of the land here in question; it is ordinary Crown land, which has been withdrawn from lease, on the enclosed report of the district surveyor, having previously been a reserve from sale.—A.O.M., 15/3/76.

I am disposed to treat this as an exceptional case, and on satisfactory proof being given that the improvements were actually commenced before and were being proceeded with at time of proclamation of reserve from lease, I approve of the revocation of so much of the reserve as will protect his improvements so as to render them of use, care being taken that means of access to the water, to provide which the reserve was made, is still retained.—T.G., 15/3/76.

No. 16.

The Under Secretary for Lands to Mr. H. Freeman.

Sir,

Department of Lands, Sydney, 17 March, 1876.

No. 15.

Referring to your letter of the 14th instant, requesting that Mr. John Donnelly's application to purchase certain improved land on the site of reserve No. 142 at Gumly Gumly, I am directed to inform you that the Minister for Lands is disposed to treat the case as an exceptional one, and that on satisfactory proof being given that the improvements were actually commenced before and were being proceeded with at the time of the proclamation of the reserve from lease, he will approve of the revocation of so much of it as will protect your client's improvements and render them of use.

I am to add that means of access to water, to provide which the reserve was proclaimed, will be maintained.

I have, &c.,
W. W. STEPHEN.

No. 17.

Mr. H. Freeman to The Secretary for Lands.

Sir,

18, Bridge-street, Sydney, 24 March, 1876.

No. 16.
Chas. Hardy,
builder, Wagga
Wagga.
John Donnelly,
grazier.
Two enclosures.

Acting upon the notice conveyed by your letter of the 17th instant, that Mr. John Donnelly's improvements on Gumly Gumly Reserve would be secured to him under certain conditions, by revocation of the reserve from sale, &c., I now beg to submit for your full and proper assurance two separate declarations by the builder of the works and by the applicant respectively, vouching for the actual erection of improvements on the spot to the value of £490 at date of the withdrawal of the reserve from lease.

I have now the honor to ask the acceptance of these proofs, and to beg that you will kindly issue the necessary instructions for revocation of the reserve, and for early appraisement of the value of the land my client seeks to purchase in virtue of his improvements.

I have, &c.,

HENRY FREEMAN.

I think the evidence satisfactory. The revocation of the reserve, and other necessary steps for the sale of the land to Mr. Donnelly, may go on.—T.G., 25/3/76.

[Enclosure A to No. 17.]

[Schedule U.]

DECLARATION.

M. 33.

I, CHARLES HARDY, of Wagga Wagga, in the Colony of New South Wales, contractor and builder, do solemnly and sincerely declare that by articles of agreement, dated the thirtieth day of April, one thousand eight hundred and seventy-five, I agreed with John Donnelly, of Gumly Gumly Run, near Wagga Wagga, licensed grazier, to build a dwelling-house at Gumly Gumly Run aforesaid, for the sum of one thousand one hundred and fifty-five pounds, within eight months from the date of said agreement. Work was done by me in pursuance of said agreement before the tenth day of December, one thousand eight hundred and seventy-five, to the value of four hundred and fifty pounds at least.

I have lately been informed, and believe that the said dwelling-house now nearly finished is built on land reserved from lease, or otherwise, by proclamation, gazetted tenth December, one thousand eight hundred and seventy-five: And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the ninth year of the reign of Her present Majesty, intituled "*An Act for the more effectual abolition of Oaths and Affirmations taken and made in various Departments of the Government of New South Wales and to substitute Declarations in lieu thereof and for the suppression of voluntary and extra-judicial Oaths and Affidavits.*"

Made and signed before me, at Wagga Wagga, }
this 22nd day of March, 1876,—

J. R. GARLAND,

Commissioner for Affidavits.

CHARLES HARDY.

[Enclosure B to No. 17.]

In the Colony of New South Wales, }
Wagga Wagga, }
To wit.

[Schedule U.]

DECLARATION.

M. 33.

I, JOHN DONNELLY, of Gumly Gumly Run, near Wagga Wagga, in the Colony of New South Wales, licensed grazier, do solemnly and sincerely declare that I am the lessee of the Gumly Gumly Run aforesaid. That on the thirtieth day of April, one thousand eight hundred and seventy-five, I entered into an agreement with Charles Hardy, of Wagga Wagga, contractor and builder, to build a dwelling-house on Gumly Gumly Run aforesaid, for the sum of one thousand one hundred and fifty-five pounds, within eight months from the date of said agreement.

In pursuance of said agreement, work and improvements to the value of four hundred and fifty pounds was made and done by the said Charles Hardy before the tenth day of December, one thousand eight hundred and seventy-five.

Before the said tenth day of December, one thousand eight hundred and seventy-five, I improved the said land to the value of forty pounds in addition to said sum of four hundred and fifty pounds, making on the whole improvements to the value of four hundred and ninety pounds thereon before said tenth day of December last, on which day I am informed and believe the land on which said improvements were made was reserved from lease: And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the ninth year of the reign of Her present Majesty, intituled "*An Act for the more effectual abolition of Oaths and Affirmations taken and made in various Departments of the Government of New South Wales, and to substitute declarations in lieu thereof, and for the suppression of voluntary and extra-judicial Oaths and Affidavits.*"

Made and signed before me, at Wagga Wagga, }
this 22nd day of March, 1876,—

J. R. GARLAND,

A Commissioner for Affidavits.

JOHN DONNELLY.

No. 18.

The Under Secretary for Lands to Mr. H. Freeman.

Sir,

Department of Lands, Sydney, 1 April, 1876.

Referring to your letter of the 24th ultimo, with regard to Mr. John Donnelly's application No. 17 to purchase in virtue of improvements a portion of the reserve at Gumly Gumly, I am directed to inform you that the Minister for Lands considers the evidence adduced in support of the application to be satisfactory, and has approved of its being complied with.

The necessary steps will now be taken with a view to the sale of the land in question to Mr. Donnelly.

I have, &c.,

W. W. STEPHEN.

No. 19.

Memorandum by Mr. G. Lewis

THE Honorable the Minister for Lands has approved of the cancellation of a portion of the reserve, to include the improvements and to render them of use, care being taken that means of access to the water, to provide which the reserve was made, is still retained. Probably instructions for the measurement of the land in virtue of improvements should be issued before the cancellation of the reserve is recommended.

G. LEWIS,

24 April, /76.

The Deputy Surveyor General.

Mr. District-Surveyor Bolton is requested to have the necessary measurement made prior to the revocation of the part of the reserve improved.—ROBERT D. FITZGERALD (for the Surveyor General), 24 April, 1876.

Returned to Head-quarters, with my letter of 29th August, 1876.—C. J. BOLTON, D.S.

No. 20.

Mr. H. Freeman to The Secretary for Lands.

Sir,

18, Bridge-street, Sydney, 20 July, 1876.

Referring to the instructions issued in April last to Mr. District-Surveyor Bolton, for the survey of Gumly Gumly reserve, near Wagga Wagga, with the object of securing the withdrawal from the contemplated sale to Mr. Donnelly of portion of that reserve for access to water, I now have the honor, on behalf of Mr. John Donnelly, to beg that as he is anxious to fence the limits of the area assured to him by the Crown, for protection of his valuable improvements, those instructions may speedily be carried into effect.

Mr. Donnelly explains that on application to Mr. Bolton, that surveyor expresses his inability to deal with the instructions, the locality not being properly within his district, but rather in the limits of the district of Mr. Macpherson.

I have, &c.

HENRY FREEMAN.

No. 21.

Application for the purchase of improved Crown Lands.

(Lands Act Amendment Act, 1875.)

Sir,

Borambula, 28 July, 1876.

Having erected the improvements detailed below, and which I estimate to be worth £1,454, I have the honor to apply that I may be permitted to purchase, without competition, under the provisions of the "Crown Lands Alienation Act of 1861," the Crown lands on which they stand, and which are described hereunder.

The improvements referred to are now in my possession.

I have, &c.,

JOHN DONNELLY,

(Per his Agent, HENRY FREEMAN.)

NATURE OF IMPROVEMENTS.

Villa residence, kitchen, store, stables, stockyard, garden, well, fitted with pump gear, &c.

DESCRIPTION OF LAND.

County of Wynyard, parish of Gumly Gumly, being within the area of the Gumly Gumly Reserve No. 142.

Minutes on No. 21.

Mr. Pretious.—Gumly Gumly Run, district of Murrumbidgee, is held under a promise of lease by Mr. John Donnelly.—G.M., Occupation of Lands, 12 August, 1876.

Mr. Licensed Surveyor Macpherson, for report.—If so much of the reserve as will admit of this application to purchase being entertained can be recommended for revocation, with a due regard to public interest.—G.L. (for Surveyor General), 20th September, 1876.

No. 22.

The Under Secretary for Lands to Mr. H. Freeman.

Sir,

Department of Lands, Sydney, 7 August, 1876.

Referring to your application of the 20th July last, on behalf of Mr. John Donnelly, with respect to the survey of Gumly Gumly Reserve, I am directed to inform you that the matter is under reference to Mr. District-Surveyor Bolton, and upon the receipt of his report you will be further communicated with.

I have, &c.,

W. W. STEPHEN.

No. 23.

Extract from Gazette.

Department of Lands, Sydney, 15 August, 1876.

HIS Excellency the Governor, with the advice of the Executive Council, has been pleased to dedicate the Crown lands hereunder described to the several public purposes mentioned in connection therewith, an abstract of such intended dedication having been duly laid before Parliament, in accordance with the 5th section of the "Crown Lands Alienation Act of 1861."

THOMAS GARRETT.

Place.	County.	Allotment.	Section.	Locality.	Area.	To what purpose dedicated.	No. of Papers.	Cat. No. of Plan.
*		*		*		*		*
Gumly Gumly, near Wagga Wagga.	Wynyard.	.....	.....	Parish of Gumly Gumly.	acres. 1,770	Permanent Common..	76,117	.....

11

No. 24.

Mr. District-Surveyor Bolton to The Surveyor General.

Sir,

District Surveyor's Office, Wagga Wagga, 29 August, 1876.

I do myself the honor to return herewith your instructions to me, dated 24th April, B.C., 76, to survey land to embrace Mr. J. Donnelly's improvements on the Gumly Gumly Reserve, county of Wynyard, the county of Wynyard not being included in the district assigned to my supervision. In returning these documents I would respectfully point out that the area of the portion to be measured is not specified; also, that the sale of this land to Mr. Donnelly on account of improvements (which were undoubtedly made to secure the ground) would not be in accordance with the terms of the Honorable the Minister for Lands' circular 76-5,815.

I have, &c.,

C. F. BOLTON,

District Surveyor.

Minutes on No. 24.

Mr. District-Surveyor Wood, for measurement, with memo. of instructions of Deputy Surveyor General herewith, dated 24 April, 1876.—G.L. (for Surveyor General), 29th September, 1876.

Returned with my letter of 29 May.—ALEX. MACPHERSON, Licensed Surveyor.

No. 25.

Mr. J. Bentley to Mr. L. G. Thompson.

Sir,

Wagga Wagga, 8 September, 1876.

I have the honor, by direction of the trustees of the Wagga Wagga Commons, to request that you will kindly answer the following query:—

Will the Lands Department publish in the Government Gazette a full description of the boundaries of 1,770 acres of land in the parish of Gumly Gumly, county of Wynyard, recently dedicated as a permanent common, and notified in Gazette of August 15th?

I have, &c.,

JOHN BENTLEY,

Secretary *pro tem.*

Inform notification will appear in the Government Gazette as soon as His Excellency the Governor returns to Sydney.—L.G.T., 1/11/76.

No. 26.

Memo. by Mr. District-Surveyor Wood.

16 October, 1876.

Mr. Licensed-Surveyor Macpherson, for measurement of a portion to include the improvements, taking care to exclude the waterhole, and leave sufficient access to same from the old as well as the new road from Wagga towards Tarcutta; area to be retained as a public reserve, shown approximately in red, if found to be unobjectionable.

J. H. WOOD,

District Surveyor.

No. 27.

Mr. J. Bentley to The Colonial Secretary.

Sir,

Wagga Wagga, 20 October, 1876.

I have the honor to inform you that on the 4th of March, 1874, five gentlemen were nominated by His Excellency the Governor as trustees for the Wagga Wagga Commons.

The Commons forming their trust had been defined and notified in the Government Gazette.

On the 15th of August last a portion of land near Wagga Wagga was granted as a permanent common, but has not yet been defined by the announcement in the Gazette. I am directed by the trustees to request that you will be pleased to inform them if their original nomination gives them power to include the newly granted portion in their trust; and if so, that you will be pleased to direct that the boundaries of said newly granted portion be gazetted for public information.

I have, &c.,

JOHN BENTLEY,

Secretary.

Minutes on No. 27.

The Under Secretary for Lands, with reference to previous correspondence.—H.H., B.C., 24 Oct., 1876. For reply see minute on No. Both commons, 720 acres and 1,770 acres, might perhaps be placed in trust of the same gentlemen when appointed. The Principal Under Secretary, B.C., 31 Oct., 1876.—L.G.T., for the U.S. Referred to Lands Department for information required. The Under Secretary for Lands, B.C., 3 November, 1876.—H.H. Perhaps it will be as well to appoint the trustees to the extra area set apart for the commonage.—14/11/76.

No. 28.

Memorandum by Mr. J. G. Hay.

Department of Lands, Sydney, 31 October, 1876.

1,770 acres—Permanent Common, Wagga Wagga.

THIS was approved of on No. 11 for a dedication and to be reserved from lease. Description was made out for notification in the Government Gazette, for this purpose, but evidently overlooked. An Executive Council minute cannot be approved of now until return of His Excellency the Governor, but the matter had better not be lost sight of, as the Wagga people require description of the boundaries of the 1,770 acres common.

J. G. HAY.

Minutes

Minutes on No. 28.

The withdrawal of this land from lease for the purposes of commonage should be recommended to the Executive Council, and then notified.—31/10/76. For approval.—W.W.S., 15/11/76. Approved.—T.G., 23/11/76.

No. 29.

The Under Secretary, Colonial Secretary's Department, to The Trustees of the Wagga Wagga Commons.

Gentlemen,

Colonial Secretary's Office, Sydney, 4 November, 1876.

I am directed by the Colonial Secretary to invite your attention to the enclosed copy of a letter from Mr. C. F. Bolton, District Surveyor, to the Surveyor General, concerning the management of the Wagga Wagga Commons.

I have, &c.,

HENRY HALLORAN.

No. 30.

The Under Secretary for Lands to Mr. J. Bentley.

Sir,

Department of Lands, Sydney, 6 November, 1876.

1,770 acres,
parish of Gumly
Gumly, county
Wynyard.

In reference to your letter of the 8th September last, inquiring if this Department will publish in the Government Gazette a full description of the land noted in the margin, dedicated the 15th August last as a permanent common, I am directed to inform you that the description in question will appear in the Government Gazette as soon as His Excellency the Governor has returned to Sydney.

I have &c.,

LINDSAY G. THOMPSON.

(For the Under Secretary.)

Mr. J. Bentley to The Under Secretary, Colonial Secretary's Department.

No. 31.

Sir,

Wagga Wagga, 15 November, 1876.

By direction of the trustees of the Wagga Wagga Commons, I have the honor to acknowledge receipt of your letter of the 4th instant (noted in margin), inviting attention to an enclosed copy of a letter from Mr. C. F. Bolton, District Surveyor, to the Surveyor General, concerning the management of the Wagga Wagga Commons. In reply thereto, I am instructed to state for your information—

1. That Mr. George Forsyth is still a trustee within the meaning of the Act.
2. That the statement that the trustees have done nothing, &c., is untrue.
3. That the assertion that the South Wagga Wagga Common has been permanently injured is simple exaggeration.

Under these circumstances the trustees are of opinion that Mr. Bolton has shown sufficient cause why the concluding portion of his letter should be termed impertinence.

I have, &c.,

JOHN BENTLEY,

Secretary.

Minutes on No. 31.

The Secretary for Lands.—JOHN R., 27/12/76. The Under Secretary for Lands.—H.H., B.C. 27 Dec., /76.

No. 32.

Minute for Executive Council.

Department of Lands, Sydney, 27 November, 1876.

Reserve from lease.

It is recommended to His Excellency the Governor and the Executive Council that the portion of land particularized in the enclosed description be reserved from lease, under the 5th section of the "Crown Lands Occupation Act of 1861," for commonage.

THOS. GARRETT.

The Executive Council advise that the portion of land herein described be reserved from lease, in terms of the 5th clause of the "Crown Lands Occupation Act of 1861."—ALEX. C. BUDGE, Clerk of the Council. Minisl., 76/56, 28/11/76. Confirmed, 1/12/76. Approved.—H.R., 12/12/76.

No. 33.

Gazette Notice.

Department of Lands, Sydney, 29 December, 1876.

Reserve from lease.

It is hereby notified for general information, that His Excellency the Governor, with the advice of the Executive Council, has been pleased to withdraw for permanent commonage the portion of land herein after described from the Gumly Gumly Run, of which it hitherto formed part.

THOMAS GARRETT.

Murrumbidgee

Murrumbidgee District.

No. 238. 1,770 acres, county Wynward, parish of Gumly Gumly, Murrumbidgee River: Commencing on the Murrumbidgee River, at the north-east corner of portion 7, parish of Gumly Gumly; and bounded thence on the west by the east boundary of that portion bearing south 42 chains 77 links to the Tarcutta and Wagga Wagga Road; thence by a line south-easterly crossing that road to a point 1 chain easterly from the north-east corner of portion 19; thence by the road from the eastern boundary of portion 19 aforesaid and portions 23, 27, 29, 37, 38, and 84, southerly about 198 chains, to a point west from the north-west corner of portion 90 of said parish; on the south by a line east, forming partly the north boundary of portion 90 aforesaid, to the west boundary of portion 115; thence by the west boundary of that portion bearing north to its north-west corner; and thence by the north boundary of that portion and its easterly prolongation to the west boundary of portion 114; and thence by part of the west boundary of that portion bearing north to its north-west corner; and thence by a line north 1 chain; and thence by the road forming the north boundary of that portion and portion 113 easterly to the south-west corner of portion 58; thence on the east by the west boundary of that portion and portions 57 and 52 northerly to the south-east corner of J. Peters's 165 acres, and by the south boundary of that portion bearing west 20 chains; thence by part of the east boundary of reserve 134, dedicated for public watering-place 12th March, 1869, bearing south to the Tarcutta and Wagga Wagga Road; thence by the south-west boundary of that dedication north-westerly to a point 10 chains west from the south-west corner of J. Peters's 165 acres aforesaid; thence by the west boundary of that dedication for public watering-place, bearing north to the Murrumbidgee River; and thence on the north and again on the west by that river downwards, to the point of commencement.

NOTE.—The above includes reserve from lease 205, notified 10th December, 1875.

See No. 10.

No. 34.

Mr. J. Bentley to Mr. L. Thompson.

Sir,

Wagga Wagga, 5 January, 1877.

Referring to your letter of the 6th of November last (noted in the margin), wherein it is stated that a full description of 1,770 acres of land in the parish of Gumly Gumly, county of Wynyard, dedicated as a permanent common, should be gazetted for public information as soon as His Excellency the Governor returned to Sydney, I beg to inform you that such having not yet been done, the trustees of the Wagga Wagga Commons are unable to exercise any control over the common in question, in consequence of which a great deal of squabbling and dissatisfaction exists amongst the settlers and others in its immediate neighbourhood.

Trusting this matter may meet with your early attention.

I have, &c.,

JOHN BENTLEY.

No. 35.

Mr. J. Bentley to The Principal Under Secretary.

Sir,

Trustees' Office, Wagga Wagga, 15 February, 1877.

I have the honor, by direction of the trustees of the Wagga Wagga Commons, to request that you will kindly answer the query hereunder stated. The trustees, in the performance of their duty, are anxious to avoid litigation, except in self-defence, hence this request.

Some years ago a certain portion of land here, on Gumly Gumly Run, was reserved from sale for preservation of water supply and other public purposes. The lessee of the run subdivided a portion of this land by fences, and built a dwelling upon it, with a view to purchase the land in virtue of improvements. This reserve from sale was asked for as a permanent common by the people of Wagga Wagga, and was unconditionally dedicated as such by His Excellency, with the advice of the Executive Council, on the 15th August, 1876.

Under these circumstances, have the trustees control over the said fences and dwelling?

I have, &c.,

JOHN BENTLEY,
Secretary.

Minute thereon.

The Under Secretary for Lands will, it appears, properly deal with the question raised.—H.H., 19/2/77.

No. 36.

Memorandum by Mr. G. Lewis.

A TRACING* is enclosed showing the position of reserve No. 238 from lease, county of Wynyard, parish of Gumly Gumly, notified 29 December, 1876, for the information of the Crown Lands Agent at Wagga Wagga.

G. LEWIS,

(For the Surveyor General), B.C., 24th February, 1877.

The Under Secretary for Lands.

No. 37.

Mr. Licensed-Surveyor Macpherson to The Surveyor General.

Instructions.	Applicant.	Act.	Clause.	Area.	Parish.
20 September, 76/161	John Donnelly	L.A.A., 1875	2	320	Gumly Gumly.

Sir,

Sir,

Wagga Wagga, 28 March, 1877.

Herewith is forwarded a sketch showing the position of the improvements referred to in the application above quoted.

2. I believe that Mr. District-Surveyor Bolton has already fully reported on the question referred to me in your present instruction. This report is therefore confined to a statement of the value of the improvements, their position, and the area claimed by Mr. Donnelly.

3. The chief improvements are comprised within a very small space, and comprise a brick house of ten rooms and verandah, shingled, spouted, and unusually well finished within and without; a brick out-house containing kitchen, store, two servants' rooms and cellar; a well, with pump, and a paling fence surrounding the whole. These improvements are worth about £1,500, and are all of a permanent character. There is also a tank worth about £15.

4. The tank just mentioned is situated in the middle of a waterhole or lagoon, at present quite dry. This waterhole has obviously been dry for two months or more, and as there are other swamps on the reserve which hold out very nearly as long, I do not attach any great importance to this waterhole. Mr. District-Surveyor Bolton is, however, of a contrary opinion.

5. Mr. Donnelly seeks to purchase in right of his improvements an area of 320 acres, as shown by shading on the accompanying sketch. As I understand that it was only contemplated to allow him 200 acres, and to confine that area within the two roads from Wagga Wagga to Tarcutta, it was impossible for me to proceed with the survey.

6. There is a good deal of old fencing in addition to the improvements enumerated by me, but its value is not great, and it cannot substantially affect the question at issue.

7. The trustees of the Wagga Wagga Town Common are about to fence in the land under their control, and it is submitted that in order to prevent further complications this case should be treated as an urgent one.

I have, &c.,

ALEXANDER MACPHERSON, L.S.

No. 38.

Mr. H. Freeman to The Under Secretary for Lands.

Sir,

18, Bridge-street, Sydney, April, 1877.

With reference to my representations on behalf of Mr. John Donnelly, of Gumly Gumly Run, near Wagga Wagga, and in explanation of that gentleman's application to purchase certain land improved by him in terms of the 2nd clause of the Act of 1875, I have now the honor again to pray a special consideration of my client's position, and to ask that the permission given Mr. Donnelly by the Department, in terms of your predecessor's, Mr. Garrett's, decision, may be applied as to enable Mr. Donnelly to acquire the full area he seeks in the position marked on the accompanying copy of Mr. Surveyor Macpherson's plan.

Mr. Licensed-Surveyor Macpherson has I believe taken some pains to report on this case, and has shown conclusively in that report that Mr. Donnelly's improvements, consisting of a handsome villa residence, outhouses, tanks, fencing, &c., have been erected in a manner involving great cost, in view of their value and their permanency.

Were the original proposition adhered to, to resume simply 200 acres in the interest of my client, then I am to explain that valuable improvements must be left outside the area, and Mr. Donnelly's frontage, a *sine qua non*, in this locality would be restricted.

The lower portion of the land shown on Mr. Macpherson's plan is liable to constant inundation, and a fence erected at right angles to the river must always be swept away on the recurrence of floods. Thus I am led to beg your special approval of the measurement being made as edged on the plan by me "in red," in order that fences erected to separate the tenure from the area reserved may not be subject to the risk of destruction.

Mr. Donnelly has had the honor of seeking an interview with you on several occasions, the importance of his interests having rendered his presence in town necessary; and he respectfully assures you that unless the area promised him be somewhat extended in the manner prayed for, his labours and great outlay will have gone for nought, inasmuch as the 200 acres proposed, I believe by the District Surveyor, are not habitable in all seasons.

I have, &c.,

HENRY FREEMAN.

No. 39.

Telegram from Surveyor General to Mr. District-Surveyor Wood.

Surveyor General's Office, Sydney, 3 May, 1877.

RETURN papers (76/7426 Misl.) in John Donnelly's Gumly Gumly case, with your report thereon, without delay; and reply at once by telegram, and give, if possible, purport of such report.—R.D.F., 3 May, 1877 (for Surveyor General).

Minutes on No. 39.

Deputy Surveyor General,—

Mr. Wood has replied (to telegram) that he referred the matter to Mr. Macpherson, and that he (Mr. Macpherson) has reported by letter, in March, so that as far as this report of the surveyor is concerned, the case is complete for the consideration of the Minister.

But the improvements stand on a reserve from lease, notified 10th December, 1875, so that Mr. Donnelly has no legal claim to purchase. But as the amended Act of 1875 provides that land taken out of lease by conditional purchase shall return to and again become a part of the former lease in case where the conditional purchase is forfeited or cancelled, so also it may be presumed that this same principle may be allowed to govern such other cases where lands have been taken out of a lease by any other temporary legal process, and as the case in question, viz., by notification of a reserve from lease, provided the Minister sees fit to admit that such reserve shall be revoked.—G.L. 5 May, 1877.

320 acres I.P.,
2nd clause,
parish Gumly
Gumly.

Improvements,
value about
£2,000.

15

I do not think the return of land conditionally purchased to a run on the forfeiture of such conditional purchase has any reference to the present question. A statement of the objection on account of the reservation of the 10th December, 1875, should be brought before the Minister.—ROBERT D. FITZGERALD (for Surveyor General), 5 May, 1877.

No. 40.

Telegram from Mr. District-Surveyor Wood to Surveyor General.

In re your telegram, papers 76/7,426 were transferred to Licensed-Surveyor Macpherson on 16th October last. A report on Mr. Donnelly's claim was made by Mr. Macpherson on 27th March last, No. 77/39, in reply to Surveyor General's instructions to him, No. 76/161. Purport of his report not known to me.
Albury.
J. H. WOOD.

No. 41.

Telegram from Surveyor General to Mr. Licensed-Surveyor Macpherson.

Surveyor General's Office, Sydney, 7 May, 1877.
RETURN 76/7,426 Mis. and all the papers in John Donnelly's case at Gumly Gumly at once.
R. D. FITZGERALD.

No. 42.

Telegram from Mr. Licensed-Surveyor Macpherson to Surveyor General.

PAPERS referred to in your telegram of 7th instant appear to have been lost in transit from District Surveyor. You will find report on the case with my letter 77/39.
Kyamba.
A. MACPHERSON.

No. 43.

Mr. Licensed-Surveyor Macpherson to The Surveyor General.

Sir,

On the 7th instant I received a telegram instructing me to return the enclosed papers, which were originally sent to Mr. District-Surveyor Wood, under B.C. of 29th September, and by him transferred to me.
Umbango, 29 May, 1877.

In reply to your telegram, and also to a memo. received from Mr. Wood, I reported that I had not received these papers; but in the course of a search for some old papers to-day I found that I had inadvertently put these away with acted-on instructions at the time of receipt, and that consequently they had not been entered in my register. I regret exceedingly that such an untoward circumstance should have (for the first time during my connection with your Department) occurred in connection with such important papers, and would explain that the date on which they must have been received I was preparing for proceeding to Sydney on account of the dangerous illness of my wife. Mr. Wood will be informed of the recovery of the papers.
I am, &c.,

ALEXANDER MACPHERSON,
Licensed Surveyor.

P.S.—A report on the improvements, &c., mentioned in the papers was made in my letter of 28th March.—A. M'P.

Minute on above.

Deputy Surveyor General. Submitted. The papers required by the Minister are now herewith. It appears the Gumly Gumly Permanent Common was notified in August, 1876. Also the improvements of Mr. Donnelly are on a reserve from lease notified December, 1875. The late Minister for Lands (Mr. Garrett), memo. dated 25th March, 1876, clearly shows the intention to allow Mr. Donnelly to purchase the land containing his improvements, but under the above circumstances what can now be done.—(Written by Mr. Long.)

No. 44.

Telegram from Mr. Licensed-Surveyor Macpherson to Surveyor General.

THE papers referred to in your telegram of 7th instant have been found, and are now forwarded.
Kyamba.
A. MACPHERSON.

No. 45.

Mr. H. Freeman to The Secretary for Lands.

Dear Sir,

In the matter of Mr. John Donnelly's claim to purchase part of Gumly Gumly Reserve, near Wagga Wagga, in virtue of improvements.
Monday, 18th June, 1877.

Will you kindly consent to receive Messrs. Leary and Day, Mr. Donnelly, and self to-morrow, the case being one of great importance to Mr. Donnelly, who anxiously awaits decision.

I am, &c.,
HENRY FREEMAN.

No. 46.

Mr. H. Freeman to The Secretary for Lands.

Sir,

16, Bridge-street, Sydney, 19 June, 1877.

See previous papers.

I have the honor respectfully to ask that you will, in terms of the assurance conveyed by the enclosed copies of letters addressed by the Department (during the administration of Mr. Secretary Garrett) to Mr. John Donnelly, cause the necessary steps to be taken for the sale to my client, in virtue of his improvements, of portion (490 acres) of the reserve No. 142 at Gumly Gumly, and for the revocation of that reserve.

As I have already had the honor to explain to you, Mr. Donnelly has since March, 1876, been patiently awaiting the promised survey and alienation to him of this area, and as, owing to the protracted delays in completing the sale, other interests from time to time are constantly arising.

I have, &c.,

HENRY FREEMAN.

[Urgent.]

Minutes on No. 46.

The Minister has stated his intention of carrying out the decision given by Mr. Garrett on this case, in favour of Mr. Donnelly. He desires, however, in the first instance to know whether the area of 490 acres mentioned in this letter can be granted, as the printed application does not appear to specify any particular area.—W.W.S., 19 June.

There are upwards of 490 acres available, but the fact of the land having been taken out of the lease prior to the application does not appear by these papers to have been yet dealt with.—ROBT. D. FITZGERALD (for Surveyor General), 20 June, /77.

Under the very hard and peculiar circumstances of this case I think the 490 acres should be made available for Mr. Donnelly, and if this cannot be done without first putting the land back into the lease, then this course should be adopted.—R.D., 21/6/77.

Mr. Long, should not the boundaries of the 490 acres be defined by measurement.—G.L., 22 June, /77. Memo. of instructions sent to Mr. District-Surveyor Wood.—G.L., 22 June, /77.

No. 46A.

Memorandum of Instructions.

To be returned with reply.

*Subject.**Reply.*

MR. District-Surveyor Wood is requested at his early convenience to measure an area of 490 acres of reserve 205, at Gumly Gumly, to embrace Mr. John Donnelly's improvements, the Minister for Lands having decided to allow Mr. Donnelly to become the purchaser of that area to secure his improvements.

MR. District-Surveyor Wood.

Transferred to Mr. L.-S. Macpherson, to make the necessary survey.

J. H. WOOD,
District Surveyor.

27/6/77.

*Appendix A.

It will be seen by the accompanying tracing* that the reserve 205 includes the land between the new Wagga Wagga and Tarcutta Road and the Murrumbidgee.

Survey made. Plan made with my letter 77/82.
A. McP.

ROBERT D. FITZGERALD,
(For Surveyor General.)

22nd June, 1877.

No. 47.

Mr. John Donnelly's Case.

The case of Mr. John Donnelly, lessee of Gumly Gumly Run, near Wagga Wagga.

On the 29th October, 1874, Mr. Donnelly acquired the run by transfer from the then lessee, John Peters, and although it was understood at the time that numerous areas had been reserved from time to time within the boundaries of the run, yet the positions of such reserves were not clearly defined.

See enclosure to No. 4.

Certain of these reservations however were made in the interest of the Crown tenant for the proper working of the run. In particular, a water reserve, No. 142, proclaimed on 14 November, 1864, was specially made for the convenience of the runholder.

On this reserve, the area of which was then included in Mr. Donnelly's pastoral lease (and consequently within his lawful occupation, as contemplated by the 8th clause of the Act of 1861 and the 2nd clause of the present Act), Mr. Donnelly erected valuable improvements at a cost of upwards of £2,000.

The improvements consist of a handsome villa residence (cost, £1,154), store (£300), stables, garden, stockyard, wells, pump, &c.

The works were well in progress, and advancing towards completion, when certain parties in the neighbourhood urged upon the District Surveyor, Mr. Wood, the desirability of withdrawing the land from Mr. Donnelly's pastoral tenure, with a view to the proclamation of the area as a reserve from lease.

Mr. Donnelly saw with alarm that if the right of improving the land and ultimate purchase in virtue of such improvements were denied him his occupation of the run would be simply profitless, inasmuch as the position of the improvements was the only site available for miles around suited for the erection of this dwelling. Before any protest, however, could be filed by him the Department, acting upon the advice of the District Surveyor, without careful inquiry, issued a formal notice of reservation from lease.

A

A petition was filed by Mr. Donnelly for revocation of this last reserve, and for the issue in his favour of the usual permission under the 8th and 2nd clause of the Act to purchase in virtue of such improvements as were erected prior to the withdrawal of the land from his pastoral tenure.

Mr. Secretary Garrett, who dealt with the case, felt indisposed at first to admit the claim, but when it was explained to him that Mr. Donnelly had in all *bonâ fides* actually erected about £500 worth of improvements prior to the reserve from lease, that the reserve from sale on which the buildings had been erected was really the station reserve, and that, as a matter of fact, whatever interests the public might have had were fully provided for by four different reserves in the same locality within a distance of 2 miles, Mr. Garrett recorded his decision in favour of the claim to purchase, provided it could be shown that the works were really commenced prior to the proclamation of the reserve from lease.

Thereupon statutory declarations were executed by Mr. Donnelly and by Charles Hardy, the contractor and builder, and on the 24th March, 1876, were forwarded to the Lands Minister by Mr. Donnelly's agent by letter (copy herewith).

After mature deliberation Mr. Secretary Garrett formally recorded his approval of Mr. Donnelly being allowed to purchase the area covered by improvements, notwithstanding the reserve, and he formally ordered the revocation of the reserve, with the condition however that a lane of access to the river* should be preserved to the public.

The official number of papers on which this sanction is endorsed is 76-7,426 miscellaneous.

In due course an official letter (copy herewith) was sent by the Department to Mr. Donnelly, expressing this approval.

On 2nd October, 1876, the papers were, it appears, sent to Mr. District-Surveyor Wood (instructions No. 522), with instructions for survey of the area improved, in order that the necessary revocation of reserve might be effected.

The necessary claim, supported by schedule of improvements, was then filed on behalf of Mr. Donnelly, in form prescribed by the 2nd clause of the Act, and Mr. Donnelly fairly concluded that no further difficulty could arise to prevent completion of his purchase.

Of course the most perfect reliance was placed in the official assurance of the Crown, and Mr. Donnelly proceeded to complete his buildings, which have been already alluded to, the total expense being upwards of £2,000.

To his surprise and alarm, however, he has noted the attempt made by local persons inimical to his interests to agitate the public mind in favour of the cancellation of the right conferred by the Government on him, and he has on more than one occasion urged the Department to hasten survey and speedily to complete the alienation promised. Mr. Macpherson, the Licensed Surveyor to whom the work of measurement was delegated by the District Surveyor, accordingly proceeded to measure the land, but found himself impeded in the survey by some stipulation (by whom imposed is not known) to restrict the allowance of land in virtue of these valuable improvements to about 200 acres.

Being in a dilemma, and finding that such an area would not meet the requirements nor the fair expectations of Mr. Donnelly, Macpherson prepared a sketch of the locality, and sent same with a report to Head-quarters for specific instructions.

The original documents on which the Minister's decision was recorded having been dispatched to the District Surveyor, a delay occurred in dealing with the report; but in the mean time it was suddenly discovered in the Survey Department that, acting on a memorial of certain Wagga folks, received through the Colonial Secretary's Office, the identical area covered by Mr. Donnelly's residence, store, and other improvements had become included in a public common reserve, proclaimed in January, 1877.

Here a great miscarriage of justice and official business has evidently occurred.

At the date of the proclamation of January, 1877, for commonage purposes, the same area stood already twice reserved, viz., on 14th November, 1864, from sale, and on 1875, from lease.

Thus three reserves were actually in existence at the one site at the same moment, but it was not apparently known in the Department that a reserve for public purposes also existed in direct contiguity. This reserve still exists, and preserves to the public that access to the river which was made the cause of the opposition to Mr. Donnelly's tenure.

Again, within 10 chains of Mr. Donnelly's residence, there exists an extensive reservation for commonage, proclaimed as far back as 1852.

Were the public interests really jeopardized by the alienation of this land to Mr. Donnelly the claim might be one of an improper nature; yet when the fact is clearly demonstrated that the principal frontages of the river, the most valuable sites, and the best areas on the run have already been reserved for public convenience, it certainly is a hardship that any delay should be permitted to prevent concession of the rights already assured to Mr. Donnelly.

Ministerial authority is now required,—

- 1st. For the revocation of the commonage reserve of January, 1877.
- 2nd. For the cancellation, as promised by Mr. Garrett, of the lease reserve of _____, as also the reserve from sale, and finally for the survey and alienation to Mr. Donnelly, of the 490 acres covered by his improvements.

No. 48.

Telegram from Mr. G. Mair to Secretary for Lands.

I AM informed by Mr. Surveyor Macpherson that he has received instructions to survey 400 acres upon what he terms the temporary common at Gumly Gumly for John Donnelly. There is no temporary common at Gumly. 1,770 acres in that parish were duly dedicated as a permanent common on 15th August last, and such common is now under the control and management of trustees. Chairman of said trustees protests against any interference in the said common at Gumly. Please advise.

GEORGE MAIR.

See No. 17.

To the water, i.e., the lagoon, not the river.

See No. 15.

See No. 16.

Permanent common of 1,770 acres was dedicated and notified in Gazette, 15th August, 1876.

Incorrect.

Minutes on No. 48.

Mr. Finch.—The common referred to has, I think, been dedicated.—G.L., 10 July, /77. Mr. Mair may be informed that the instructions to Mr. Macpherson do not in any way interfere with the permanent common.—J. ELLIS. Telegram sent to George Mair to above effect, 10 July, 1877.

No. 49.

Mr. G. Mair to The Under Secretary for Lands.

Sir,

Wagga Wagga, 16 July, 1877.

See minute on No. 48.

Referring to the Gumly Gumly Common, I have the honor to acknowledge receipt of your telegram of the 10th instant, in reply to mine of the 9th. Your telegram states that "Mr. Licensed-Surveyor Macpherson's instructions do not in any way interfere with the permanent common." I have since the receipt of this telegram personally inspected the land in question, and found traces (tree-marks and pegs) of Mr. Macpherson's recent work upon the most important portion of the permanent common, viz., that with river frontage and other water; just that portion, in fact, which is most necessary to the public. There is not, and never was, a temporary common at Gumly, nor within miles of it.

Having a thorough knowledge of the locality, and being in possession of all the facts and circumstances which led to the dedication of this land as a permanent common, I write the truth when I say that the surveyor has been at work upon land which has been permanently dedicated to the public, and which is held for the public by trustees legally elected and duly acknowledged. My co-trustees and myself therefore intend to do our best to faithfully perform our duty to our trust, and expect the Crown to protect and assist us in so doing.

I have, &c.,

GEORGE MAIR,

Chairman Trustees.

Upon further examination, upon receipt of this letter, the land is found to have been dedicated as a permanent common. It is therefore submitted that Mr. Donnelly must be informed that his application to purchase in virtue of improvements cannot be allowed, and that Mr. Mair be also informed.—R. D. FITZGERALD (for the Survr. General).

It appears to me that the only fair course to pursue, both as regards Mr. Donnelly's claim (which has been recognized by my predecessor and myself) and also as to the rights of the public in the common, would be to have a small quantity of the common resumed as would protect Mr. D.'s improvements and also leave the commoners free access to the water frontage. Let this course be adopted.—T.G., 20/8/77.

The application by John Donnelly was made prior to the dedication, the former having been made on the 28th July, 1876, and the latter on the 15th August, 1876.—J. W. ELLIS (for Sur. Genl).

The Under Secretary for Lands, B.C., 4 Sept., /77,—Inform trustees of the common and Mr. McElhone to this effect; but that, notwithstanding, Mr. Donnelly will only be allowed to purchase as much land as will protect the improvements he has effected, and that ample means of access will be preserved for the public to water.—T.G.

No. 50.

Mr. Licensed-Surveyor Macpherson to The Surveyor General.

Instruction.		Applicant.	Act.	Clause.	Area.	Portion No.	Parish.
No.	Date.						
77-484 To Mr. District-Surveyor Wood.	June 22.	John Donnelly	L.A.A.	2	490 acres	149	Gumly Gumly.

Sir,

16th July, 1877.

Under separate cover is forwarded a plan,* as above.

2. The improvements on this land consist of house, kitchen, hut, stable, and fencing, and are worth £1,600 at least. They are all of a substantial and permanent character, and are the property of the applicant.

3. Between this portion and portion 7 there is a line of new two-railed fence 42·43 chains long, erected by the trustees of the Wagga Wagga Commons. I was informed by the Chairman of the trustees that this fence cost about £50. It is submitted that before Mr. Donnelly's application is finally approved he should be required to reimburse the trustees the cost of the fence. He has informed me that he is willing to do so.

4. A road was not reserved along portion 7, as there is access to the Murrumbidgee by other routes very nearly as short, and as it would end at a high bank, where the water is inaccessible to stock.

5. I have treated this as an urgent case, as I understood the trustees of the common were likely to put up more fencing.

6. Enclosed is a protest addressed to me by the Chairman of the commons trustees.

I have, &c.,

ALEXANDER MACPHERSON,

Licensed Surveyor.

The whole of the portion appears to be within the boundary of the permanent common.—J. H. Wood, District Surveyor.

[Enclosure to No 50.]

Mr. G. Mair to Mr. Surveyor Macpherson.

Sir,

Wagga Wagga, 10 July, 1877.

Having understood by your remarks yesterday afternoon that you had received certain instructions to survey 400 acres of land upon the temporary common at Gumly Gumly, in front of Donnelly's house, I beg to inform you that the land you mentioned forms portion of 1,770 acres duly dedicated and notified in Government Gazette of 15th August last, as

Appendix B.

19

as a permanent common, which common is now under the management and control of trustees legally elected, and duly acknowledged by the Honorable the Colonial Secretary in notification bearing date 15th January, 1877, and published in Government Gazette of 16th of said month. As Chairman of said trustees, as a body corporate, in accordance with the "Commons Regulation Act of 1873," I hereby protest against your interference with said permanent common at Gumly Gumly.

GEORGE MAIR,
Chairman.

No. 51.

The Under Secretary for Lands to Mr. G. Mair.

Sir,

Department of Lands, Sydney, 21 July, 1877.

I have the honor to acknowledge the receipt of your letter of the 16th instant, upon the subject noted in the margin, and to say that the matter will be dealt with and finally disposed of as early as practicable.

I have, &c.,

W. W. STEPHEN.

No. 49.
Gumly Gumly
Common, county
of Wynyard.

No. 52.

Mr. G. Mair to The Colonial Secretary.

Sir,

Wagga Wagga, 2 August, 1877.

I have the honor to inform you that a portion of land containing 1,770 acres, situated in the parish of Gumly Gumly, county of Wynyard, was by notification in the Government Gazette of 15th of August, 1876, dedicated as a permanent common.

2. That said common is under the management and control of trustees legally elected and duly acknowledged.

3. That one John Donnelly, lessee of the Gumly Gumly Run, had built a dwelling upon a portion of said land, which was formerly a reserve for public purposes.

4. That on the 10th of July just passed a licensed surveyor, in accordance with instructions (as he informed me), measured some 400 acres of said permanent common for John Donnelly.

5. That I, on behalf of my fellow trustees, informed the Minister for Lands of this fact, and protested against any interference with said permanent common.

7. That I replied that the surveyor had measured off the most important part of said permanent common, and that his work did interfere with it.

8. The Under Secretary replied that the matter would be dealt with as soon as practicable. Knowing this matter to be of very great importance to the residents of this town and neighbourhood, and considering the action therein of the Lands Department at least vague and unsatisfactory, I, on behalf of my co-trustees, and in the interests of the public, appeal to you, sir, and respectfully request that the aforesaid permanent common be not interfered with to the prejudice of public rights.

I have, &c.,

GEORGE MAIR.

Chairman.

Minutes on No. 52.

The Under Secretary for Lands, with reference to previous papers.—H.H., B.C., 6 Aug., 1877.

In this case a tracing should be supplied for return to Colonial Secretary. This would show Mr. Mair that the proposed revocation in favour of Mr. Donnelly will not interfere with the Gumly Gumly Common.—L.G.T., 14/8/77.

Tracing* herewith showing the permanent common, and also the locality in which the surveyor was instructed to measure an area to embrace Mr. Donnelly's improvements, coloured red.—G.L., 15th August, 1877. Appendix C

The Principal Under Secretary.—L.G.T. (for U.S.), B.C., 17 August, 1877. Trustees may be informed, 23.

No. 53.

Mr. G. Mair and others to The Secretary for Lands.

Sir,

Wagga Wagga, 20 August, 1877.

On behalf of the commoners of North Wagga Wagga, we have the honor to request that you may see fit to set apart as a permanent common the land hereunder described, which now forms part of the North Wagga Temporary Common, viz., land to be bounded on the east by a line commencing at the north-east corner of portion 74; thence following the stock route until it strikes portion 327; by the western boundaries of that portion and portions 325, 324, 331, and 332, taking up the stock route again on the northern boundary of portion 332, and following it until it strikes portion 361; thence to be bounded on the north-west and south to point of commencement by lines that bound the temporary common, notified 10th January, 1873.

We have, &c.,

GEORGE MAIR,
ROBERT NIXON,
WILLIAM RAND.

No. 54.

The Under Secretary for Lands to Mr. G. Mair.

Sir,

Department of Lands, Sydney, 22 August, 1877.

Referring to your letter of the 16th July last, and previous correspondence respecting the proposed alienation to Mr. John Donnelly of 490 acres on the Gumly Gumly Common, I am directed to inform you that as Mr. Donnelly has gone to very considerable expense in the erection of improvements upon the land in question, under the belief (for which there was some justification) that he would be permitted

permitted to effect the purchase thereof, the Secretary for Lands has decided that as small a portion of the common shall be resumed as will suffice to protect Mr. Donnelly's improvements without preventing the commoners from having free access to the water frontage, and that steps will therefore now be taken for the survey and resumption of the same.

I have, &c.,

W. W. STEPHEN.

No. 55.

The Under Secretary for Lands to Mr. H. Freeman.

Sir,

Department of Lands, Sydney, 22 August, 1877.

No. 18.

Adverting to my letter of the 1st April, 1876, apprising you that the necessary steps would be taken with the view to the sale to Mr. Donnelly of land at Gumly Gumly, applied for by him in virtue of improvements, I am directed to inform you that it appears from a further report from the Survey Office that the whole of the land applied for is within the permanent common.

I am further to say that the trustees of the common most strongly object, in the public interest, to the alienation of any part of it.

It appears, however, to Mr. Garrett, under the very peculiar circumstances of the case, that the only fair course to pursue, both as regards the rights of the public in the common and Mr. Donnelly's claim (which has been recognized both by him and his predecessor), would be to resume as small an area of the common as would protect Mr. Donnelly's improvements and to provide the commoners with free access to water frontage. Mr. Garrett has decided that this course must be adopted.

I have, &c.,

W. W. STEPHEN.

No. 56.

The Under Secretary, Colonial Secretary's Department, to Mr. G. Mair.

Sir,

Colonial Secretary's Office, Sydney, 23 August, 1877.

No. 52.

In reply to your letter of the 2nd instant, in which, with reference to the measuring off a portion of Gumly Gumly Run for Mr. John Donnelly, you, on behalf of the trustees of the local common, request that the permanent common may not be interfered with, I am directed by the Colonial Secretary to forward herewith a tracing* which has been obtained from the Department of the Secretary for Lands, showing the permanent common, and the position of the land applied for by Mr. Donnelly in virtue of improvements, by which it will be seen that the proposed revocation in his favour will not interfere with the common.

I have, &c.,

HENRY HALLORAN.

No. 57.

Telegram from Mr. G. Mair to Secretary for Lands.

Wagga Wagga, 27 August, 1877.

YOUR letter of 22nd instant to hand, also letter from Colonial Secretary, with tracings, *re* Gumly Gumly Common. The portion of land shown in that tracings proposed to be alienated to Mr. Donnelly is, I say, positively and respectfully, *part of the permanent common, as described in notification of 29th December, 1876, and as such I believe cannot be alienated without breach of 6th clause of "Crown Lands Alienation Act of 1861." On behalf of the commoners, I protest against the proposed alienation.

GEORGE MAIR.

Minute on above.

*Quite so, and it is intended to resume it by Act of Parliament.—(Written by Mr. Thompson.)

No. 58.

Mr. G. Mair to The Under Secretary, Colonial Secretary's Department.

Sir,

Wagga Wagga, 27 August, 1877.

I have the honor to beg you will accept my thanks for your letter of the 23rd instant, accompanied by sketch of land at Gumly Gumly, purporting to show the permanent common and land proposed to be alienated to Mr. Donnelly. I deem it my duty to reply, and in doing so respectfully state that the matter still stands in the same position it did when I first had the honor of addressing you. I observe by the sketch that the Lands Department has mixed matters in such a manner as would confound any person not fully acquainted with the history and surrounding circumstances of the land in question from some years back to the present day. The land in question was dedicated as a permanent common, and the portion proposed to be alienated to Mr. Donnelly joins part of said dedication (see Gazette of 15th August, and supplement of 29th December, 1876, and sketch which accompanied a petition from the townspeople and settlers here praying for this common, forwarded to the Minister for Lands, 22nd November, 1875). Under these circumstances, I have considered it my duty again to forward a protest to the Minister for Lands against interfering with the common.

I have, &c.,

GEORGE MAIR,
Chairman Trustees.

Minute on above.

The Under Secretary for Lands.—H.H., B.C. 29 Aug., /77.

No. 59.

J. McElhone, Esq., M.P., to The Secretary for Lands.

Sir,

Sydney, 29 August, 1877.

Enclosed I have the honor to forward you letter and correspondence sent to me to-day by Mr. George Mair, Chairman of the trustees of Wagga Wagga Common, in reference to the most valuable portion of common or reserve being surveyed for sale at the instance of a Mr. Donnelly. I beg to call your particular attention to this matter, and to request that you will give immediate instructions in the

the interests of the public to withdraw the same from sale, and not allow Mr. Donnelly or any other person to purchase any portion of it in virtue of improvements, or for any other reason.

If the portion fronting the river is sold it will render the rest useless.

I have therefore the honor to request that you will at once withdraw the land referred to by Mr. Mair from sale.

I have, &c.,
J. McELHONE.

I would suggest that the whole of this reserve be dedicated as a common.—J. McE.

Inform Mr. McElhone that specific instructions have been given to have as small an area of the common resumed as will protect the area upon which Mr. Donnelly's improvements stand, and that full access to the water will be preserved for the commoners.—T.G., 30/8/77.

Mr. Long.—The Minister directs the minimum area, 40 acres, to be measured for Mr. Donnelly.—L.G.T., 30/8/77. Memo. to Mr. Licensed-Surveyor Macpherson to measure 40 acres.—G.L., 30/8/77.

[Enclosure to No. 59.]

Mr. G. Mair to J. McElhone, Esq., M.P.

Sir,

Some twelve months ago you placed the people of this town and its neighbourhood under a considerable obligation to you by preventing a piece of jobbing in the Lands Department in reference to a reserve upon Gumly Gumly, near Wagga Wagga, which one John Donnelly, with the assistance of some in authority, tried very hard to grasp and shut up against the public. On behalf of the same people, I now earnestly beg your assistance to expose and oppose a most unjust attempt on the part of the same Department to rob them of their rights in relation to the same reserve. The land in question, 1,770 acres, owing to the power you brought to bear upon the Minister, Mr. Garrett, in the House of Assembly, was duly and legally dedicated to the public as a permanent common on the 15th of August, 1876. Donnelly has built a house upon a portion of it, and being a wealthy man, possessing some 60 miles frontage to the Murrumbidgee, you may rest assured has employed every means money could procure to enable him to gain his end, namely, possession of this little gap in his immense estate; and it is pretty generally believed that the influence of his money has extended to quarters beyond the range of mere legitimate action. In fact, it has been boasted here by some of his "retainers" that money in this (reserve) case would in the end prove that might was right. Some short time after its dedication the trustees of the Wagga Wagga Commons took this land under their management and control, and have expended some £50 in improvements upon it. On the 9th of July last a licensed surveyor informed me he had instructions to measure some 400 acres upon the temporary common at Gumly Gumly for John Donnelly. Now, sir, there never being a "temporary common" at the place named, nor within miles of it, my co-trustees and myself looked upon the term "temporary" as one of the juggling tricks of a very mysteriously managed department, and immediately forwarded a telegram to the Minister, Mr. Driver, protesting against any interference with the common. I also served the surveyor with a notice and protest. The latter, however, went on with his work and measured off the most valuable portion of this permanent common, namely, that with the river frontage, taking in the piece upon which Donnelly's house stands; and please to mark, this said piece has been twice dedicated to the public—in the first instance as 173 acres for camping and watering place, and subsequently included in the permanent common dedication. In reply to my telegram, Mr. Under Secretary Stephen sent me the following mystification by wire:—"Mr. Licensed-Surveyor Macpherson's instructions do not in any way interfere with the permanent common." I then replied by letter, as follows:—

"Sir,

"Referring to the Gumly Gumly Common, I have the honor to acknowledge receipt of your telegram of the 10th instant, in reply to mine of the 9th. Your telegram states that 'Mr. Licensed-Surveyor Macpherson's instructions do not in any way interfere with the permanent common.' I have since the receipt of this telegram personally inspected the land in question, and found traces (tree-marks and pegs) of Mr. Macpherson's recent work upon the most important portion of the permanent common, that with river frontage and other water; just that portion in fact which is most necessary to the public. There is not, and never was, a temporary common at Gumly, nor within miles of it.

"Having a thorough knowledge of the locality, and being in possession of all the facts and circumstances which led to the dedication of this land as a permanent common, I write the truth when I say that the surveyor has been at work upon land which has been permanently dedicated to the public, and which is held for the public by trustees legally elected and duly acknowledged. My co-trustees and myself therefore intend to do our best to faithfully perform our duty to our trust, and expect the Crown to protect and assist us in so doing.

"I have, &c.,
"GEORGE MAIR,
"Chairman."

In due course I received the following reply, and taking it as a sort of shelving of the matter for the time being, I at once addressed the Colonial Secretary, a copy of which letter here follows one from Mr. Stephen:—

"Sir,

"Department of Lands, Sydney, 21 July, 1877.
"I have the honor to acknowledge the receipt of your letter of the 16th instant, upon the subject noted in the margin (referring to the Gumly Common), and to say that the matter will be dealt with and finally disposed of as early as practicable.

"I have, &c.,
"W. W. STEPHEN,
"Under Secretary."

"George Mair, Esq.,
"Chairman, Trustees, Wagga Wagga Commons."

"Sir,

"Wagga Wagga, 2 August, 1877.
"I have the honor to inform you that a portion of land containing 1,770 acres, situated in the parish of Gumly Gumly, county of Wynyard, was, by notification in Government Gazette of 15th August, 1876, dedicated as a permanent common.

"2nd. That said common is under management and control of trustees legally elected and duly acknowledged.

"3rd. That one John Donnelly, lessee of the Gumly Run, has built a house upon said land, which was formerly a reserve for public purposes.

"4th. That on the 10th of July just passed a licensed surveyor, in accordance with instructions (as he informed me), measured some 400 acres of said permanent common for John Donnelly.

"5th. That I, on behalf of my fellow-trustees, informed the Minister for Lands of this fact, and protested against any interference with said permanent common.

"6th. That Mr. Under Secretary Stephen replied that the surveyor's instructions did in no way interfere with the permanent common.

"7th. That I replied that the surveyor had measured off the most important part of said permanent common, and that his work did interfere with it.

"8th. That the Under Secretary replied that the matter would be dealt with as soon as practicable.

"Knowing the matter to be of very great importance to the residents of this town and neighbourhood, and considering the action therein of the Lands Department at least vague and unsatisfactory, I, on behalf of my co-trustees, and in the interests of the public, appeal to you, sir, and respectfully request that the aforesaid permanent common be not interfered with to the prejudice of public rights.

"I have, &c.,
"GEORGE MAIR,
"Chairman."
And

And here the matter rested until I received to-day the following communication from Mr. Under Secretary Stephen :—

"Sir,

"Department of Lands, Sydney, 22 August, 1877.

"Referring to your letter of 16th July last, and previous correspondence, respecting the proposed alienation to Mr. John Donnelly of 490 acres on the Gumly Gumly Common, I am directed to inform you that as Mr. Donnelly has gone to very considerable expense in the erection of improvements upon the land in question, under the belief (for which there was some justification) that he would be permitted to effect the purchase thereof, the Secretary for Lands has decided that as small a portion of the common shall be resumed as will suffice to protect Mr. Donnelly's improvements without preventing the commoners from having free access to the water frontage, and that steps will therefore now be taken for the survey and resumption of the same.

"I have, &c.,

"W. W. STEPHEN.

"George Mair, Esq., Chairman of the Trustees of the Gumly Gumly Common."

Now, sir, this John Donnelly is the owner of a run named Berambula, which commences on the Murrumbidgee, in or near the eastern boundary of the proposed amended electorate of that name. It is joined on the west by another run named Cunninghamroo, recently purchased; this is again joined on the west by still another run named Gumly Gumly, extending westwards close to the town of Wagga Wagga. This line will represent something like 35 or 36 miles by road, and at an approximate estimate would give some 60 or 70 miles frontage to the second great river in Australia in possession of John Donnelly; and it is for this unfortunate individual the Government intend (which justice forbid), according to the Under Secretary's letter, and in face of the law, to take, if they can, from the people the only bit of river frontage left, because (I quote Stephen) "Mr. Donnelly has gone to very considerable expense in the erection of improvements, under the belief (for which there was some justification) that he would be permitted to effect the purchase thereof."

Mr. Donnelly knew well what he was about, and placed his house in one of the most undesirable spots for a dwelling for the sole purpose of grasping the land; and before he placed a brick upon it the Lands Department was petitioned against his being allowed to purchase it to the great prejudice of the interests of the townspeople and public generally. And he has been opposed by the public in seeking and defending their own up to this day; and with your assistance, sir, in bringing this matter before the Minister, in the House, we hope eventually to succeed. Although experience has proved that almost anything is possible with the Lands Department, I cannot conceive how any portion of this land, having been once properly dedicated, can be resumed by Government without permission of Parliament. If wrong to Donnelly has been done by frustrating his avaricious and (according to Mr. Garrett's own ruling) illegal design, it would be better that he be compensated out of the public funds than that the people should be deprived of even a portion of their future park. Twelve months ago it was felt, and the same feeling exists to-day, that it would not be safe to trust this matter in the hands of our representative, Mr. Leary. Under the circumstances, sir, I sincerely hope you will endeavour to protect our interests in this case, which are the interests of the public at the mercy of maladministration.

I append the second portion of the 6th clause of the "Crown Lands Alienation Act of 1861," which I think it will be difficult to get over :—"And all lands which have hitherto been or shall hereafter be permanently reserved for any of the purposes aforesaid shall be set apart attached and dedicated accordingly and every conveyance or alienation thereof except for the purpose for which reservation shall have been made shall be absolutely void as well against Her Majesty as all other persons whomsoever."

Monday, 27 August.

I left my letter unfinished on Saturday, intending to post it to-day, and am much pleased at having done so, as I received this morning the following letter and tracing from the Colonial Secretary's Office, in reply to mine of the 2nd instant :—

"Sir,

"Colonial Secretary's Office, Sydney, 23 August, 1877.

"In reply to your letter of the 2nd instant, in which, with reference to the measuring off a portion of Gumly Gumly Run for Mr. John Donnelly, you, on behalf of the trustees of the local common, request that the permanent common may not be interfered with, I am directed by the Colonial Secretary to forward herewith a tracing which has been obtained from the Department of the Secretary for Lands, showing the permanent common and the position of the land applied for by Mr. Donnelly in virtue of improvements, by which it will be seen that the proposed revocation in his favour will not interfere with the common.

"I have, &c.,

"HENRY HALLOMAN.

"Mr. George Mair, Chairman of the Trustees of the Permanent and Temporary Common, Wagga Wagga."

This letter and tracing constitute an illustration of the unfortunate facility by which an error, or perhaps something infinitely worse, started in one department may be carried through the others. Here everything is cut and dry to suit Mr. Donnelly, totally ignoring, with unaccountable stubbornness, the fact that the land coloured red is part of the permanent common. The sketch also shows at a glance the magnitude of the injustice sought to be done the public by official wriggling, for, you must observe, they would sweep away the river frontage to give it to this man, the owner of 60 miles of water, and that after dedicating it to the people, leaving the back portion dry as a sand-hill, and rendering it worthless. I state positively the whole of the land bordered green was (with the exception of the narrow strip marked R 134, dedicated 12th November, 1869) dedicated as a permanent common, in Gazette of 15th August, and fully described in notification of 29th December, 1876. To this notification the following note is appended. Note.—The above includes reserve from lease No. 205, notified 10th September, 1875. You will observe this 205 forms portion of the land they now wish to give Donnelly, and it out of his lease on the 10th December, 1875. They have it in the tracing, 1876. Is this another mistake? The Gazette of 15th August, (or supplement) and supplement of 26th December, 1876, should enlighten the Lands Department.

I forwarded this morning the following telegram to the Minister for Lands, and replied to Colonial Secretary's letter :—

Telegram to Minister.

"Your letter of 22nd instant to hand, also letter from Colonial Secretary, with tracing *re* Gumly Gumly Common. The portion of land shown in that tracing as proposed to be alienated to Mr. Donnelly is, I say positively and respectfully, part of the permanent common, as described in notification of 29th of December, 1876, and as such cannot be alienated without breach of the 6th clause of "Crown Lands Alienation Act of 1861." On behalf of the commoners, I protest against the proposed alienation.

GEORGE MAIR,
Chairman Trustees."

Please preserve sketch herewith forwarded, as it may serve some future occasion in evidence. I register this communication to you, to make sure you get it. I would take a line from you as a favour.

GEORGE MAIR,
Chairman Trustees.

No. 60.

The Under Secretary for Lands to Mr. G. Mair.

Sir,

Department of Lands, Sydney, 11 September, 1877.

With reference to your letter of the 16th July last, relative to the proposed alienation of a portion of the Gumly Gumly Common to Mr. John Donnelly, I am directed to inform you that the Secretary for Lands has decided that the minimum area of 40 acres be measured for Mr. J. Donnelly, so as to protect his improvements, and that full access to the water shall be preserved for the commoners. I am to add that the application by Mr. Donnelly was made prior to the dedication, the former having been made on the 28th July, 1876, and the latter on the 15th August, 1876, and that specific instructions have been issued to Mr. Licensed-Surveyor Macpherson to measure the area referred to.

I have, &c.,

W. W. STEPHEN.

No. 61.

No. 61.

The Under Secretary for Lands to J. McElhone, Esq., M.P.

Sir,

Department of Lands, Sydney, 11 September, 1877.

With reference to your letter of the 29th ultimo, transmitting letter and copy of correspondence forwarded to you by Mr. Mair, Chairman of the trustees of the Wagga Wagga Common, relative to the proposed alienation of a portion of the Gumly Gumly Common to Mr. John Donnelly, I am directed to inform you that the Secretary for Lands has decided that the minimum area of 40 acres be measured for Mr. Donnelly, so as to protect his improvements, and that full access to the water shall be preserved for the commoners. I am to add that the application by Mr. Donnelly was made prior to the dedication, the former having been made on the 28th July, 1876, and the latter on the 15th August, 1876, and that specific instructions have been issued to Mr. Licensed-Surveyor Macpherson to measure the area referred to.

I have, &c.,

W. W. STEPHEN.

No. 62.

Mr. George Mair to The Under Secretary for Lands.

Sir,

Wagga Wagga, 14 September, 1877.

I have the honor to acknowledge the receipt of your letter of the 11th instant, noted in the margin, referring to mine of the 16th July last, touching Gumly Gumly Common, and the alienation of a portion of it to Mr. John Donnelly. No. 59.
See No. 49.

2nd. After stating the Secretary for Lands has decided that the minimum area of 40 acres will be measured for Mr. Donnelly, you add that the application by Mr. Donnelly was made prior to the dedication, the former having been made on the 28th July, 1876, and the latter on the 15th August, 1876. To this I beg respectfully to reply that it is true that the dedication of the common was made on the date quoted from your letter, but it is also true that the land Mr. Donnelly applied for, or that at least upon which he built his house, was taken out of his run, by notification in Supplement to Gazette of 10th December, 1875, as a reserve from lease for public watering-place and camping. So that his application to purchase, according to your letter, was made seven months and eighteen days after his pre-emptive power had ceased to exist.

3. The portion of land where the house stands being part of the people's common, properly dedicated, with the sanction of Parliament, and out of lease before applied for, as stated above, the trustees protest against, and will withstand to the utmost of their power, any interference with it.

I have, &c.,

GEORGE MAIR,

Chairman of Trustees.

Minutes on above.

Mr. Lewis to state whether the notification referred to, Gazette, folio 4,008, embraces the land in question.—L.G.T., 17/9/77. See *Mis. 77/5,788, the Deputy-Surveyor General's memo. of the 15th May, 1877, and 176/1,986 Ms.—GEORGE LEWIS, 19th September, 1877. Mr. Lewis,—Will it not be more convenient to reply direct to the question, for the information of the Minister, in dealing with this letter.—L.G.T., 3/11/77. The land improved by Mr. Donnelly is included within the reserve from lease referred to.—GEORGE LEWIS, 30/11/77. Submitted. The land improved by Mr. Donnelly having been withdrawn from lease prior to the date of his application his claim to purchase cannot, I presume, be entertained.—J.E., 10/12/77. Approved.—J.S.F., 19/2/78. *See No. 46.
†See Minute on No. 39.
‡See No. 15.

No. 63.

Messrs. M'Carthy, Robertson, & Fisher to The Under Secretary for Lands.

Sir,

Pitt-street North, Sydney, 9 January, 1878.

On behalf of our client, Mr. John Donnelly, we have the honor to inquire as to the present position of his improvement purchase mentioned in the margin. John Donnelly,
I.P. of 40 acres,
on Berambula
Run, county of
Wynyard, taken
up about five
years ago.

The following are the facts:—About five years ago our client applied to purchase 40 acres in the county of Wynyard, on Berambula Run, by virtue of improvements.

The land was described as follows:—40 acres on the left bank of the Murrumbidgee River, bounded on the north by Patrick Hore's C.P., and on the south by James Mulvey's C.P.

As our client has heard nothing of the matter since the date of application, we beg to request that we may be informed as to its present state without delay.

We have, &c.,

M'CARTHY, ROBERTSON, & FISHER.

Minute on No. 63.

Perhaps the writers may be asked to furnish some further particulars, as the application cannot be identified.—J.E., 15/2/78. Yes.

No. 64.

Memo. by Mr. G. Lewis.

12 February, 1878.

RESERVE from sale (only) 142 was gazetted on the 14th November, 1864, and formed part of Gumly Gumly Run, held under lease by Mr. John Donnelly.

Reserve from lease No. 205, which included the land applied for, was gazetted on the 10th December, 1875.

By the enclosed statutory declaration it is stated that £490 worth of improvements had been erected prior to the withdrawal from lease.

Prior to the year 1876, applications for land in virtue of improvements situated within reserves from sale, and not withdrawn from lease, were generally allowed.

G. LEWIS.

Reserve includes No. 142 from sale and 205 from lease.—G.L.

No. 65.

The Under Secretary for Lands to Mr. J. Donnelly.

Sir,

Department of Lands, Sydney, 18 March, 1878.

No. 21.

Referring to your letter of the 28th July, 1876, applying to purchase, in virtue of improvements, certain lands in the Gumly Gumly Reserve, in the county of Wynyard, I am directed to inform you that your application cannot be entertained, as the land improved was withdrawn from lease prior to the date of your application.

I have, &c.,

W. W. STEPHEN.

No. 66.

The Under Secretary for Lands to Messrs. M'Carthy, Robertson, & Fisher.

Gentlemen,

Department of Lands, Sydney, 18 March, 1878.

40 acres, in the
county of Wyn-
yard, on Beram-
bula Run.

Referring to your letter of the 9th January last, making inquiries respecting an application by John Donnelly to purchase, in virtue of improvements, the land noted in the margin hereof, I am directed to inform you that you must furnish further particulars, as the application cannot be identified.

I have, &c.,

W. W. STEPHEN.

No. 67.

The Under Secretary for Lands to Mr. G. Mair.

Sir,

Department of Lands, Sydney, 5 April, 1878.

No. 62.
County of Wyn-
yard, parish of
Gumly Gumly,
490 acres.
Gumly Gumly
Permanent
Common.

In reply to your letter of the 14th September last, relative to and protesting against the application made by Mr. John Donnelly to purchase, in virtue of improvements, the land specified in the margin hereof, as the land applied for was withdrawn from lease prior to the date of such application, I am directed to inform you that the Minister for Lands has decided that Mr. Donnelly's application cannot be entertained, for the reasons set forth in your letter.

I have, &c.,

W. W. STEPHEN.

No. 68.

Mr. J. Donnelly to The Under Secretary for Lands.

Sir,

Gumly Gumly, Wagga Wagga, 15 April, 1878.

No. 65.

In reply to your favour of date the 18th March last, I have the honor to lay before you for your consideration the following circumstances connected with the improvements erected by me on the Gumly Gumly Reserve:—

I bought the run in the year 1875, and at that time it was held under lease, and the reserve in question was then in existence for the benefit of the run.

There was at this time no family residence at all on the run, and wishing to build and reside on the run, I selected a site on the reserve as being the only available land on the run, near Wagga Wagga, and close to the river, on which I could build above flood-mark, and although this land was the highest about, I had at great expense to raise that part on which the building is erected about 2 feet above the natural surface.

On reference to the plan of the run you will kindly observe that there is a very large area along the river frontage reserved for public purposes.

At the request of the Honorable the Minister for Lands, about two years ago, I sent down a declaration made by myself and the builder of the house as to the value of improvements on the land erected by me, the house alone having cost over £2,000.

Taking into consideration the peculiarities of this case, and the great expense I have incurred for the permanent benefit of the run, I crave that you will be good enough to accept my application to purchase, and procure a cancellation *pro tanto* of the reserve.

I have, &c.,

JOHN DONNELLY.

No. 69.

Mr. G. Mair to The Under Secretary for Lands.

Sir,

Wagga Wagga, 16 April, 1878.

No. 67.

I have the honor to acknowledge receipt of your letter of the 5th instant (noted in the margin), intimating the decision of the Honorable the Minister for Lands in reference to an application made by Mr. John Donnelly for the purchase of 490 acres of land upon the permanent common at Gumly Gumly.

As the dispute in this matter is now settled, I respectfully request you will be so kind as to recommend that a deed of grant shall issue to the trustees of the Wagga Wagga Commons for the permanent common at Gumly Gumly and for the permanent common at Uranquinty.

I have, &c.,

GEORGE MAIR,

Chairman.

Minute on above.

A further consideration of the matter is to take place, and the trustees to be warned than no further action, pending such consideration, is to be taken by them with regard to Mr. Donnelly's improvements.—(Written by Mr. J. Edwards.)

25.

No. 70.

The Under Secretary for Lands to Mr. G. Mair.

Sir,

Department of Lands, Sydney, 26 April, 1878.

Adverting to my letter of the 5th instant, on the subject of Mr. John Donnelly's application No. 67. to purchase certain land on the Gumly Gumly Common, and stating that it could not be entertained for the reasons stated therein, I am directed to inform you that, in consideration of certain further representations made on behalf of Mr. Donnelly, the Minister for Lands has decided to reconsider the matter; and I am to request that the trustees of the said common will be good enough to take no further action with regard to Mr. Donnelly's improvements, pending a final decision in the case by the Government.

I have, &c.,

LINDSAY THOMPSON,
(Pro Under Secretary.)

No. 71.

Mr. F. Fitzpatrick to The Secretary for Lands.

Sir,

251, George-street, Sydney, 26 April, 1878.

I am instructed by John Donnelly, Esq., of Gumly Gumly, to address you on the following subject:—

Some time back Mr. Donnelly erected a very valuable residence on his station (or rather, the residence was in course of erection); the site was then under lease to him as pastoral tenant, being water reserve No. 142.

While the improvements were in course of erection the land was withdrawn from lease, I make bold to say, without mature deliberation. Mr. Secretary Garrett was then in office, and held that if Mr. Donnelly could prove that the improvements were commenced prior to withdrawal of the land from lease the reserve from lease should be revoked. This my client did, by statutory declarations, forwarded to your Department on the 24th November,* 1876. Mr. Secretary Garrett then, notwithstanding the reserve, decided that Mr. Donnelly should be allowed to purchase the lands covered by his improvements, and Mr. Donnelly was officially informed to this effect. The land Mr. Donnelly seeks to purchase has been (in spite of the then Minister's decision) dedicated as a common for Wagga Wagga. In point of fact, the alienation of this land to Mr. Donnelly would not prejudice the public interest. There are reserves in the locality quite sufficient for all requirements. * 24. March.

This reserve 142 is now made into something like an agistment paddock for the Municipality of Wagga Wagga. It is fully 5 miles away from the township, and only approachable by a very narrow road. The fairest solution of the matter is to do away with the reserves from lease and common, sell the land covered by Mr. Donnelly's improvements, some £500, I think, prior to reserve from lease being notified, and make the remainder a camping reserve. By doing this the public might then have the benefit of the land without having to pay for it as at present. I may here add, that in faith of the Crown's decision, conveyed to my client on 17th March, 1876, he increased the outlay on the land in question to some £2,000. Is it reasonable that he should be led into this, and then be refused the right to buy? See No. 16.

I have the honor to request that you will cause this matter to be looked into at once.

With a full conviction of your clear decisions on all land matters, I leave this matter in your hands, in hope of a favourable reply.

I have, &c.,

FRANCIS FITZPATRICK.

No. 72.

Mr. G. Mair to The Under Secretary for Lands.

Sir,

Wagga Wagga, 29 April, 1878.

I have the honor to acknowledge receipt of your letter of the 26th instant, noted in margin No. 70 hereof, in reference to Mr. John Donnelly and the trustees of the Gumly Gumly Permanent Common, wherein you inform me that, "in consideration of certain further representations made on behalf of Mr. John Donnelly, the Minister for Lands has decided to reconsider the matter," and requesting that the trustees will take no further action with regard to Mr. Donnelly's improvements, pending a final decision in the case by the Government.

In reply, I respectfully request that you will, in the meantime, kindly furnish me, for the information of the trustees, with the substance of the said further representations made on behalf of Mr. Donnelly.

I have, &c.,

GEORGE MAIR,
Chairman.

No. 73.

Mr. G. Mair to The Secretary for Lands.

Sir,

Wagga Wagga, 22 May, 1878.

Referring to Gumly Gumly Permanent Common: having learned that Mr. John Donnelly has procured the signatures of a number of residents in the town of Wagga Wagga to a document purporting to advance certain reasons that he (Mr. John Donnelly) should be allowed to purchase a portion of the common, I have the honor to request that should said document be forwarded to you as Minister for Lands you will kindly furnish the trustees of said common with a copy of it, so that they and the public may be afforded an opportunity of speaking in defence of what they deem their right.

I have, &c.,

GEORGE MAIR,
Chairman.

Messrs. M'Carthy, Robertson, & Fisher to The Secretary for Lands.

Mr. John Donnelly—Gumly Gumly Reserve.

Sir,

Pitt-street North, Sydney, 19 August, 1878.

Enclosure A.

We beg to enclose a petition from certain inhabitants of Wagga Wagga in favour of Mr. Donnelly being allowed to purchase certain improved lands on the Gumly Gumly Reserves.

Enclosure B.

We also beg to enclose, for your perusal and consideration, a copy of the opinion of Mr. Butler, Q.C., on Mr. Donnelly's case, and we respectfully beg to draw your attention to that portion of the opinion which we have underscored.

We have, &c.,

M'CARTHY, ROBERTSON, & FISHER.

[Enclosure A to No. 74.]

WE, the undersigned, having an actual knowledge of the place called by the trustees of the Wagga Wagga Common a permanent waterhole, which is opposite and in close proximity to the residence of Mr. John Donnelly, at Gumly Gumly, beg to certify that such place is not properly entitled to the designation, as it never, except after heavy rain, holds any water, and then only for a short time, as the soil thereabout is of a sandy nature.

The place at present, and since last December, being quite dry, and we know that there are ample supplies of water accessible for public use within half-a-mile at each side of such place, namely, on the River Murrumbidgee and on the roadside.

Dated this 17th May, 1878.

GEORGE FORSYTH & CO., Merchants.

J. P. CHARLES, Merchant.

C. MORAN, Storekeeper.

R. B. WILKINSON, Stock Agent.

G. A. ELLIOTT, Stock Agent.

JOHN J. RYAN, Landed Proprietor.

W. J. BLAKE, Land Proprietor.

M. O'CONNOR, M.D.

WE visited the spot referred to yesterday. We saw no natural water; and the place has not the appearance of a permanent waterhole.

Wagga Wagga, 17 May, 1878,

FRED. W. GOWLLAND, Manager, Commercial Bank.

C. H. CROAKER, Manager, Bank N.S.W.

I ENDORSE what Mr. Gowlland, Manager of Commercial Banking Company, Wagga Wagga, has stated.

W. WILLIAMS, Solicitor.

WELLESLEY WELMAN, Squatter.

[Enclosure B to No. 74.]

Ex parte Donnelly.

17 August, 1878.

I CAN discover in this case only one question of law which gives rise to any difficulty, upon the assumption that the lands in question are Crown lands. It is the question whether the Government were bound to withdraw, by proclamation in the Gazette, the land referred to from lease prior to dedicating it permanently as a common. It does appear reasonable that it should be so withdrawn in the first place, and it is not easy to understand the object of the 5th section in the "Crown Lands Occupation Act" unless this effect is to be given to it, seeing that otherwise the same thing is provided for, and more amply provided for under the 4th and 5th sections of the Alienation Act. It would seem not unreasonable that these 4th and 5th sections should apply to Crown lands not under lease, and the 5th section of the Occupation Act should apply to the case of lands held under lease. It is not at all entirely clear from doubt that this may not be held to be the right construction, and if so the dedication in this case would be illegal, on the ground that the two conflicting rights—that of commonage and that of the tenant of the Crown—could not co-exist. But in my opinion it is not the right construction. We find embarrassing repetitions of sections having similar effects, not only in different Acts but in the same Act, so frequently as hardly to make it a matter of reasonable construction that each should be applied to a distinct object, or made to serve a distinct purpose. Moreover, the very case of a permanent dedication, which has taken place here, is not specifically mentioned at all in the 5th section of the Occupation Act, as it is only temporary commonages for the use of cities or towns or villages which are therein expressly mentioned.

But more especially does it become necessary to adopt a different construction under the definition of the words "Crown lands," which is common to both the Occupation and the Alienation Act. It is "all lands vested in Her Majesty which have not been dedicated or granted or contracted to be granted," &c.

The lands held under lease are consequently within the term "any Crown lands" in the 5th section of the Alienation Act, and may be thereby dedicated.

Then the mode of dedication provided is by notice in the Government Gazette; and upon any such notice being published in the Gazette, such lands shall become and be reserved or dedicated accordingly. So the act of dedication takes place by one and the same act of publication.

If I am right in this view, the preliminary of laying the abstract before Parliament for a month before publication having taken place, it follows that the Crown has no longer power to give a title to Mr. Donnelly to the land upon which his improvements stand, and he can get a title only by an Act of Parliament, upon the assumption still that these lands so dedicated were Crown lands.

But I have had also to consider whether a portion of the 1,770 acres dedicated had not ceased to be Crown lands so as to be incapable of dedication. Had any definite area been promised to Mr. Donnelly by Mr. Garrett I would be strongly inclined to think that that area had ceased to be Crown land when Mr. Garrett promised to sell it to Mr. Donnelly—that it had become land lawfully contracted to be granted in fee-simple, "so as to be taken out of the category of Crown lands," according to the interpretation clause. It was not merely a promise on Mr. Garrett's part without a consideration, for the price would have to be paid for the land according to the 8th section of the Act. But it seems to me impossible to make a legal contract out of the vague promise in this case, which affords no certainty as to area or quantity, unless indeed it be the very land upon which the improvements stand, and no more. Of course this was not the intention of the promise, and it does seem a hard and an unjust thing that the contract should fail altogether because of a legal point, which, when the promise was made, was not in the contemplation of either the Minister or Mr. Donnelly.

There would, however, have existed a difficulty under the 6th section, in the way of sale or contract, as to so much of the land as had been temporarily reserved from sale until such reservation was revoked, which, as I understand, was the land upon which the improvements stood. But this difficulty could have been surmounted by a revocation, and then a renewal of the contract of sale. But as, in my opinion, the contract was of no avail, on account of its uncertainty, further discussion of this difficulty, under the 6th section, becomes useless.

E. BUTLER.

No. 75.

Précis of the case, with Minister's decision thereon.

John Donnelly's application to purchase land in virtue of improvements, and the Gumly Gumly Common. In the commencement of August, 1875, a petition was received in the Lands Department from a number of farmers and landholders in the parish of Gumly Gumly, county of Wynyrd, praying that a reserve from sale in that neighbourhood of about 1,500 acres should be permanently reserved for water supply for public use. They further stated their reason to believe that the lessee of Gumly Gumly Run was about to build a dwelling upon a portion of the reserve, between two roads of importance—the said land containing a lagoon—with a view to purchase the same in virtue of improvements. See No. 3.

This petition was reported on by District Surveyor Wood, who recommended that the aforesaid reserve should be further enlarged, and the area withdrawn from lease at an early date, as it was stated the lessee of the run contemplated erecting improvements near the waterhole, which contained water for many months of the year, and in a more convenient position than going down to the river. See No. 5.

On this report a portion of the recommended area, amounting to 173 acres only, situated between the two roads leading from Tarcutta to Wagga Wagga, and containing the before-mentioned waterhole, was notified in the Gazette of the 10th December, 1875, as reserved from lease for a public watering and camping place. See No. 10.

On the 15th November, 1875, Mr. District-Surveyor Bolton had addressed the Surveyor General, informing him that Mr. Henry Bayliss, the local Police Magistrate, had waited upon him at his office that day in reference to certain buildings being erected by Mr. Donnelly; and in consequence of numerous appeals being made to him by parties interested thereby, Mr. Bolton strongly recommended that the land should be reserved from lease, and "that Mr. Donnelly be cautioned against proceeding with his improvements, which, although of a substantial character, are not for a legitimate purpose, beyond the securing of the land in supposed right thereof." See No. 7.

Messrs Fitzhardinge and Sons, of Wagga Wagga, also strongly urged the above action in the public interests. See No. 8.

In November, 1875, a numerous and influentially signed petition was received, praying that a certain defined area (1,770 acres) should be granted as a permanent common. This area included the contested reserve, as well as much more.

The petition was referred to Mr. District-Surveyor Bolton, who strongly recommended the granting of the same; it was also, on the same report, recommended by Mr. District-Surveyor Wood, within whose district it fell. Upon recommendation of the Surveyor General the whole area (1,770 acres) was withdrawn from lease, and dedicated as permanent common, 15th August, 1876. See No. 11.

Returning to Mr. Donnelly, on the 8th January, 1876, Messrs. H. J. Withers & Co. protested on his behalf against the withdrawal from lease. See No. 23.
See No. 13.

On the 14th March, 1876, Mr. Henry Freeman, on behalf of Mr. John Donnelly, made certain statements, on the strength of which Mr. Secretary Garrett minuted, "I am disposed to treat this as an exceptional case, and on satisfactory proof being given that the improvements were actually commenced before, and were being proceeded with at time of proclamation of reserve from lease, I approve of the revocation of so much of the reserve as will protect his improvements so as to render them of use, care being taken that means of access to the water, to provide which the reserve was made, is still retained." See No. 15.

Immediately upon communication of the above decision, Mr. Freeman forwarded declarations from Mr. Donnelly and from his builder, Mr. Hardy, to the effect that £450 had been expended on the building up to the date of the notification of the reserve from lease, 10th December, 1875; and Mr. Donnelly further declared that he had improved the land to the extent of £40 in addition, making a total of £490 expended before the Gazette notification.

On this letter Mr. Secretary Garrett wrote, "I think the evidence satisfactory. The revocation of the reserve and other necessary steps for the sale of the land to Donnelly may go on." See No. 17.

At this time the action for the dedication of the land in question, with much more surrounding it, for a permanent common was being carried out on papers not placed with these until long after.

There also does not appear to be any evidence that Mr. Garrett saw Mr. District-Surveyor Bolton's letter, addressed to the Surveyor General, nor Messrs. Fitzhardinge's letter, before referred to.

On the 28th July, 1876, Mr. H. Freeman lodged an application to purchase in virtue of improvements, estimated at £1,454, the land upon which they stood. Mr. Licensed-Surveyor Macpherson, to whom this application was referred, returned it, stating his impossibility to measure the land in view of the conflicting areas sought and directed. See No. 21.

On the 19th June, 1877, Mr. H. Freeman again urged his client's case, and waited upon the then Minister, together with Mr. Donnelly, and Messrs. Leary and Day, M.P.'s. See No. 46.

Mr. Secretary Driver decided, under the very hard and peculiar circumstances of this case, "I think the 490 acres should be made available for Mr. Donnelly; and if this cannot be done without first putting the land back into the lease, then this course should be adopted."

The fact of this land being included in the permanent common and dedicated does not appear to have been known to Mr. Driver.

Acting on the above decision, 490 acres were accordingly surveyed, 16th July, 1877. On the same day as survey Mr. George Mair, the Chairman of the Wagga Wagga Common Trustees, emphatically protested against the alienation of any portion of the common. On this letter Mr. Secretary Garrett decided, "It appears to me that the only fair course to pursue, both as regards Mr. Donnelly's claim (which has been recognized by my predecessor and myself), and also as to the rights of the public in the common, would be to have as small a quantity of the common resumed as would protect Mr. Donnelly's improvements, and also leave the commoners free access to the water frontage. Let this course be adopted." See No. 50.

Mr. Mair afterwards sent a statement of the case to Mr. McElhone, M.P., who forwarded it to Mr. Secretary Garrett, who gave directions that Mr. McElhone should be informed of above decision. See No. 59.

Mr. Garrett afterwards gave verbal directions to measure the minimum area, 40 acres, for Mr. Donnelly.

On a subsequent letter of Mr. Mair's, 14th September, 1877, it was submitted that the application of Mr. Donnelly could not be entertained, having been made after the land was withdrawn from his lease. See No. 62.

This

This was approved by Mr. Secretary Farnell on the 19th of February, 1878, and Mr. Donnelly and Mr. Mair accordingly informed.

See No. 71.

See No. 73.

Mr. F. Fitzpatrick addressed the Department, 26th April, 1878, on behalf of Mr. Donnelly. Action has since been stayed, pending further consideration; but Mr. Mair, on behalf of the commons trustees, has, 22nd May, 1878, requested copies of correspondence.

J. G. HAY,

21/10/78.

This *précis* is submitted for the consideration of the Minister for Lands.—L.G.T., 22/10/78. For decision.—W.W.S., 22nd.

See No. 59.

See No. 17.
See No. 45.
See No. 49.

The question that was submitted to me on the 19th February, 1878, was simply whether an application could be entertained to purchase land in virtue of improvements when such land had been withdrawn from lease prior to date of application. My approval decided that an application could not be entertained unless during the currency of the lease, and such decision is legally correct. No other question or circumstance in connection with the case was then submitted to me. Upon reading the *précis* of the case, I find that there are facts and circumstances that ought to be considered in connection with the whole case, in order to deal with it equitably. My predecessors, Mr. Garrett and Mr. Driver, both decided that Mr. Donnelly should be allowed to purchase certain areas in virtue of improvements. Mr. Garrett's minute of the 30th August, 1877, appears to me to be a correct solution of the case. I do not think that I ought to recede from the decisions above referred to, because, as it appears to me, the decision of the Minister was a contract to sell to Mr. Donnelly. The papers show that improvements were made on the land prior to its withdrawal from lease of the value of £490. Considering the facts and circumstances of the case, I am of opinion that the recommendations contained in Mr. Garrett's minutes of the 25/3/76, Mr. Driver's minute of the 21/6/77, and Mr. Garrett's minute of the 20/8/77, should be now acted upon. As the land has been dedicated for a permanent common, it will be necessary to resume by Bill the area proposed to sell to Mr. Donnelly.—J.S.F., 31/10/78.

Mr. Garrett's memos. fix no area, but in effect they mean that Donnelly should be allowed to purchase up to the extent of improvements legally made, namely, £490. Mr. Driver's decision is that he should be allowed to purchase to the value of £490, or 490 acres. The question now is, what area should Mr. Donnelly be permitted to purchase? Well, in accordance with the previous decisions, which amount to contracts or promises to sell, I think I shall be acting equitably by confirming my previous decisions, *i.e.*, by permitting Mr. Donnelly to purchase 490 acres in virtue of improvements. Of course the restriction as to measurement to afford access to water is to be maintained.—J.S.F.

Inform parties and take other steps necessary to give effect to Mr. Farnell's decision.—L.G.T., 16/11/78. Survey Branch. Mr. G. Lewis.—As you have dealt with this case up to the present stage, perhaps you would have no objection to take what action may be necessary.—S.P., 24 Dec. 1878.

No. 76.

The Under Secretary for Lands to Mr. J. Donnelly.

Sir,

Department of Lands, Sydney, 21 December, 1878.

With reference to your claim to purchase in virtue of improvements certain land on the Gumly Gumly Permanent Common, county of Wynyard, I am directed to inform you that the Minister for Lands, having in view the respective decisions of Mr. Secretary Garrett and Mr. Secretary Driver upon the case, has decided that an area of 490 acres should be resumed to protect your improvements, but measured in such a manner as to leave free access to the water required in the interests of the commoners.

I have, &c.,

W. W. STEPHEN.

No. 77.

The Under Secretary for Lands to J. McElhone, Esq., M.P.

Sir,

Department of Lands, Sydney, 21 December, 1878.

With reference to the claim of Mr. John Donnelly to purchase in virtue of improvements certain land on the Gumly Gumly Permanent Common, county of Wynyard, I am directed to inform you that the Minister for Lands, having in view the respective decisions of Mr. Secretary Garrett and Mr. Secretary Driver upon the case, has decided that an area of 490 acres should be resumed to protect the improvements effected by Mr. Donnelly, but measured in such a manner as to leave free access to the water required in the interests of the commoners.

I have, &c.,

W. W. STEPHEN.

No. 78.

The Under Secretary for Lands to Mr. G. Mair.

Sir

Department of Lands, Sydney, 21 December, 1878.

With reference to the claim of Mr. John Donnelly to purchase in virtue of improvements certain land on the Gumly Gumly Permanent Common, county of Wynyard, I am directed to inform you that the Minister for Lands, having in view the respective decisions of Mr. Secretary Garrett and Mr. Secretary Driver upon the case, has decided that an area of 490 acres should be resumed to protect the improvements effected by Mr. Donnelly, but measured in such a manner as to leave free access to the water required in the interests of the commoners.

I have, &c.,

W. W. STEPHEN.

No. 79.

J. McElhone, Esq., M.P., to The Secretary for Lands.

Sir,

Parliament, New South Wales, Sydney, 8 January, 1879.

I received to-day letter, dated 3rd January, 1878, *re* Mr. John Donnelly being allowed to buy 490 acres of a reserve for improvements on it, the said reserve being part of a common at Wagga Wagga. I imagine the date of letter should be January 3rd, 1879. On behalf of the people of Wagga, I beg to protest against Mr. Donnelly being allowed to buy this 490 acres. If the sale is allowed it will be a gross robbery of the people's interests.

No letter of date herein stated. Probably letter dated 21 Dec., 1878, is the one referred to. See No. 77.

When Donnelly erected his house, &c., he knew it was on a reserve, and could have no claim to buy for improvements on it.

I have the honor to request you will at once put a stop to this robbery of the public, and stop the sale, and if any quantity of land is to be allowed to Donnelly, that 40 acres are enough, as he already owns some 15 miles of river frontage.

I have, &c.,

JOHN McELHONE.

No. 80.

Mr. G. Mair to The Under Secretary for Lands.

Sir,

Wagga Wagga, 8 January, 1879.

I have the honor to acknowledge receipt of your letter, dated 21st December last (but not dispatched from the Lands Office till 3rd January instant), referring to the Wagga Wagga Permanent Common and Mr. Donnelly's claim to purchase a certain portion of such permanent common in virtue of improvements.

Since the receipt of your letter I have called the trustees of the common together, and they have requested me on their behalf, and on behalf of the commoners, respectfully to protest against a resumption of any portion of the common.

As has been repeatedly pointed out by the trustees, the portion of the land dedicated as a permanent common, which is now claimed by Mr. Donnelly, did not at the date of Mr. Donnelly's application, nor at the date of his commencing the improvements, form any portion of his run, the land having been reserved from lease on 10th December, 1875, and consequently Mr. Donnelly had no more right than any other member of the community to erect improvements on the land, or to claim any of the land in virtue of improvements.

The commoners have expended a large amount of money in fencing and otherwise on the common, and we feel bound in their interests to do all we can to protect their rights.

We respectfully submit that the common cannot be resumed without the sanction of Parliament; and to Parliament we shall feel bound to appeal in the event of the decision of the Honorable the Minister for Lands, as conveyed by your letter, being carried out.

I am requested by the trustees to ask that this letter may be laid before the Minister for Lands without delay.

I have, &c.,

GEORGE MAIR,

Chairman of Trustees of the Wagga Wagga Common.

No. 81.

Minute and Decision of The Secretary for Lands.

VERY urgent. Miscellaneous Branch. Let me have the papers in this case as soon as possible. In the meantime no further steps to be taken in the matter. I particularly wish to know the number and description as well as date of reserve.

J.H., 9/1/79.

Papers herewith from Mr. Peyton.—J. McG., 11/1/79. *Précis* of case is with the papers showing the information desired.—L.G.T., 11/1/79.

After having carefully perused the *précis* made of this case, and the decisions of my three predecessors, I fail to see any reason for re-opening it.—J.H., 13/1/79.

No. 82.

The Under Secretary for Lands to Mr. G. Mair.

Sir,

Department of Lands, Sydney, 16 January, 1879.

In reply to your letter of the 8th instant, protesting against the intended resumption of 490 acres of land from the Gumly Gumly Permanent Common, county of Wynyard, in satisfaction of Mr. John Donnelly's claim in virtue of improvements, I am directed to inform you that the Secretary for Lands, having carefully perused the papers in the case, fails to see any reason for re-opening it.

I have, &c.,

W. W. STEPHEN..

No. 83.

The Under Secretary for Lands to J. McElhone, Esq., M.P.

Sir,

Department of Lands, Sydney, 16 January, 1879.

In reply to your letter of the 8th instant, protesting against the intended exemption of 490 acres of land from the Gumly Gumly Permanent Common, county of Wynyard, in satisfaction of Mr. John Donnelly's claim in virtue of improvements, I am directed to inform you that the Secretary for Lands, having carefully perused the papers in the case, fails to see any reason for re-opening it.

I have, &c.,

W. W. STEPHEN.

No. 84.

Memo. by the Secretary for Lands.

I wish Mr. Lewis to furnish me with information upon the following subject, having reference to the application of Mr. John Donnelly to purchase land in virtue of improvements on the permanent common at Wagga Wagga:—

Was the land applied for by Mr. Donnelly embraced in reserve 142, gazetted in 1864? Was such reserve withdrawn from lease to Mr. Donnelly by the proclamation of such reserve? When was such reserve withdrawn from lease? Was it customary prior to such land being reserved for public purposes to allow squatters to purchase land in virtue of improvements which had not been withdrawn from lease, even although reserved?

J.H., 12/2/79.

No. 85.

Memo. by Mr. G. Lewis.

As directed by the Secretary for Lands, I have the honor to report, in reference to the application of Mr. John Donnelly to purchase land in virtue of improvements on permanent common at Wagga Wagga, that reserve from sale only, No. 142, was gazetted on the 14th November, 1864, and was embraced in the Gumly Gumly Run, held under lease by the abovementioned applicant.

By the enclosed statutory declaration by Mr. John Donnelly, it is stated that on the 30th April, 1875, Charles Hardy, of Wagga Wagga, had contracted with Mr. Donnelly to build a dwelling-house on Gumly Gumly Run for the sum of £1,155; and further, that in pursuance of said agreement work to the value of £490 was done by the said Charles Hardy before the 10th December, 1875, on which date reserve No. 205 was withdrawn from the run. A protest against the reserve from lease is dated January 8th, 1876, which may be regarded as an application to purchase; but a more formal application is dated 14th March, 1876.

Previous to the year 1876, applications for the purchase of land in virtue of improvements within reserve from sale were generally allowed.

13th February, 1879.

G. LEWIS.

[3 tracings.]

[1s. 3d.]

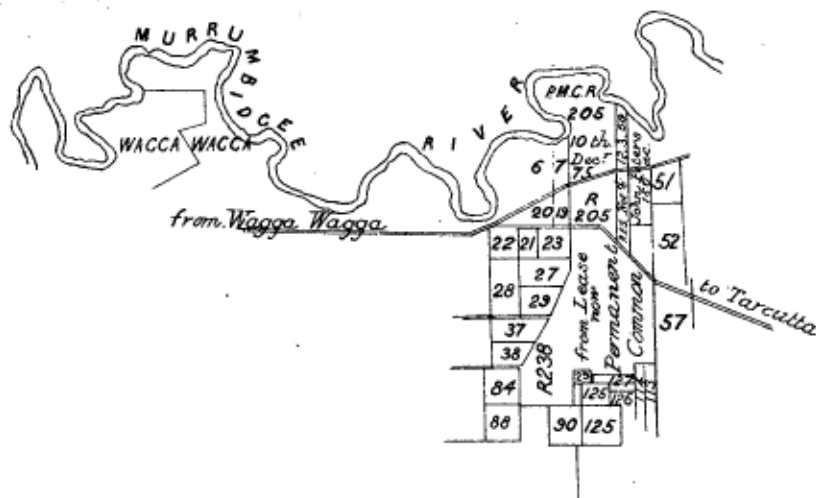
Sydney: Thomas Richards, Government Printer.—1879.

COPY OF TRACING

Showing portion Res: from lease 205 on which M^r J^{no} Donellys improvements stand on north side of Road from Wagga Wagga to Tarcutta: also the permanent common Notified in August/76, south of that Road

PARISH OF STH WAGGA WAGGA, COUNTY OF WYNYARD.

PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.



PLAN

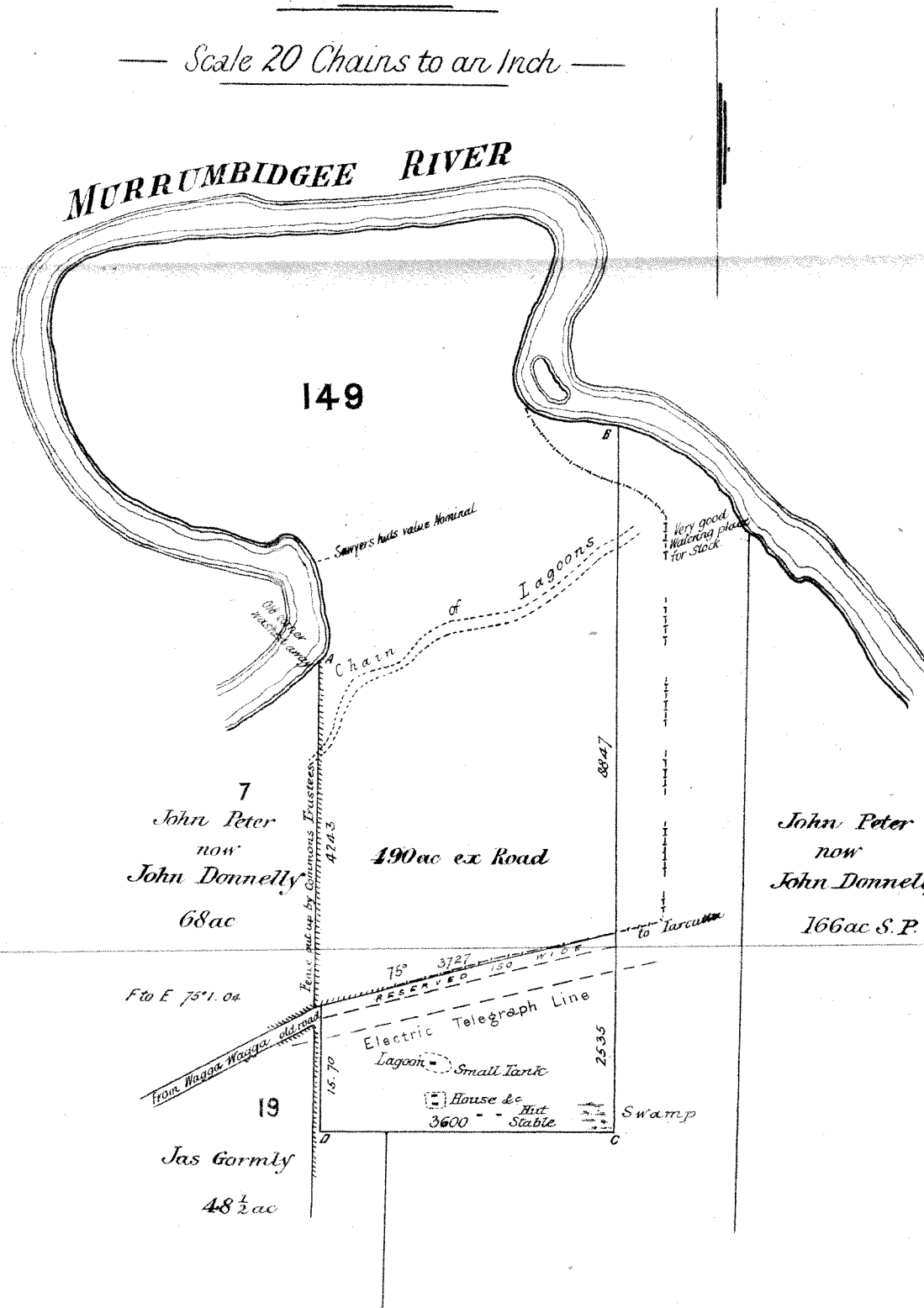
Showing Portion No 49 of 490 acres

PARISH OF GUMLY GUMLY

COUNTY OF WYNYARD

*Applied for Under the 2nd Clause of the Lands Act Amendment Act 1875.
by John Donnelly.*

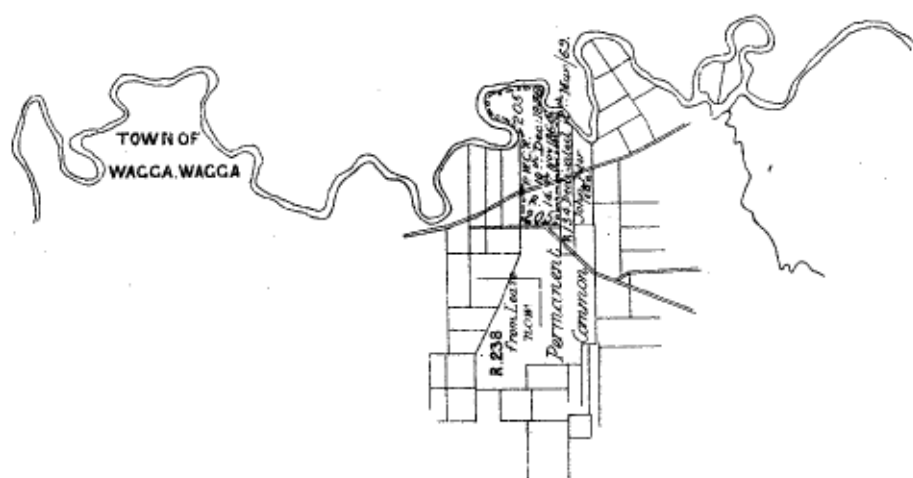
— Scale 20 Chains to an Inch —



Corner	Bearing	From	Links	No on Tree
A	147°	Gum	110	149
B	29	do	83	149
C	122°	do	22	149
D	347°	do	55	149
E	233°	Yellow Box	16	149
F	134° 25'	do	43	7.149

COPY OF TRACING
Showing
Gumly Gumly Permanent Common
and position of the Land applied for by John Donelly, in virtue of Improvements
COUNTY OF WYNYARD

PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.



The P.W.C.R. (Public Watering & Camping Reserve) edged thus —•—•— is the land sought by M^r Donelly in virtue of his improvements but it in no way affects the Permanent Common which is shown adjoining.

The person who wrote the above appears to know little or nothing about the matter in hand. The land edged thus —•—•— was withdrawn from lease with the rest for Permanent Commonage 29th Dec. 1876 and the Lands Department knows it.

G.M.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

WAGGA WAGGA COMMON.

(PETITION OF JOHN DONNELLY.)

Ordered by the Legislative Assembly to be received, 27 May, 1879.

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

The humble Petition of John Donnelly, lessee of the Gumly Gumly Run,—

SHOWETH :—

That a Select Committee has been appointed by your Honorable House on "The Wagga Wagga Common," and that your Petitioner has given evidence before the said Committee, but your Petitioner is unable to attend the said Committee personally for the purpose of examining witnesses in support of his case.

Your Petitioner therefore humbly prays, that your Honorable House will be pleased to allow him to be represented at the meetings of the said Committee by his attorney or counsel, and that his attorney or counsel may be allowed to address the said Committee on his behalf.

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

JOHN DONNELLY.

1878-9.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

GUMLY GUMLY COMMON.

(PETITION—HOUSEHOLDERS AND OTHERS.)

Ordered by the Legislative Assembly to be printed, 5 March, 1879.

Gumly Gumly, in the Colony of New South Wales, 24 February, 1879.

The Honorable the Legislative Assembly, in Parliament assembled.

The Petition of the land and householders situate near the portion of land known as the Gumly Gumly Common,—

RESPECTFULLY SUBMIT:—

That by the said Common being made a public reserve, that stock travelling, also teams and the public in general, would benefit, as the land now fenced in would be opened, and the water then could be got to without difficulty.

Your Petitioners further submit that they believe the Common is outside the population boundary, and that when settling in this locality they were in hopes that the above land would be public reserve.

Praying for your kind consideration of the above, your Petitioners, as in duty bound, will ever pray, &c., &c.

[*Here follow 11 signatures.*]

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

TEMPORARY COMMON NEAR SINGLETON.

(CORRESPONDENCE, &c.)

Ordered by the Legislative Assembly to be printed, 23 July, 1879.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 12 March, 1878, That there be laid upon the Table of this House,—

“Copies of all Correspondence, Minutes, and other Documents having
“reference to an application from the Borough Council of Singleton for
“the conversion of the Temporary Common near Singleton into a permanent one.”

(Mr. W. C. Browne.)

SCHEDULE.

NO.	PAGE.
1. Memorial of certain freeholders, householders, and residents of the town of Singleton, in the district of Patrick's Plains, to the Minister for Lands, with minutes. 5 January, 1865.....	2
2. Minute by Mr. Draftsman Ellis, with minutes. 6 March, 1865.....	2
3. Mr. Surveyor Dudding to the Surveyor General, with minute. 6 April, 1865.....	2
4. Notification of Trustees elected. 6 April, 1865.....	3
5. W. C. Lesley, for Trustees, to the Surveyor General. 7 April, 1865.....	3
6. Mr. Surveyor Maitland to the Surveyor General. 20 June, 1865.....	3
7. Minute by the Surveyor General, with minutes and enclosure. 24 February, 1866.....	3
8. Minute for the Executive Council, with minutes. 7 March, 1866.....	4
9. Mayor of Singleton to the Minister for Lands, with minutes. 15 March, 1866.....	4
10. Under Secretary for Lands to Mayor of Singleton. 30 April, 1866.....	4
11. Town Clerk of Singleton to Minister for Lands, with minutes. 7 July, 1866.....	4
12. Minute for Executive Council, with minutes. 27 July, 1866.....	5
13. Under Secretary for Lands to Town Clerk, Singleton. 21 August, 1866.....	5
14. Town Clerk of Singleton to Surveyor General, with minutes. 24 September, 1866.....	5
15. Gazette Notice. 2 October, 1866.....	6
16. Ditto. 23 October, 1866.....	6
17. Ditto. 23 October, 1866.....	6
18. Town Clerk of Singleton to the Minister for Lands, with minutes. 5 November, 1867.....	6
19. John Johnston to the Minister for Lands, with minutes. 30 December, 1867.....	7
20. Town Clerk of Singleton to Minister for Lands, with minutes. 20 March, 1868.....	7
21. Under Secretary for Lands to Clerk of Petty Sessions, Singleton. 30 April, 1868.....	7
22. Mayor of Singleton to Under Secretary for Lands, with minutes. 5 May, 1868.....	8
23. Same to same, with minutes. 6 May, 1868.....	8
24. Under Secretary for Lands to Town Clerk, Singleton. 13 May, 1868.....	8
25. Town Clerk, Singleton, to the Minister for Lands, with minutes and enclosures. 3 June, 1868.....	8
26. Attorney General to Under Secretary for Lands. 4 July, 1868.....	12
27. Gazette notice. 24 July, 1868.....	12
28. Council Clerk, Singleton, to Colonial Secretary, with minutes. 8 July, 1870.....	12
29. Crown Solicitor to Under Secretary for Lands, with minutes. 26 July, 1870.....	14
30. Circular from Department of Lands to Trustees of Singleton Common. 31 December, 1873.....	14
31. Town Clerk, Singleton, to Under Secretary for Lands, with minutes and enclosures. 9 January, 1874.....	14
32. Opinion of the Attorney General. 11 March, 1874.....	15
33. Colonial Secretary to Mayor of Singleton. 17 March, 1874.....	15
34. Council Clerk, Singleton, to Minister for Lands, with minutes. 8 December, 1876.....	15
35. J. B. Rubie to the Colonial Secretary, with minutes. 2 January, 1877.....	15
36. Memo. by Acting District-Surveyor Woolrych. 21 August, 1877.....	16
37. W. C. Browne, Esq., M.P., to the Minister for Lands, with minutes. 1 September, 1877.....	16
38. Under Secretary for Lands to W. C. Browne, Esq. 10 September, 1877.....	17
39. Mayor of Singleton to Under Secretary for Lands, with minutes. 13 September, 1877.....	17
40. J. B. Rubie to the Minister for Lands, with minutes and enclosure. 19 September, 1877.....	17
41. J. B. Rubie to Editor of "Singleton Argus." 17 September, 1877.....	18
42. Acting District-Surveyor Woolrych to the Surveyor General, with enclosures. 27 September, 1877.....	20
43. Deputy-Surveyor General to the Under Secretary for Lands, with minutes. 17 October, 1877.....	22
44. Mayor of Singleton to the Minister for Lands, with minutes. 29 November, 1877.....	22
45. Acting District-Surveyor Woolrych to the Surveyor General, with minutes. 29 January, 1878.....	22
46. Same to same, with enclosure. 22 February, 1878.....	23
47. Memo. of Mr. J. G. Neale, with minutes and enclosure. 11 March, 1879.....	23

TEMPORARY COMMON NEAR SINGLETON.

No. 1.

Memorial of Residents of Singleton to The Secretary for Lands.

(Received 5 January, 1865.)

To the Honorable the Minister for Lands, Sydney,—

The memorial of the undersigned freeholders, householders, and residents of the Town of Singleton, in the District of Patrick's Plains,

RESPECTFULLY SHOWETH:—

1. That the inhabitants of Singleton, according to the last census, numbered over 1,000, and since then have greatly increased.

2. That the want of a Common for the depasturage of the town cattle is urgently felt.

3. That travelling stock for market have no pasturage on which to feed, unless in private paddocks, the charges for which entail considerable expense.

4. That there are four sections of Crown lands contiguous to the town of Singleton, in the county of Durham, and adjoining the lands granted to the late James M'Dougall, Esquire, admirably adapted for the purposes of a Common.

5. Your memorialists therefore pray that the same may be granted for the purposes named, and that the same may be conveyed to the following gentlemen in trust, who have kindly consented to act for the public:—John Brown, Esq., J.P.; James Moore, Esq.; and William Copeland Lesley, Esq.

[Here follow 52 signatures.]

Minutes on No. 1.

Refer to Surveyor General for report.—J.B.W., 5 Jan., /65. Surveyor General, 6 Jan.—M.F.

The land referred to herein as adapted for Commonage is a village reserve containing about 4 square miles, on the northern side of the Hunter, north-easterly of the town of Singleton. As it is not likely to be required for the purpose for which it was originally intended, I would recommend that 1,000 acres should be granted for a permanent Common, and that the remainder of the reserve (1,560 acres) should be set apart as a temporary Common until required for sale or other public purpose, and placed in the hands of trustees for the townspeople. I enclose descriptions,* with a tracing* showing the position of the land with regard to Singleton, which is a private town.—W.R.D., B.C., 24 Jan., 1865.

Approved.—J.B.W., 30 Jan. A portion of the land proposed to be set apart for a temporary Common is required for cemeteries.—J.B.W., 30 Jan. Surveyor General for further report, B.C., 31 Jan., 1865.—M.F.

*Not with papers.

No. 2.

Minute by Mr. Draftsman Ellis.

Singleton Town Common.

THE necessary description for Commonages at Singleton herewith. The land approved for Commonages being the village reserve on the bank of the Hunter, bounded by alienated lands and a measured section, there is apparently no necessity for measurement.

The matter may now be entered in abstract for Parliament, and parties should be called upon to recommend trustees, if not already informed by Lands.

J.E., 6/3/65.

Minutes on above.

Mr. Maitland verbally intimating that some irregularity exists on the ground, in respect of old boundaries which may alter the areas and description of the Commonages. Probably before entering in abstract for Parliament, Mr. Maitland may be requested to survey the Commonages as asked for, 5,396/65.—J.E., 15/5/65.

Clerk of Petty Sessions at Singleton informed, 21 March, 1865.

Letter-book containing letter cannot be obtained.

No. 3.

Mr. Surveyor Dudding to The Surveyor General.

Sir,

Police Office, Singleton, 6 April, 1865.

In acknowledging the receipt of your letter dated 21st March, 1865, enclosing description of land set apart as a permanent and temporary Common, I beg to state that a meeting was held by the inhabitants of Singleton last evening at 7 p.m., when the gentlemen named in the margin were elected trustees in the manner provided by the Act 11 Vic. No. 31.

I have, &c.,
WM. DUDDING,
C.P.S.

Minute on above.

Mr. Underwood,—What is the state of this?—H.H., 22 May.

Not obtainable.

John Browne,
Esq., J.P.
Wm. C. Lesley,
Esq., J.P.
James Moore,
Esq.
William Kingston,
Esq.
William Clerihew,
Esq.

No. 4.

Mr. W. C. Lesley to The Colonial Secretary.

Sir,

Singleton, 6 April, 1865.

In compliance with the accompanying notification, published in the *Singleton Times*, a public meeting was held in the Court-house on Wednesday evening, the 5th instant, when the following gentlemen were elected trustees in accordance with the Act 11 Vic. No. 31:—John Browne, Esq., J.P.; William Copeland Lesley, Esq., J.P.; James Moore, Esq.; William Kingston, Esq.; William Clerihaw, Esq.

I have, &c.,

WM. C. LESLEY,
Chairman.

Minutes on No. 4.

The Secretary for Lands.—C.C., B.C., 10 April, 1865. The Under Secretary for Lands. The Surveyor General, with whom the former papers are, may be asked to afford some information, B.C., 13 April, 1865.—M.F.

[Enclosure.]

Extract from *Singleton Times*.

Common for Singleton.

HAVING received a letter from the Surveyor General, intimating that a Common had been set apart for the use of the inhabitants of Singleton, I hereby convene a meeting for the purpose of electing trustees for the management of the same, to be held at the Court-house on Wednesday evening next, the 5th April, at 7 o'clock p.m.

WM. DUDDING, C.P.S.

No. 5.

Mr. W. C. Lesley to The Surveyor General.

Sir,

Singleton, 7 April, 1865.

I am instructed by the trustees of the Singleton Common to request, before handing over the same, that you will give directions to your surveyor for the district, to have the lines and boundaries run and marked so that the trustees may know exactly the limits of the trust and prevent misunderstandings with the adjoining proprietors.

I have, &c.,

WM. C. LESLEY.

Minute on No. 5.

Singleton Commonage.

The enclosed application for measurement of the appropriations referred to may probably be complied with, and instructions issue to Mr. L.-S. Maitland. A tracing for that gentleman's guidance herewith.

How far it may be necessary to run all the lines of the temporary Commonage must be left to your discretion, as that depends on whether the old marked lines of alienated lands are in existence.—J.E., 15/5/65.

No. 6.

Mr. Licensed-Surveyor Maitland to The Surveyor General.

Sir,

Maitland, 20 June, 1865.

Referring to instructions conveyed to me in your favour of the 20th May, 1865,* I do myself the honor to report that I have surveyed the V. R. of Darlington with a view to its subdivision as per plan† enclosed.

*Not in letter book.

†Appendix A.

2. Being unable to find a western boundary thereto, I procured the descriptions of J. T. M'Dougall's 672 acres, and of A. M'Dougall's 700 acres, and knowing the north-west corner of the first-named portion, I proceeded as shown on plan to find the uncertain boundaries.

3. By this it is quite clear that A. M'Dougall has for many years fenced in and rented off a portion of the said reserve.

4. You will also observe that Johnstone has enclosed a portion of the said reserve adjoining his westerly 300 acres—and that Gardner (Stark's 640) has enclosed also—not only a portion adjoining his 640 acres, but the very best waterholes I have seen in the county.

5. All these lines are marked and I have no doubt that the reason the west boundary-line of the V. R. does not meet the section line on the right bank of the river is that the 672 acres of J. T. M'Dougall ought to have been 400 narrower from the east, that is, 80 and not 84 chains.

I am, &c.,

D. M. MAITLAND,
Licensed Surveyor.

No. 7.

Minute by The Surveyor General to The Under Secretary for Lands.

A DESCRIPTION of the permanent Common at Singleton is enclosed, in order that the appropriation may be approved of by His Excellency in Council, as required by the 5th section of the Alienation Act. Enclosure.

A description of the temporary Common is also enclosed, with a description defining the limits the freeholders and landholders within which will be at liberty to use the Commonage. These limits are identical with the boundaries of the Municipal Town of Singleton as proclaimed on the 30th ultimo, and shown by a red edging on the accompanying lithograph.* See No. 16.
See No. 17.

*Appendix B

B.C., 24 February, 1866.

W. R. DAVIDSON.

Minutes on above.

Approved.—J.B.W., 20 Feb., /66. For the approval of His Excellency the Governor and the Executive Council, 6th March, 1866.

[Enclosure]

[Enclosure A to No. 7.]

DESCRIPTION of permanent Common for the town of Singleton: County of Durham, parish of Darlington, on the Hunter River, containing 1,000 acres: Commencing on the left bank of the Hunter River, at the south-eastern corner of J. M'Dougall's 900 acres; and bounded thence on the west by the eastern boundary of that land and its northerly prolongation, being in all a line bearing north 111 chains; on the north by a line bearing east 83 chains and 50 links; on the east by a line bearing south 125 chains; on the south by a line bearing west 37 chains and 50 links to a small creek, by that creek downwards to the Hunter River; and thence by that river, upwards, to the point of commencement.

No. 8.

Minute Paper for the Executive Council.

Department of Lands, Sydney, 7 March, 1866.

See enclosure A to No. 7. It is recommended to His Excellency the Governor and the Executive Council that the portion of land within described, near Singleton, containing 1,000 acres, be dedicated for a permanent Common under the 5th clause of the "Crown Lands Alienation Act of 1861."

See No. 16. It is also recommended to His Excellency and the Council that the within described portion of 1,400 acres, in the parish of Darlington, be set apart for Commonage purposes, under clause 29 of the "Crown Lands Occupation Act of 1861."

See No. 17. It is further recommended to His Excellency and the Council that the boundaries, of which a description is enclosed, shall be those within which freeholders and householders shall have use of the permanent and temporary Commonages of Singleton, subject to the reservations provided by clause 52 of the regulations under the Lands Alienation Act, and clause 87 of the regulations under the Occupation Act before quoted.

J. BOWIE WILSON.

Minutes on No. 8.

Clerk of the Executive Council, B.C., 7 March, 1866.—M.F.

Under the report of the Surveyor General, and upon the recommendation of the Honorable the Secretary for Lands, the Executive Council approve of the permanent and temporary Commonages for the town of Singleton described in the accompanying papers, and advise that they be dedicated and set apart accordingly, in terms of the Crown Lands Alienation and Occupation Acts of 1861. The Council further advise that the land included within the boundaries herein set forth be that within which freeholders and householders shall have use of the said Commonages, subject to the reservations herein set forth.—ALEX. C. BUDGE, Clerk of the Council.

Minute 66/10, 9 March, 1866. Confirmed, 21st March, 1866.

26 March, /66. Approved.—J.Y.

The Surveyor General, for abstract for Parliament, B.C., 20 April, 1866.—M.F. To be returned.

No. 9.

The Mayor, Singleton, to The Secretary for Lands.

Sir,

Town Clerk's Office, Singleton, 15 March, 1866.

I have the honor, by direction of the Municipal Council of Singleton, to inquire whether trustees for the management of the Town Commonage of Singleton have ever been gazetted; and, if not, whether there would be any objection on the part of the Government to hand the same over to the Municipal Council, in trust for the benefit of the public.

I have, &c.,
ALEX. MUNRO,
Mayor.

Minutes on above.

Surveyor General, 19 March.—M.F. Urgent.

Trustees have not apparently been gazetted. As the town of Singleton has been incorporated under the Municipalities Act the Commonage will, it is presumed, be handed over to the Municipal Council, in accordance with the 54th clause of the regulations. B.C., 12 April, 1866.—W.R.D. Approval.—J.B.W., 26 April. Mayor informed, 30 April, 1866. Mayor reminded, 18 Sept., 1866.

Returned to the Surveyor General in order that the necessary steps may be taken in the matter.—M.F., B.C., 30 April, 1866.

No. 10.

The Under Secretary for Lands to The Mayor, Singleton.

Sir,

Department of Lands, Sydney, 30 April, 1866.

See No. 9. In reply to the inquiry contained in your letter of the 15th ultimo, respecting the town Common at Singleton, I am directed by the Secretary for Lands to inform you that no trustees have yet been gazetted for the same; and that it will therefore, in accordance with the regulations under the Crown Lands Alienation Act, be handed over to the charge of the Municipal Council at Singleton.

I have, &c.,
M. FITZPATRICK.

No. 11.

The Town Clerk, Singleton, to The Secretary for Lands.

Sir,

Singleton Municipality, Town Clerk's Office, 7 July, 1866.

I am directed by the Singleton Municipal Council to request that you would kindly adopt the necessary measures to cause to be granted to the Municipal Council of Singleton such possession of the Town Common as can be accorded by Government, and in accordance with your communication, numbered as per margin, and dated 30th April, 1866, wherein, in reply to an inquiry on the part of this Council,

it

it is stated that "no trustees have been yet gazetted for the Town Council at Singleton, and that it will, therefore, in accordance with the Regulations under the 'Crown Lands Alienation Act,' be handed over to the charge of the Municipal Council at Singleton."

Until such regulation be carried out the Council are deprived of their interest in the Common, which has been usurped by other parties, who hold possession and demand rent for portions thereof, and even prevent ratepayers from depasturing their cattle thereon.

I have, &c.,
EDWD. GEOGHEGAN,
Town Clerk.

Minutes on above.

Surveyor-General.—M.F., 11 July. The Municipal Council of Singleton having been named for the trusteeship of the land dedicated for Commonage purposes in that town, the nomination is hereby forwarded for the approval of His Excellency the Governor and the Executive Council.—W.R.D., B.C., 17th July, 1866.

No. 12.

Minute Paper for the Executive Council.

Department of Lands, Sydney, 27 July, 1866.

It is recommended to His Excellency the Governor and the Executive Council that the Municipal Council of Singleton be appointed trustees of the lands near Singleton, dedicated for Commonage purposes.

J. BOWIE WILSON.

Clerk of the Council.—M.F., B.C., 27 July.

The Executive Council advise that the Municipal Council of Singleton be appointed trustees of the lands near Singleton, dedicated for Commonage purposes.—A. C. BUDGE, Clerk of the Council.

Minute 66/26, 3rd Aug., 1866. Confirmed, 6th Aug., 1866.

8 Aug., /66. Approved.—J.Y.

Minutes on No. 12.

Mr. W., 10. The Municipal Council may be so informed. The appropriation for a permanent Common at Singleton was included in abstract No. 6 of 1866, laid before Parliament on the 26th ultimo, and will be gazetted with the temporary Commonage and Commoners' boundaries. Abstract with me, and will be gazetted at the expiration of one month after presentation to Parliament. For the Surveyor General, B.C., 25 October, 1866.—M.F.

Noted on Maps.—J.E., 8 Nov., /66. The notice of dedication of the permanent Common at Singleton appeared in the Government Gazette of the 2nd October, 1866, folio 2,334. The Municipal Council has been approved of as trustees, but this was done in error, as the land I have ascertained is not within the boundaries of the municipality. Trustees should be elected in accordance with the 54th clause of the Regulations.—11th Octr. End of year.

No. 13.

The Under Secretary for Lands to The Town Clerk, Singleton.

Sir,

Department of Lands, Sydney, 21 August, 1866.

Referring to your letter of the 7th instant, respecting Singleton Common, I am directed by Mr. Secretary Wilson to inform you that His Excellency the Governor, with the advice of the Executive Council, has been pleased to approve of the Municipal Council of Singleton being the trustees of the lands near Singleton dedicated for Commonage purposes, the appropriation of which, having been included in an abstract of lands proposed to be dedicated for public purposes, recently laid before Parliament, will be gazetted in due course.

I have, &c.,

M. FITZPATRICK.

No. 14.

The Town Clerk, Singleton, to The Surveyor General.

Sir,

Town Clerk's Office, Singleton, 24 September, 1866.

In reply to your communication of the 18th instant, inviting attention to your letter of 30th April ultimo, wherein you desired to be furnished with the names of the trustees nominated for the permanent Common at Singleton, I have the honor to call your attention to the following copy of letter received from the Department of Lands:—

Sir,

Department of Lands, Sydney, 21 August, 1866.

Referring to your letter of 7th instant, respecting Singleton Common, I am directed by Mr. Secretary Wilson to inform you that His Excellency the Governor, with the advice of the Executive Council, has been pleased to approve of the Municipal Council of Singleton being the trustees of the lands near Singleton dedicated for Commonage purposes, the appropriation of which having been included in an abstract of lands proposed to be dedicated for public purposes, recently laid before Parliament, will be gazetted in due course.

I have, &c.,

M. FITZPATRICK.

In accordance with this communication I am instructed to mention, as trustees for the Commonage named, the Mayor and Aldermen forming for the time being the Municipal Council of Singleton.

I have, &c.,

EDWD. GEOGHEGAN,
Town Clerk.

Minute on above.

Have the papers been returned to records? 24th.

No. 15.
Gazette Notice.

Department of Lands, Sydney, 2 October, 1866.
His Excellency the Governor, with the advice of the Executive Council, has been pleased to dedicate the Crown lands hereunder described to the several public purposes mentioned in connection therewith, an abstract of such intended dedication having been duly laid before Parliament, in accordance with the 5th section of the "Crown Lands Alienation Act of 1861."

J. BOWIE WILSON.

SCHEDULE of Crown lands authorized to be dedicated to religious and public purposes, in accordance with the 5th section of the Act 25 Vic., No. 1.

Place.	County.	Allotment.	Section.	Locality.	Area.	To what purpose dedicated.
*	*	*	*		Acres.	*
Singleton.....	Durham.....	.....	.....	Parish of Darlington, on Hunter River.	1,000	Permanent Common.
*	*	*	*	*	*	*

No. 16.
Gazette Notice.

Department of Lands, Sydney, 23 October, 1866.

TEMPORARY COMMONAGE, SINGLETON.

His Excellency the Governor, with the advice of the Executive Council, directs it to be notified, that in pursuance of the provisions contained in the Regulations under the "Crown Lands Occupation Act of 1861," the land described hereunder shall be devoted to temporary Commonage.

J. BOWIE WILSON.

County of Durham, parish of Darlington, on the Hunter River, containing 1,400 acres: Commencing on the left bank of the Hunter River at the south-western corner of J. Johnstone's western 300 acres; and bounded thence on the east by the western boundary-line of that land bearing north 34 chains; on the south by the northern boundaries of that land, J. Johnstone's eastern 300 acres, and T. Power's 95 acres, being in all a line bearing east 80 chains and 10 links; again on the east by part of the western boundary-line of the Church and School 2,429 acres bearing north 160 chains; on the north by the southern boundary-line of R. Stark's 640 acres bearing west 80 chains; on the west by the eastern boundary-line of the permanent Common, bearing south 125 chains; again on the north by the southern boundary-line of that Common bearing west 37 chains and 50 links to a small creek; by that creek downwards to the Hunter River; and on the south-west by that river downwards, to the point of commencement.

No. 17.
Gazette Notice.

Department of Lands, Sydney, 23 October, 1866.

COMMONS, SINGLETON.

His Excellency the Governor, with the advice of the Executive Council, directs it to be notified, that all freeholders and householders within the undermentioned boundaries will be entitled to the use of the permanent and temporary Commonages of Singleton.

J. BOWIE WILSON.

Limits within which freeholders and householders shall have right to the Commons (permanent and temporary, Singleton.)

County of Northumberland, parish of Wittingham: Commencing on the Hunter River, at the south-west corner of J. Brown's 60 acres grant; and bounded thence on the north by the south boundary of that grant bearing east to the west boundary of J. Howe's 700 acres grant; on the east by part of the west boundary of that grant bearing south to the north-east corner of A. McDougall's 900 acres grant; on the south by part of the north boundary of that grant bearing west to the south-east corner of J. Yeoman's 60 acres grant; on the west by the east boundary of that grant bearing north to the Hunter River; and on the north-west by that river downwards, to the point of commencement.

No. 18.
The Town Clerk, Singleton, to The Secretary for Lands.

Sir,

Municipality of Singleton, Town Clerk's Office, 5 November, 1867.

I am directed by the Municipal Council of Singleton most respectfully to call your attention to the fact that the permanent Common allotted for the use of the ratepayers of this municipality is by no means adequate to the requirements of the population for the depasturing of their cattle and horses, &c., and particularly during the ordinary protracted drought of the long summer season.

Under these circumstances they venture to bring the matter under your notice, praying that you would kindly place it before your honorable colleagues in the Executive, and solicit that the portion of land

land now placed at the disposal of the inhabitants of Singleton as the temporary Commonage, may be included and incorporated with the originally appropriated land as one permanent Common, and placed as such under the control of the Corporation of Singleton as trustees for the time being.

I have, &c.,

EDW. GEOGHEGAN,

Town Clerk.

Minutes on above.

Deputy Surveyor General.—J.B.W., 6 Nov., /67.

The Surveyor General.—M.F., 7 Nov., /67.

As the temporary Common has been withdrawn from sale and lease I do not think there is any necessity or advantage in taking the step asked.—J.B.W., 15 Nov., 67. End of year.

No. 19.

Mr. J. Johnston to The Secretary for Lands.

Clydesdale, Singleton, 30 December, 1867.

In the year 1825 I received a grant of land in the county of Durham, which I fenced in according to the enclosed survey made by Mr. G. B. White. This survey, however, includes a portion of the village reserve, so that my fence encloses a small area belonging to the reserve, which is now the temporary Common of the Singleton Municipality. The area in question is triangular, about thirteen acres in extent, useful only for grazing purposes, and was occupied by me for about forty years. The Singleton Municipal Council have now taken possession of it, and caused me a great deal of trouble and inconvenience by impounding stock, &c. I wish to know, therefore, if I may be allowed to purchase it, and would feel obliged by any information you can afford me on the subject.

I have, &c.,

JOHN JOHNSTON.

Minutes on above.

Mr. Adam, 2/1/68.

The area in question now forms part of the Singleton temporary Common. Mr. Maitland's plan of the Common shows Mr. Johnston's encroachment. The only way by which Mr. Johnston could purchase the land would be at auction sale; and if Mr. Johnston were desirous that it should thus be subjected to competition, perhaps his lengthened undisturbed occupation of it might be a reason for complying with his request.—J. S. ADAM, for S.G., January 7, /68. B.C., Under Secretary for Lands.

The correspondence indicated on the face of the accompanying papers shows, however, that it is not intended to alienate any part of the temporary Common. The land could only be alienated by auction sale; and after the promise to the Singleton Municipal Council that the land should be kept for a temporary Commonage, this application could not be recommended, excepting by consent of that body, which might be given in consequence of the long and undisturbed possession, and the inconsiderable area involved.—For the S.G., P. F. ADAMS, 31 Jan.

Ask Singleton Municipal Council if there be any objection to this alienation.—J.B.W., 13 Feb.

On referring to the map I find that Mr. Johnston may have been misled by the section lines, but not by Mr. White's survey.—24th.

No. 20.

The Town Clerk, Singleton, to The Secretary for Lands.

Sir,

Borough of Singleton, Town Clerk's Office, 20 March, 1868.

Referring to your communication, dated 29th February ultimo, in which you mention a proposal of Mr. J. Johnston to purchase 13 acres of land, forming a portion of the Singleton Temporary Commonage, and which he alleges he has had in occupation for many years, "having, under a misapprehension, included same when fencing his own land," and inquiring whether the Municipal Council of this Borough have any objection to offer why the land in question should not be alienated,—

I am instructed by the Borough Council to state that the land in question has not been in the occupation of Mr. Johnston for nearly two years; that he tendered for it as a tenant in December, 1866, but was outbid, and the land has since been leased for a term of three years to the present occupants.

The Commonage reserve, of which the land in question forms a portion, has, together with the town Common, been recently fenced in by the Council at an expense of £300, upon the especial understanding that the whole of the temporary Common was reserved from sale; and as it possesses many advantages to those depasturing stock upon the Common, the alienation of any portion thereof would be extremely prejudicial to the interests of the inhabitants of this Borough.

I have, &c.,

EDWD. GEOGHEGAN,

Town Clerk.

Minutes on above.

Surveyor General, 24 March.—M.F.

Inform.—J.B.W., 28 March.

Mr. John Johnston

informed, 17th April, 1868. Re-submitted, 17. The temporary Common should be handed over to the trustees of the permanent Common.—J.B.W., 23 April. Request C.P.S. at Singleton to convene a meeting for the election of trustees, in accordance with the 54th clause of the Regulations.—24.

No. 21.

The Under Secretary for Lands to The Clerk of Petty Sessions, Singleton.

Sir,

Department of Lands, Sydney, 30 April, 1868.

His Excellency the Governor, with the advice of the Executive Council, having approved of the appropriation of certain land for Commonage at Singleton, I am directed to request that you will convene a meeting of the inhabitants for the purpose of electing five trustees for the Common, in accordance with the 65th clause of the regulations under "the Crown Lands Alienation Act of 1861."

I have, &c.,

G. J. ARMITAGE,

Pro Under Secretary.

No. 22.

No. 22.

The Mayor of Singleton to The Under Secretary for Lands.

Sir, Borough of Singleton, Town Clerk's Office, 5 May, 1868.
In reference to a communication from the Department of Lands to the Clerk of Petty Sessions, Singleton, dated 30th April, 1868, and suggesting the convening of a public meeting of rate-payers within the municipality for the purpose of electing trustees for the lands near Singleton, dedicated for Commonage purposes, I beg leave most respectfully to call your attention to the fact that the appointment of trustees to the said lands had already been the subject of correspondence between the Municipal Council of Singleton and the Department of Lands, resulting in a final communication, of which I beg to subjoin a copy:—

Sir, Department of Lands, Sydney, 21 August, 1866.
Referring to your letter of the 7th instant, respecting Singleton Common, I am directed by Mr. Secretary Wilson to inform you that His Excellency the Governor, with the advice of the Executive Council, has been pleased to approve of the Municipal Council of Singleton being the trustees of the lands near Singleton, dedicated for Commonage purposes, the appropriation of which having been included in an abstract of lands proposed to be dedicated for public purposes, recently laid before Parliament, will be gazetted in due course.
The Town Clerk, Singleton. I have, &c.,
M. FITZPATRICK.

Acting on the assurance of the above communication, the Municipal Council of this Borough expended a large sum of money in fencing in the lands so dedicated, and under the impression that there must have been some error or oversight originating the communication to the Clerk of Petty Sessions, I have been instructed by his Worship the Mayor to submit the above copy of the document alluded to to your consideration.
I have, &c.,
EDW. GEOGHEGAN,
Town Clerk.

Minutes on No. 22.

The papers in this case were submitted yesterday with a telegram from the Mayor.—7 May, 1868.
End of July.

No. 23.

Telegram from Mayor of Singleton to Under Secretary for Lands.

See No. 21.
See No. 13.

Singleton, May 6, 1868.
C.P.S. has shown me your letter, 30 April, respecting trustees, Commonage lands. Refer to your letter to Town Clerk, 21 August, 1866. Please reply prompt.

Minutes on above.

See No. 21.

"The power of the Corporation to hold land is restricted by the 7th section of the 'Municipalities Act' (section 25 of the Act of 1867) to the limits of the Municipality." The above opinion has been obtained from the Crown Law Officers since the date of the letter quoted herein, on an application made by the Grafton Municipal Council that the Common might be handed over to them. The Singleton Common not being within the boundaries of the municipality, or borough as it is now designated, was improperly placed in charge of the Council, and on the 30th ultimo the Clerk of Petty Sessions was instructed to call a meeting for the election of trustees. From the letter from the Town Clerk, dated the 20th March, it would appear that the Council have incurred considerable expense in fencing, and have, moreover, leased a portion of the Common for three years.—5th May.

The best way to get out of this difficulty will be to explain the law, and ask the Corporation to name trustees.—J.B.W. Write also to the C.P.S., and request him to abstain from acting on the instructions sent to him 30th ultimo.—8 May, 1868. Has the Municipality of Singleton been gazetted as trustees of Common; if not, let it be done at once.—J.B.W., 22 July. Gazetted 24 July, 1868.

No. 24.

The Under Secretary for Lands to The Town Clerk, Singleton.

No. 22.

See No. 13.

Sir, Department of Lands, Sydney, 13 May, 1868.
In reference to your letter of 5th instant, respecting the appointment of trustees for the Common at Singleton, and stating that the land had already been vested in the Municipal Council, I am directed to inform you that since the date of the letter of 21st August, 1866, an opinion has been obtained from the Crown Law Officers, from which it appears that by the 7th section of the Municipalities Act (section 25 of the Act of 1867) the power of the Corporation to hold land is restricted to the limits of the municipality, and as the Singleton Common is not within the boundaries of the municipality or Borough, it was improperly placed in charge of the Council. But as it would appear that the Council have incurred considerable expense in fencing, and have moreover leased a portion of the Common, the Minister for Lands has been pleased to decide that the Borough Council may be permitted to nominate trustees, and the instructions to the Clerk of Petty Sessions at Singleton to convene a meeting for the election of trustees have therefore been rescinded.
I have, &c.,
M. FITZPATRICK.

No. 25.

The Town Clerk, Singleton, to The Secretary for Lands.

Sir, Borough of Singleton, Town Clerk's Office, 3 June, 1868.
I am instructed by the Commonage Committee of the Borough Council of Singleton to call your attention to the accompanying copy of a report, prepared by them for presentation to the Council in reference to certain documents recently emanating from the Department of Lands.

Confident

Confident in the position of the Corporation as assured they believed by your communication of 21st August, 1866, announcing that "His Excellency the Governor had, with the advice of the Executive Council, approved of the appointment of the Municipal Council of Singleton, trustees for the lands dedicated to Commonage purposes," they considered themselves justified in recommending to the Council the surrounding of the said reserved lands by a substantial fence, which was accordingly effected at an expense of £270, and the Singleton permanent temporary Commonage reserves have since that period been held by the Municipal Council as trustees thereof, and managed under certain rules and regulations, of which a copy is herewith enclosed. See No. 13.

It is not to be wondered at if, after an uninterrupted continuance of trusteeship for nearly two years (assumed in reliance upon the assurance of Government), the Council should have felt hurt, alarmed, and surprised at learning, that without even the courtesy of an intimation to them, an order should arrive from the Department of Lands to the C.P.S., Singleton, requiring him to convene a meeting of ratepayers for the purpose of appointing trustees to the Common, thereby ignoring what the Council had been led to regard, from your own communication, as vested rights of the Corporation. It is true that upon the remonstrance of his Worship the Mayor, contained in his letter of 5th May, that order was rescinded, but the alarm of the Commonage committee was increased rather than diminished when your letter of 13th May came under their consideration, affording information (that although with the Governor's approbation and by advice of the Executive Council) the Commonage had been for nearly two years "improperly placed in charge of the Singleton Council"; in other words, that for such period they had been in blind reliance upon the assurances of Government acting illegally, and rendering themselves liable to vexatious actions at law for unwarrantably receiving agistment fees, and impounding cattle for trespassing on said Common. See enclosure A.

The steps next taken by the Commonage committee are detailed in the accompanying report, which, however, they have abstained from bringing before the Council until it should be first submitted to your perusal. See No. 22.

The Commonage, as your letter states, does not lie within the municipality, neither does it lie adjacent thereto, being separated therefrom by the river, and also by portions of land, the property of Mr. W. Lamb and Mr. J. K. Howe, occupying nearly the entire frontage, and consequently could not be included therein. See No. 24.

The committee anxiously await a further communication from you upon this subject. The only course they can perceive left to them is to bring forward the report with a recommendation that the Council should forthwith adopt measures to assert their claim against the Government for compensation for expenses already incurred in fencing the land in question, and to require a guarantee of indemnification for the consequences which may result from any (unwittingly) illegal acts on the part of the Council while exercising the office of trustees in reliance upon the good faith and assurances of the Government.

I have, &c.,

EDW. GEOGHEGAN,
Town Clerk.

Minutes on above.

Honorable Attorney General,—I should like you to advise me which course I ought to take in this case.—J.B.W., 8 June, /68.

The Secretary to the Law Department.—M.F., B.C., 10 June, /68.

[Enclosure A to No. 25.]

RULES and Regulations for the management of the Singleton Common and Commonage Reserve.

1st. All cattle and horses authorized to depasture on the Singleton Common shall be branded with the owner's initials or usual brand, and shall be reported to the Town Clerk of the Municipality of Singleton, and by him to the Common ranger, which cattle or horses shall be entered in a book kept for that purpose, and all stock not so marked, and reported to be found upon the Common, will be impounded and treated as trespassing, and dealt with accordingly.

2nd. Every ratepayer within the Municipality of Singleton shall be entitled to depasture on the Common, horse or cattle stock according to the accompanying scale:—

Ratepayers.		Privilege.	Stock.		Ratepayers.		Privilege.	Stock.	
From.	To.		Horses or Cattle.		From.	To.		Horses or Cattle.	
£	£				£	£			
.....	1	Entitled to depasture..	1		9	10	Entitled to depasture..	10	
1	2	" "	2		10	12	" "	11	
2	3	" "	3		12	14	" "	13	
3	4	" "	5		14	16	" "	15	
4	5	" "	6		16	18	" "	18	
5	7	" "	8		18	20	" "	20	
7	9	" "	9				" "		

And for every head of horse stock above the authorized number will be charged a fee of 1s. 8d.; and for every head of horned cattle in excess, in a similar manner, the sum of 1s. 3d. per month.

3rd. Any ratepayer desirous of sending stock to depasture upon the said Common shall notify such desire to the Town Clerk of the Municipality in writing, according to the following effect:—

"To the Town Clerk Singleton,—

"Sir,

"Please to register for depasture upon the Town Common, Singleton, the following stock (here specify nature and number of stock) branded (here particularize brands) my *bona fide* property.

"Dated this day of 186 ."

"Signed (Name.)
(Address.)

And the above notice countersigned by the Town Clerk shall be sufficient warrant to the Common ranger for the reception of said stock to depasture.

4th. Persons not ratepayers may become entitled to Commonage privileges by application for license to the Town Clerk, and paying for stock depasturing on the Singleton Common at the abovementioned scale of charges, viz.:—For horse stock, 1s. 8d., and for horned cattle 1s. 3d. per month.

5th. All stock above the authorized number found on the said Common or Commonage reserve, will be impounded according to law, unless the same be entered on the Town Clerk's books, and paid for at the rate above-named.

6th. All fees for agistment of stock shall be paid monthly in advance to the Town Clerk, for which printed receipts shall be given.

7th. Any person who shall be proved to have taken other persons stock in charge for payment, or otherwise to depasture in his own name or otherwise on the said Common, and such stock being found thereon will, for so doing, be fined the sum of £2 for the first offence, and £5 for every subsequent offence, and such stock will be forthwith impounded according to law, as trespassing upon the same Common.

8th. The occupant of every house in the Municipality of Singleton shall be privileged to take as much dead wood for fire as may be necessary for his domestic use, having first received license for same from the Town Clerk; and any non-ratepayer desirous of a similar privilege may obtain same on application to the Town Clerk, and paying the annual sum of 10s. in advance; but neither shall be allowed to fall any green or growing tree without the previous consent, in writing, of the Mayor and Aldermen of the Borough of Singleton. And any occupant or licensee as aforesaid who shall sell firewood, having previously taken same under pretence of being for domestic use, or who may cut or fall any green or growing trees, without due permission therefor being first obtained, as aforesaid, shall be fined the sum of £1 for the first offence, and £2 for every subsequent offence.

9th. Every person having Common right, as ratepayer, will be allowed to take any quantity of dead wood from the said Common for sale, by first taking out a license for that purpose from the Town Clerk, for which he shall pay the sum of 10s. per annum; and for any person not possessing such Common right a fee of £1 per annum. And any person found, or proved guilty of taking such dead wood, without such license as aforesaid, or of cutting or falling any green or growing tree, without permission as aforesaid, shall be fined for the first offence a sum of £1, and for every subsequent offence a sum of £2.

10th. Any person, whether commoner, licensed person, or otherwise proved guilty of stripping bark from any growing tree or trees on the said Common, without the consent of the Mayor and Aldermen of the said Borough of Singleton having been previously obtained, will be fined £1 for the first, and £2 for every subsequent offence.

11th. Every splitter, sawyer, or fencer, having Common right as ratepayer, will be required to take out a license from the Town Clerk, for which will be charged a fee of £1 10s. per annum, payable quarterly in advance, and will be allowed to cut, split, saw, or take away any timber or otherwise from the said Common, said timber to be used only for building purposes or other improvements within the municipality, and any person so cutting, splitting, sawing, or taking away any timber as aforesaid will be fined in the sum of £1 for the first, and £2 for every subsequent offence. And any person removing, or causing to be removed, or proved guilty of having removed such timber beyond the boundary of the municipality, without permission therefor having been previously obtained from the Mayor and Aldermen of the said Borough of Singleton, shall be fined in the sum of £1 for the first, and £2 for every subsequent offence; and all or any material prepared, or wood cut by such unlicensed person or persons so removing, or causing to be removed, such timber beyond the bounds of the municipality, will be seized by such person or persons as may be authorized by the Mayor and Aldermen of the said Borough of Singleton so to do, and sold on the spot or elsewhere by auction, and the nett proceeds thereof shall be applied in aid of the Common fund.

12th. Any person making bricks of or from the said Common shall previously take out a license for that purpose from the said Town Clerk, for which he shall pay a license fee of £5, payable in equal parts of £2 10s. each, half-yearly in advance, and any person found or proved guilty of making bricks of or from said Common without such license shall be liable to be fined in the sum of £1 for the first, and £2 for every subsequent offence.

13th. Any person found (or proved guilty of) destroying waterholes, watercourses, drains, or reservoirs, or polluting the waters upon any part of the said Common by throwing filth, dead carcasses, soil, or washing or soaking hides, or putting any deleterious matter therein, shall be fined in the sum of £2 for the first offence, and £5 for every subsequent offence.

14th. All fines, proceeds of sales, forfeitures, and other sums of money recovered or received by the Mayor and Aldermen of the Borough of Singleton, under these rules, shall be appropriated by them in and towards the payment thereof of any costs, charges, and expenses to which the said Mayor and Aldermen of the said Borough shall or may be put or exposed in or about maintaining or improving the said Common, or protection of the rights of the said Common, or otherwise in relation thereto.

Singleton, 25th day of March, A.D. 1868.

[Enclosure B to No. 25.]

Borough of Singleton, Wednesday, 3 June, 1868.

Commonage Committee.

Present: His Worship the Mayor (Chairman); Aldermen Williams, Mure, Kingston.

Report.

It is with deep regret that your Committee feel compelled to bring under the notice of the Council the following statement in connection with the permanent and temporary Commonage reserve dedicated to the use of the ratepayers of this municipality, and, in order that the matter may be fully understood in all its branches, it will be necessary to take a brief retrospective glance at the principal occurrences in connection with the assumption of the charge of the said Common by the Municipal Council.

On the 15th March, 1866, pursuant to resolution of the Council, a letter to the following effect was addressed to the Minister for Lands:—

"To the Honorable the Minister for Lands,—

"Sir,

"I have the honor, by the instruction of the Municipal Council of Singleton, to inquire whether trustees for the management of the Town Commonage of Singleton have ever been gazetted, and, if not, whether there would be any objection on the part of the Government to hand the same over to this Municipal Council in trust for the benefit of the public.

"I have, &c.,

"ALEX. MUNRO,
"Mayor."

To this application a reply was received, of which the following is a copy:—

"Sir,

"In reply to the inquiry contained in your letter of 15th ultimo, respecting the Town Common of Singleton, I am directed by the Secretary for Lands to inform you that no trustees have as yet been gazetted for the same, and that it will therefore, in accordance with the regulations under the Crown Lands Alienation Act, be handed over to the charge of the Municipal Council of Singleton.

"To the Mayor of Singleton.

"I have, &c.,

"M. FITZPATRICK."

Upwards of two months having elapsed without any further notice being taken by the Government of the application, a letter to the following effect was, by instruction of the Council, addressed to the Minister for Lands:—

"Sir,

"I am directed by the Singleton Municipal Council to request that you would kindly adopt the necessary measures to cause to be granted to the Municipal Council of Singleton such possession of the Town Common as can be granted by Government, and in accordance with your communication, dated 30th April, 1866, wherein, in reply to an inquiry on the part of the Council, it is stated that no trustees have yet been gazetted for the Town Common at Singleton, and it will, therefore, in accordance with the regulations under the Crown Lands Alienation Act, be handed over to the charge of the Municipal Council of Singleton.

"Until such regulation be carried out, the Council are deprived of their interest in the Common, which has been usurped by the parties who hold possession, and demand rent for portions thereof, and even prevent ratepayers from depasturing their cattle thereon.

"I have, &c.,

"EDWD. GEOGHEGAN,

"Hon. J. B. Wilson, M.L.A., Minister for Lands."

"Town Clerk.

To

To this letter* was received, on 13th July, 1866, the usual printed official circular in reply, stating that "the subject would receive due attention," and in the course of the month following the subjoined communication was received:—

* Not entered in Letter-book.

"Sir,

"Department of Lands, Sydney, 21 August, 1866.

"Referring to your letter of the 7th instant, respecting Singleton Common, I am directed by Mr. Secretary Wilson to inform you that His Excellency the Governor, with the advice of the Executive Council, has been pleased to approve of the Municipal Council of Singleton being the trustees of the lands near Singleton dedicated for Commonage purposes, the appropriation of which, having been included in an abstract of lands proposed to be dedicated for public purposes recently laid before the Parliament, will be gazetted in due course.

"I have, &c.,

"M. FITZPATRICK."

In the month of October ensuing, the Commonage, permanent and temporary, was, in accordance with the concluding paragraph of the above quoted letter, duly gazetted; and the Municipal Council, accepting the official communication of the hon. the Minister for Lands as a document legally investing them with full power and authority as trustees, took, as such, possession of the said Commonage on behalf of the ratepayers, let to various tenants certain dwellings erected thereon and portions of land thereof under cultivation, made regulations for its proper management, and appointed, on salary, a Common ranger to see these regulations duly observed, and eventually, at an expense of upwards of £270, caused the said commonage of 2,600 acres to be surrounded by a firm and substantial fence.

The Council having thus for nearly two years exercised, undisturbed and unopposed, such trusteeship, fully confiding in the legality of their position, as guaranteed by the intimation contained in the above referred-to communication from the Hon. the Minister for Lands that their appointment as trustees had been duly sanctioned and "approved by His Excellency the Governor, with the advice of the Executive Council."

Your Committee were overwhelmed with astonishment when they casually and indirectly, without even the common courtesy of a previous warning from any Government office, learned that a communication to the following effect had been received by the Clerk of Petty Sessions from the Department of Lands, dated 30th April, 1868, precisely (as will be seen on reference to letter previously quoted) two years from the date of the communication from the same department containing the assurances that the Commonage "should be handed over to the charge of the Municipal Council of Singleton":—

"Sir,

"Department of Lands, Sydney, 30 April, 1868.

"His Excellency the Governor, with the advice of the Executive Council, having approved of the appropriation of certain lands for Commonage at Singleton, I am directed to request that you will convene a meeting of the inhabitants for the purpose of electing trustees for the Common, in accordance with the 65th clause of the Regulations under the Crown Lands Alienation Act of 1861.

"I have, &c.,

"G. J. ARMITAGE,

"(For the Under Secretary.)"

"The Clerk of Petty Sessions, Singleton."

Amazed at this extraordinary and somewhat unceremonious ignoring of the very existence of this Council as trustees of the Common, duly (according to the official intimation of the Minister for Lands) "approved by His Excellency the Governor, with the advice of the Executive Council," your Committee could only imagine that the above emanation from the Department of Lands was the result of some untoward oversight or mistake, and immediately despatched the following telegram:—

"From his Worship the Mayor of Singleton to the Under Secretary for Lands,—

"5 May, 1868.

"Clerk of Petty Sessions showed letter from your department respecting trustees, Singleton Common. Please refer to your letter dated 21 August, 1866. Must be some mistake. Reply promptly."

And caused a letter to the following purport to be also forwarded:—

"Borough of Singleton, Town Clerk's Office, 5 May, 1868.

"The Mayor of the Municipal Borough of Singleton to the Under Secretary for Lands, respecting a letter received by the C.P.S. of Singleton in reference to the trusteeship of land dedicated for Commonage purposes,—

"Sir,

"In reference to a communication from the Department of Lands to the C.P.S., Singleton, dated 30 April, 1868, suggesting the convening of a public meeting of ratepayers within this Municipality for the purpose of electing trustees for the lands near Singleton dedicated to Commonage purposes, I beg leave most respectfully to call your attention to the fact that the appointment of trustees to the said lands has already been made subject of a correspondence between the Municipal Council of Singleton and the Department of Lands, resulting in a final communication, of which I subjoin a copy."

[Here follows copy of letter from Department of Lands, dated 21 August, 1866, elsewhere quoted in this report.]

"Acting under the assurance of the above communication, the Municipal Council of this Borough expended a large sum of money in fencing in the lands so dedicated, and, under the impression that there must have been some error or oversight originating the communication to the C.P.S., I have been instructed by his Worship the Mayor to submit the above copy of the document alluded to for your consideration.

"I have, &c.,

"EDWD. GEOGHEGAN,

"Town Clerk."

"To the Under Secretary for Lands."

On the 14th May the following letter in reply was received:—

"Sir,

"Department of Lands, Sydney, 13 May, 1868.

"In reference to your letter of 5th instant, respecting the appointment of trustees for the Common at Singleton, and stating that the land had already been vested in the Municipal Council, I am directed to inform you that since the date of the letter of the 21st August, 1866, an opinion has been obtained from the Crown Law Officers, from which it appears that by the 7th section of the Municipalities Act (section 25 of the Act of 1867) the power of the Corporation to hold land is restricted to the limits of the Municipality, and as the Singleton Common is not within the boundaries of the Municipality or Borough it was improperly placed in charge of the Council; but as it would appear that the Council have incurred considerable expense in fencing, and have moreover leased a portion of the Common, the Minister for Lands has been pleased to decide that the Borough Council may be permitted to nominate trustees, and the instructions to the Clerk of Petty Sessions at Singleton to convene a meeting for the election of trustees, have therefore been rescinded.

"I have, &c.,

"M. FITZPATRICK."

"The Town Clerk, Singleton."

Your Committee feeling that, even according to the above communication the Council had, by a too confident reliance upon the assurance of an official document, been already led into the "improper" acceptance of a trusteeship, did not consider themselves justified in recommending an adoption of the suggestion contained in the letter of the Under Secretary that the Council should nominate trustees under permission from the Minister for Lands until at least they should have obtained a competent legal opinion upon the subject, which was therefore submitted to the consideration of two eminent legal practitioners, from whom the following opinion was elicited:—

"We have considered the subject of the Singleton Common and temporary Commonage, and the power of the Borough Council of Singleton to have the control over such Commonage, and are of opinion as follows:—

"The Common lands lying outside the boundaries of the Borough, although for the benefit exclusively of the ratepayers of the Borough, cannot, under the 'Municipalities Act of 1867,' be held by the Borough of Singleton as a corporation, inasmuch as upon the constitution of a municipality the 10th section of that Act provides for the setting out of the boundaries of each municipality, the limits and boundaries of which are to be subsequently proclaimed, and under the 26th section, when so proclaimed, the electors become a corporate body, capable, amongst other powers, of holding land; but such corporation can only hold lands commensurate with its creation, and that being confined to certain limits it is clear that the Corporation cannot hold lands outside the boundaries. This is more clearly shown by the 126th section, where it is by express enactment only that the Council can have the control of a bridge or ferry placed at the boundary of a Municipality, 'in or over any river or creek whereof the whole breadth and both banks shall not at the site of such bridge or ferry lie or be within such Municipality.'

"Nor can the Borough Council assume control over these Commons under the Regulations of the 'Crown Lands Alienation Act of 1861,' because they are not included in the limits of the Municipality, and the 53rd regulation is in the words following:—'Where at the time a grant of a Common is made a Municipality includes the lands notified as above, the Municipal Council shall be the trustees of the Common.'

"We

"We have also considered the concluding paragraph of the letter of the 13th May from the Department of Lands, and are of opinion that the Minister for Lands has no power to permit the Borough Council to nominate trustees. Assuming our opinion to be correct that the lands cannot be held by the Borough Council, either under the Municipalities Act or the Crown Lands Alienation Act, for the reason stated, the position is just this: How are the trustees to be appointed for the proclaimed temporary and permanent common of Singleton?"

"Under the Act 11th Victoria No. 31, for the regulation of Commons, no provision is made for the election of trustees in the first instance, and, were it not for the 54th regulation of the Crown Lands Alienation Act, the permission of the Minister for Lands to the Borough Council to nominate trustees might be available; but the 54th regulation, under the 'Crown Lands Alienation Act of 1861,' purports to supply this defect by pointing out that where no municipality exists (that is, a municipality within which the lands are situated), 'The trustees shall be five in number, and shall, in the first instance, be elected in manner provided for the election of trustees for Commons, under the Act 11th Victoria, No. 31, save that the meeting shall be convened and presided over, and the election reported by the Police Magistrate of the town for which the Common may be granted, or of the nearest place of Petty Sessions; and should there be no Police Magistrate of such place, then by the Clerk of the Bench.'

"Under the 11th Victoria No. 31, these trustees are also a body corporate.

"Should you, however, choose to adopt the suggestion of the Minister for Lands, and nominate the trustees, we think it doubtful whether, after the names being proclaimed in the Government Gazette, and deed of grant executed by the Government, any one would choose to inquire into the strict legality of the proceeding.

Such being the legal opinion obtained upon this subject, your committee submit the same to your consideration. They cannot take upon themselves to recommend the adoption of the course suggested in the letter of 13th May, from the Department of Lands, inasmuch as it states that it had been discovered by the law officers of the Crown, that "His Excellency the Governor, with the advice of the Executive Council," had "improperly placed" the Common in charge of the Municipal Council. So, in like manner, the Law Officers of the Crown of some future Government might discern that if in the present instance the suggestion alluded to were carried into effect, that the nomination of trustees by permission of the Minister for Lands might equally "improperly place" the Common in charge of the Council, even if such nomination could be effected (which your committee very much doubt), without exciting inquiries into the legality of the proceeding.

No. 26.

The Attorney General to The Under Secretary for Lands.

Re Singleton Commonage Reserve.

REFER to my opinion in the case of Kiama.

JAMES MARTIN,
Attorney General.

B.C., 4th July, 1868.—W.E.P.

No. 27.

Gazette Notice.

Department of Lands, Sydney, 24 July, 1868.

It is hereby notified, for public information, that the Borough Council of Singleton have been appointed trustees of the land at Singleton set apart for permanent and temporary Commonage.

J. BOWIE WILSON.

No. 28.

The Council Clerk, Singleton, to The Colonial Secretary.

Sir,

Municipal Council Chambers, Singleton, 8 July, 1870.

By direction of the Singleton Borough Council, acting as trustees for the land set apart at Singleton for permanent and temporary Commonage, I have the honor to transmit herewith certain rules and regulations framed by the said trustees on the 6th instant, by virtue of the provisions of the Act of Council, 11 Victoria, No. 31, with a request that the same may be sanctioned by the Governor.

I have also the honor to inform you that I have this day transmitted another copy of the said rules and regulations to the Clerk of Petty Sessions at Singleton, in accordance with the provisions of the Act of Council above recited.

I have, &c.,

C. POPPENHAGEN,
Council Clerk.

Minutes on above.

The Under Secretary for Lands, B.C., 11 July, /70.—H.H.
1870.—A.O.M.

Crown Solicitor, B.C., 15 July,

[*Enclosure.*]

BOROUGH OF SINGLETON.

Rules and regulations for the management of the Singleton Common and Commonage Reserve.

Preamble.

WHEREAS by proclamation in the *Government Gazette*, dated the 24th July, 1868, the Borough Council of Singleton were appointed trustees of the land at Singleton set apart for permanent and temporary Commonage: And whereas it is expedient that provision should be made for generally controlling and managing the said permanent and temporary Commonage, and in accordance with a resolution adopted by the Council of said Borough on the 6th day of July, 1870, and in virtue of the power and authority vested in them in that behalf, that the following rules and regulations do now take effect, and that they are hereby established for the purposes aforesaid:—

Stock.

1. All horses and cattle authorized to depasture on the Singleton Common and Commonage Reserve shall be branded, and such brands and other description of any such animals shall be reported by the owner thereof to the Council Clerk, and by him to the Common ranger, and shall be entered in a book kept for that purpose, and all stock not so reported, and found upon the Common and Commonage reserve will be impounded, and treated as trespassing, and dealt with accordingly.

2.

2. Every ratepayer within the Borough of Singleton shall be entitled to depasture on the Common and Commonage reserve horse and cattle stock according to the accompanying scale :—

Ratepayers.		Privilege—Entitled to depasture.	Stock—Horses or cattle.
From	To		
...	£1	Entitled to depasture	1 head.
£1	2	Ditto	2 "
2	3	Ditto	3 "
3	4	Ditto	5 "
4	5	Ditto	6 "
5	7	Ditto	8 "
7	9	Ditto	9 "
9	10	Ditto	10 "
10	12	Ditto	11 "
12	14	Ditto	13 "
14	16	Ditto	15 "
16	18	Ditto	18 "
18	20	Ditto	20 "

And for every head of horse stock above the authorized number will be charged a fee of 1s. 8d., and for every head of horned cattle above the authorized number will be charged a fee of 1s. 3d. per month.

3. Any ratepayer desirous of sending stock to depasture upon the said Common and Commonage reserve shall notify the same to the Council Clerk in writing in the following form :—

" To the Council Clerk, Singleton,—

" Sir,

" Please to register for depasturage upon the Singleton Common and Commonage Reserve the following stock (here specify nature and number of stock) branded (here particularize brand) my *bond fide* property.

(Signed) (Name) (Address)

" Dated this day of 18 And the above notice, countersigned by the Council Clerk, shall be sufficient warrant to the Common ranger for the reception of said stock for depasturage.

4. All persons not ratepayers may be entitled to depasture stock on the Common and Commonage reserve by paying a license fee to the Council Clerk according to the following scale, namely:—For horse stock 1s. 8d., and for horned cattle 1s. 3d. per head per month.

5. All stock above the authorized number found on the said Common or Commonage reserve will be impounded according to law, unless the same be entered on the Council Clerk's books, and paid for at the rate abovenamed.

6. All fees for agistment of stock shall be paid monthly in advance to the Council Clerk, for which printed receipts shall be given.

7. Any person who shall depasture in his own name on the said Common and Commonage reserve any other person's stock will, for so doing, be fined in the sum of £2 for the first offence, and £5 for every subsequent offence; and such stock will be forthwith impounded according to law as trespassing upon the said Common and Commonage reserve.

8. Notice of removal of all cattle and horses depasturing on the said Common and Commonage reserve must be given to the Common ranger, who must accompany the person sent for the same, and take his receipt of delivery, and no person will be allowed to drive away any stock from the said Common or Commonage reserve in the absence of the Common ranger, under a penalty of £1 for each offence.

Timber.

9. The occupant of every house in the Borough of Singleton shall be privileged to take as much dead wood for fire as may be necessary for his domestic use, having first received permission for same from the Council Clerk in writing; and any non-ratepayer desirous of similar privilege may obtain a license on application to the Council Clerk, by paying the annual sum of 10s. in advance; but neither shall be allowed to fall any green or growing tree without the previous consent in writing of the Borough Council of Singleton. And any occupant or licensee as aforesaid who shall sell firewood, having previously taken same under pretence of being for domestic use, or who may cut or fall any green or growing trees, without due permission therefor being first obtained as aforesaid, shall be fined in the sum of £1 for the first offence, and £2 for every subsequent offence.

10. Every person having Commonage right as ratepayer will be allowed to take any quantity of dead wood from the said Common and Commonage reserve for sale, by first taking out a license for that purpose from the Council Clerk, for which he shall pay the sum of 10s. per annum, and for any person not possessing such Common right a fee of £1 per annum; and any person found taking such dead wood without such license as aforesaid, or of cutting or falling any green or growing tree without permission as aforesaid, shall be fined for the first offence a sum of £1, and for every subsequent offence the sum of £2.

11. Any person, whether ratepayer, licensee, or other person, found stripping bark from any growing tree on the said Common or Commonage reserve, without the consent in writing of the said Borough Council having been previously obtained, will be fined £1 for the first and £2 for every subsequent offence.

12. Every splitter, sawyer, or fencer, having Commonage right as ratepayer, will be required to take out a license from the Council Clerk, for which will be charged a fee of £1 10s. per annum, payable quarterly in advance, before any such splitter, sawyer, or fencer will be allowed to cut, split, saw, or take away any timber from the said Common or Commonage reserve, said timber to be used only for building purposes or other improvements within the said Borough; and any person so cutting, splitting, sawing, or taking away any timber as aforesaid, will be fined in the sum of £1 for the first and £2 for every subsequent offence. And any person removing or causing to be removed such timber beyond the boundary of the said Borough, without permission in writing therefor having been previously obtained from the said Borough Council, shall be fined in the sum of £1 for the first and £2 for every subsequent offence.

Brick-making and quarrying.

13. Any person making bricks on the said Common and Commonage reserve shall previously take out a license for that purpose from the Council Clerk, for which he shall pay a license fee of £5 per annum, payable quarterly in advance; and any person found making bricks on the said Common or Commonage reserve without such license shall be fined in the sum of £1 for the first and £2 for every subsequent offence.

14. Any person will be permitted to quarry stone on the said Common and Commonage reserve on payment to the Council Clerk of a license fee of £3 per annum, payable quarterly in advance; and any person quarrying stone on the said Common or Commonage reserve without such license fee having been paid shall be fined £1 for the first and £2 for every subsequent offence.

Miscellaneous.

15. Any person found destroying waterholes, watercourses, drains, or reservoirs, or polluting the waters upon any part of the said Common and Commonage reserve, by throwing filth, dead carcasses, soil, or washing or soaking hides therein, shall be fined in the sum of £2 for the first and £5 for every subsequent offence.

16. If any person shall enter into or upon the said Common or Commonage reserve, and shall wilfully or negligently leave open or down any gate or slip-panel, or shall unlawfully and maliciously cut, break, throw down, or in anywise destroy any fence of any description whatsoever, or any wall, stile, or gate, on any part thereof respectively, such person, on conviction, shall forfeit and pay any sum not exceeding £5.

17. Any person found committing any offence against these rules and regulations, on being required to give his name and place of abode, shall give any false or fictitious name or place of abode, such person shall, on conviction, forfeit and pay any sum not exceeding £5.

Recovery

Recovery of fines, penalties, and forfeitures.

18. All fines, penalties, and forfeitures incurred under these Rules and Regulations may be recovered in a summary manner before any two Justices in Petty Sessions, according to the provisions of the Act 31 Victoria, No. 12, sections 193 and 194.

For and on behalf of the Singleton Borough Council,
JAMES MOORE,
Mayor.

No. 29.

The Crown Solicitor to The Under Secretary for Lands.

Sir,

Crown Solicitor's Office, Sydney, 26 July, 1870.

I have the honor to return to you herewith the code of proposed Rules and Regulations for the management of the Singleton Common and Commonage Reserve, and the various papers relating to such Common and Reserve, all of which I received lately from your department, and to state that Mr. Solicitor General Salomons, before whom I have laid the papers, "sees no reason for recommending the disallowance of these rules."

I have, &c.,

JOHN WILLIAMS,
Crown Solicitor.

See former
papers.

Minutes on No. 29.

The Solicitor General sees no reason for recommending the disallowance of these rules; but I perceive they are not signed by the Borough Council. In a similar case (Wellington, 69-877 mis.) the Crown Solicitor recommended that the rules, &c., signed by four of the trustees, should be returned for the signature of the fifth if possible.—30 July.

C.O., 5 Aug., /70. Council Clerk, Singleton, 8 Aug., /70. Now signed, 13 Aug., /70.

For approval of His Excellency the Governor. The Private Secretary, B.C., 14 Aug., /70.—
W. W. STEPHEN.

Approved.—B., 16/8/70.

Inform the Borough Council, and place a copy of the rules with papers for reference.—17 Aug.

No. 30.

The Under Secretary for Lands to The Trustees, Singleton Commons.

(Circular.)

Gentlemen,

Department of Lands, Sydney, 31 December, 1873.

I am directed by the Minister for Lands to invite your attention to the 3rd section of the Commons Regulation Act, 36 Vic. No. 23, which provides for the election of five new trustees for each of the Commons in this Colony, in January next, at a general meeting of commoners to be convened by the trustees, or one of them, by notification in the Government Gazette, and by a written or printed notice to be affixed in the office of the nearest Court of Petty Sessions, and also in two or more conspicuous places in the Commons, at which meeting the senior trustee shall preside; and in the absence of all the trustees a chairman to be elected by the commoners present from among themselves. And I am to request that in January next you will have the goodness to convene a meeting of the persons entitled to the use of the Common at Singleton, and forward the names of the newly elected trustees to the Colonial Secretary, in accordance with the 3rd section of the Act referred to.

I have, &c.,

T. H. JOHNSON,
(Pro Under Secretary.)

No. 31.

The Town Clerk, Singleton, to The Under Secretary for Lands.

Sir,

Municipal Council Chambers, Singleton, 9 January, 1874.

I have the honor to acknowledge the receipt of your circular, dated the 31st December, 1873, addressed to the "Trustees of the Commons at Singleton," wherein you direct attention to the 3rd section of the Commons Regulation Act, 36 Victoria No. 23, requiring five trustees to be elected for each Common in this Colony, in the month of January.

In reply, I have the honor, by direction of the Singleton Borough Council, to inform you that this Council were appointed trustees of the Commons at Singleton by proclamation in the Government Gazette, dated the 24th July, 1868; and being therefore appointed trustees, in accordance with the 2nd section of the Act referred to, no election will be necessary under the 3rd section of the same Act.

By direction of the Council I also beg to enclose a copy of the rules and regulations for the management of the Singleton Common and Commonage Reserve.

I have, &c.,

C. POPPENHAGEN,
Town Clerk.

Minutes on No. 31.

Submitted, 13th. Was a circular addressed to Municipalities being trustees of Commons? 14/1/74. A circular was addressed to the trustees of the various Commons without reference as to whether the Municipal Council were the trustees or not, 14th.

The Municipality does not hold the Common as trustees to whom the Act of last session would apply; but in virtue of the Municipalities Act of 1857, and the proclamation placing the Common in their charge thereunder, I do not think the Act, 36 Victoria No. 23, applies to such cases, and the error of writing to them had better perhaps be recalled by an explanatory letter.—A.O.M., 15/1/74.

Approved. I may add that I do not see that we have any right to interfere with the trustees of Commons; the better way is to allow them to take their own course, although in this case I think that they ought

See No. 30.

See No. 27.

See enclosure
to No. 28.

15

ought to elect trustees under the recent Commons Act, but they must be left to take their own course and no doubt the thing will right itself in time.—J.S.F., 30/1/74.

The Principal Under Secretary, B.C., 4 Feb., /74.—W.W.S.

The recent Act (36 Vic. No. 23), appears express on the point that there should have been an election of trustees for the Singleton as well as all other Commons, failing which the duty of nominating five trustees devolves upon the Executive Government under the 3rd section. Shall the opinion of the Attorney General be however first had on the point? 24 Feby.

The Under Secretary for the Law Department, B.C., 24 Feb., /74.—(For the U.S.), W.G.

No. 32.

Opinion of the Attorney General.

Respecting election of Trustees for Singleton Common, under Commons Regulation Act of 1873.

I AM of opinion that the Municipal Council holding Commons under the Municipalities Act are not affected by the recent Commons Regulation Act, 36 Vic. No. 23.

J. GEO. LONG INNES,
Attorney General.

B.C., 11 March, 1874.—W.E.P. Inform Municipal Council, 16/3/79.

No. 33.

The Colonial Secretary to The Mayor of Singleton.

Sir, Colonial Secretary's Office, Sydney, 17 March, 1874.

With reference to your Council Clerk's letter of the 9th January last, addressed to the Under Secretary for Lands on the question of the election of trustees of the Singleton Common, of which your Borough Council were appointed trustees in 1868, I am directed by the Colonial Secretary to inform you that the Attorney General, who has been consulted on the subject, is of opinion that the Municipal Council's holding Commons under the Municipalities Act are not affected by the recent Commons Regulations Act 36 Vict., No. 23.

I am, &c.,
WM. GOODMAN.

No. 34.

The Council Clerk, Singleton, to The Secretary for Lands.

Sir, Municipal Council Chambers, Singleton, 8 December, 1876.

With reference to a notice in the Government Gazette, No. 207, dated 23rd October, 1866, See No. 16. granting a temporary Commonage of 1,400 acres, in the county of Durham, parish of Darlington, to the inhabitants of Singleton, I have the honor, by direction of the Singleton Borough Council, to request that you will be good enough to grant the said piece of land as a permanent Common to the Singleton Borough Council as trustees for the same.

I beg to state that the land in question adjoins a permanent Common of 1,000 acres, of which the Council are trustees. The Council have at considerable expense fenced the whole block of 2,400 acres with a substantial two-rail fence, and have further improved the permanent Common of 1,000 acres by ring-barking a portion of it. The Council contemplate making further improvements by ring-barking, &c., as the land is very poor, consisting principally of barren, stony ridges and deep gullies, rendering it almost useless in its present state for grazing purposes; but the Council do not feel themselves justified to incur any further outlay on the block of 1,400 acres owing to their present insecure tenure. I may also state that the block of 1,000 acres granted as a permanent Common is wholly insufficient for that purpose, owing to the growing population of this borough, and that the Council have been influenced by a general feeling of the ratepayers in favour of the extension of the permanent Common from 1,000 acres to 2,400 acres in making this application to you.

Hoping that you will be good enough to take this application into your most favourable consideration,

I have, &c.,
C. POPPENHAGEN,
Council Clerk.

Minutes on above.

Presented by W. C. Browne, M.P., 9 Dec., /76. Is there any objection to this request being complied with?—T.G., 9/12/76. Will the Principal Under Secretary kindly return the papers in this case.—W.W.S., B.C., 5 Jan., 1877. Returned as requested, B.C., 5/1/77.—H.H. Mr. Ellis—Urgent, 5/1/77. Referred for the report of Mr. District-Surveyor Evans.—J. W. ELLIS (for Surveyor General), 9 January, '77. Transferred to Mr. Woolrych.—THOMAS EVANS, 10 August, /77.

Replied to by my letter of the 27th September, 1877.—FRANCIS B. W. WOOLRYCH, Acting District Surveyor.

No. 35.

Mr. J. B. Rubie to The Colonial Secretary.

Sir,

George-street, Singleton, 2 January, 1877.

An application is in course of being made to Government for a free grant of 1,400 acres of land, abutting on the land vested in the Municipal Council of Singleton, and used as a Town Common. The land coveted by the Council has a frontage of $1\frac{1}{2}$ mile to the Hunter, and is at that boundary, from the northern boundary of Singleton, only one-third of a mile. The new bridge, when the approaches shall have

have been made, will give the townspeople ready access at all times to this land. In fact already it is on Sunday evenings quite a fair, the people choosing this, the only free outlet, for a promenade, in preference to the Maitland Road or the road to Abbey Green.

Singleton is showing signs of resuscitation, and will, I have no doubt, continue to progress socially and commercially. If her career is to be a prosperous one, how are her wealthy shopkeepers and merchants to provide themselves with suburban residences? Owners of Abbey Green, Neotsfield, Baroona, Clydesdale, Greenwood, Glenridding, and the Howes, occupy all the surrounding country for miles, and refuse to part, at any price, with a single acre. Why then should the Government give away the only piece of land there is available for building purposes, and for what? The Common has been shamefully neglected, and all its most valuable timber (ironbark) given away without remuneration. It is covered with dead timber to the extent of 40 per cent. of its area. It grazes seventy miserable horses which are put there by their owners because they are next to worthless. Nobody will put a good horse there.

I beg to remind you that at the late sale of the Burdekin property not one half intending purchasers could obtain allotments, and those who had been fortunate enough to obtain a few are disposing of them at a premium of 50 per cent. Four acres were given by the Burdekins for a market or park, which, when the allotments which have been purchased shall have been utilised, will be the only air space for a population of 1,500 people. If the Government would only survey and subdivide these 1,400 acres into pieces of 5, 10, and 20 acres for suburban villas, they would not only obtain something near the value of this town property, but would be conferring an invaluable boon on a community whose sanitary interests are not only not cared for but not understood.

Yours, &c.,

JNO. B. RUBIE.

Minutes on above.

The Minister for Lands.—JOHN R. The Under Secretary for Lands, B.C., 7th February, /77.—
H.H. Forwarded to Mr. D.-S. Evans for report in connection with instructions of 9 Jan., /77.—T.S.,
(for the Sur. Genl.) 10 March, /77. Transferred to Mr. Woolrych.—THOMAS EVANS, District
Surveyor. Replied to by my report of the 27 Sep., 1877.—FRANCIS B. W. WOOLRYCH, Actg. Dist.
Surveyor.

No. 36.

Memo. by Mr. Acting District-Surveyor Woolrych to The Chief Draftsman.

Required,—

TRACING showing relative position of the Common and temporary Common to the town at Singleton, main roads and reserves for recreation (if there are any.) It is wanted to illustrate a report on the application of the Borough Council to have the 1,400 acres of temporary Commonage granted to them as a permanent Commonage. Their application is opposed by parties who wish the land put up to auction.

A very rough tracing on linen would be sufficient. There is nothing in the district office but a plan showing the Common to scale of $\frac{1}{2}$ inch to the mile. F. B. W. WOOLRYCH,
East Maitland, 21 August, 1877. A.D.S.

Mr. Owen, 30 Aug., 1877. Mr. Willis—Tracing from county map of Durham showing temporary and permanent Common for transmission to Mr. Acting District-surveyor Woolrych. Mr. Woolrych is informed that there are no plans in the office of the Commons mentioned, the papers in connection therewith being noted to Mr. D.-S. Evans, 9 January, 1877. The chief draftsman.—28 Sept., /77. Mr. Acting District-Surveyor Woolrych.—J. W. ELLIS (for Sur. Genl.), 28 Sept., /77.

No. 37.

W. C. Browne, Esq., M.P., to The Secretary for Lands.

Sir,

Sydney, 1 September, 1877.

I understand that the application of the Municipal Council of Singleton to have the temporary Common at Singleton, consisting of 1,500 acres, made a permanent Common, and handed over to them by the Government for the use of the inhabitants of Singleton, is opposed by certain persons who want the temporary Common to be surveyed in blocks for auction sale.

As this is the only available Crown land contiguous to the town, I desire, on behalf of the inhabitants, to record my protest against any such action being taken, as it is entirely opposed to their wishes, and would be highly detrimental to their interests.

The town of Singleton is yearly making great progress, and the population steadily increasing; and it would be a highly injudicious course to deprive the inhabitants of this Common, and one which I trust in their interests you will never accede to.

I have, &c.,

W. C. BROWNE.

Minutes on No. 37.

Any application for revocation and sale of temporary Common, Singleton?—W.W.S., 7 Sept., /77.

Mr. Johnson.—Please say if any application for the revocation and sale of the Singleton temporary Common has been received.—E.B., 7/9/77.

I have searched and can trace none in Misc. Register this year.—J.G.B., 7/9/77. Cannot trace anything in Aln., 1877.—N. WALLIS, 7/9/77. Mr. G. Lewis (Reserve Branch).—Do you know of any application of the kind?—E.B., 8/9/77.

Have reminder sent to District Surveyor to facilitate report. No action should be taken as to the survey for sale of any portion of temporary Common until the question of permanent dedication is settled.—T.G., 10/9/77.

Inform

Inform Mr. Browne, M.P. Then send to Mr. G. Lewis for reminder to surveyor, and to note on maps that any pending survey for sale of the temporary Common is to be stayed.—10/9/77. Mr. Browne, M.P., informed.—10/9/77.

Will Mr. Stevens be good enough to note decision and return paper to this branch?—G.L., 18 Sept., /77. Observed.—T.S., 24 Sept. Mr. G. Lewis,—For the consideration and report of Mr. Acting District-Surveyor Woolrych.—J. W. ELLIS (for Surveyor Genl.), 27 Sept., /77. District-Surveyor Woolrych, B.C., 27 Sept., /77.

No. 38.

The Under Secretary for Lands to W. C. Browne, Esq., M.P.

Sir,

Department of Lands, Sydney, 10 September, 1877.

Referring to your letter of the 1st instant, protesting against an alleged alienation of the temporary Common at Singleton, I am directed to inform you that no application for the sale of any portion of this Common has been received in this department, and that pending the settlement of the question of its permanent dedication which is under reference to the District Surveyor, who will be at once requested to expedite his report thereon, no application for its alienation will be entertained. See No. 37.

I have, &c.,

LINDSAY THOMPSON,
(For the Under Secretary.)

No. 39.

The Mayor, Singleton, to The Under Secretary for Lands.

Sir,

Council Chambers, Singleton, 13 September, 1877.

Having been informed that Mr. Surveyor Evans is on leave of absence, would you be good enough to have the gentleman acting in his place asked to send in his report regarding our temporary Common at once.

It is now some nine or ten months since we wrote you on the subject referred to.

I am, &c.,

ALEX. BOWMAN,
Mayor.

Minutes on above.

Have this request complied with.—T.G., 14/9/77. To Mr. District-Surveyor Woolrych, in connection with previous papers on the same subject.—J. W. ELLIS, (for Sur. Gl.) District-Surveyor Woolrych, B.C., 24 Sept., /77.

No. 40.

Mr. J. Rubie to The Secretary for Lands.

Singleton, 19 September, 1877.

THE undersigned has the honor to inform the Honorable Minister for Lands that the objections asked for by Mr. Woolrych a day or two ago, and held by the undersigned, to the transfer in perpetuity of eight or ten hundred acres of land adjoining the town Common to the Municipal Council of Singleton, will be found in the accompanying issue of the *Singleton Argus*, dated the 19th September, 1877.

JNO. B. RUBIE.

Enclosed.

Minutes on above.

The only way apparently of disposing of this letter will be to refer it to the surveyor with whom are the other papers in the case.—L.G.T., 25/10/77. Mr. G. Lewis.

The papers have been returned, and are now, I think, under submission.—G.L., 31 October, /77. Mr. Thompson.

[Enclosure to No. 40.]

[Extract from the *Singleton Argus*, Wednesday, September 19, 1877.]

A POLITICAL DODGE.

A MATTER which greatly affects the welfare of Singleton, or is supposed to do so by those who have the safe keeping of Singleton's interests, was brought prominently before the Council on Wednesday night last. A letter had been received from Mr. W. C. Browne, M.L.A., respecting the temporary Common, which the Borough Council wish to have made a permanent reserve for the benefit of Singleton. This temporary Common is situated on that side of the river opposite to the Redbournberry Estate, and adjoining the present Common. The former consists of upwards of 800 acres, and the latter of 640. The two combined thus make an area of over 1,440 acres. An application had been made by the Council, through Mr. Browne, for these 800 acres to be added to the square mile of Common land already possessed, but, according to the letter, this application has been "opposed by certain persons who are desirous of having it surveyed in lots and submitted to auction sale." The writer stated further that he had already strongly protested against such a course being adopted as detrimental to the interests of the inhabitants of Singleton. In the discussion which followed doubts were thrown on the truthfulness of the statements made in the letter, as quoted above, and the Mayor affirmed, on the authority of the Minister for Lands, that no such application had been made, thereby implying that the conversion of the temporary Common into a permanent one was not opposed by any person so far as the officials knew; and, on the strength of this assertion, he held that Mr. Browne's letter was "nothing but a political dodge." We do not profess to know more of Mr. Browne's opinions or intentions than we do of Mr. Bowman's, or than the public does of either. Both are public men as viewed from a Singleton stand-point, and as such each has severally and at various times given the public so much insight into those hidden recesses where such possessions as opinions and intentions are formed and stored as seems good to them individually. Their respective positions—the one as representative of the district, and the other as Mayor of the borough—entitle their opinions to some weight, and justify criticisms of their conduct. They are further linked together by that curious tie which a successful and unsuccessful candidature for public favours is apt to form. Mr. Bowman offered his services to the electors of Patrick's Plains, and those services were declined—not, perhaps, because the electors liked Mr. Bowman less, but that they liked Mr. Browne more. We are not supposed to know that Mr. Bowman took much notice of the preference, or that he ever disputed the right of the electors to choose whomsoever they pleased, for Mr. Browne was a tried man, and Mr. Bowman was not. The electors seemed displeased to let what they considered well alone, and Mr. Bowman's defeat was the result of that disposition exhibited at the ballot-box. In

In the performance of a portion of those duties which, in common with Mr. Bowman, Mr. Browne pledged his willingness to undertake and faithfully fulfil, he has written a letter to the Borough Council, and Mr. Bowman, as the head of that Council, declares it to be "a political dodge." We are always willing to learn, and to those who occupy high, honorable, and responsible positions we lend an attentive ear, believing generally that the utterances of responsible persons will be given with due regard to truth, and founded on reason, common sense, and justice; but having reserved the right to seek for further enlightenment on matters that are occult, or beyond ordinary comprehension, we find it necessary to exercise this right in the present instance. Mr. Bowman is an alderman; he has eight colleagues who, with himself, have been chosen by the ratepayers as suitable and trusty servants of the community. Mr. Bowman's colleagues have elected him as the fittest and best qualified person amongst their number to guide their councils, and represent in his individual presence the whole corporation of Singleton.

Taking the aldermen at their word, and recognising the present Mayor as the suitable embodiment of the combined intelligence of the Borough of Singleton, because the aldermen have said so, we hold ourselves excusable if we expect from the Mayor that guardedness of speech, that consistency, and recognition of responsibility which is implied in the choice and acceptance of the position; and as we do not understand—and cannot, unaided, find out—how Mr. Browne's letter becomes "a political dodge," we shall feel obliged if Mr. Bowman will kindly explain, for our enlightenment and that of the persons represented by Mr. Browne, in what way he sees that hon. gentleman is trying to "dodge" them. The Mayor's disclaimer that "he did not care about politics himself, and was satisfied only to look after the interests of the municipality," will prove the disinterestedness of his motives in exposing Mr. Browne's "dodgery," for it is impossible to suppose, with this disclaimer before us, that Mr. Bowman has any desire now, whatever he may at one time have had, to take upon himself his former rival's honours and responsibilities; and even if such a motive could be supposed to exist are we not bound to believe that a gentleman fitted to hold the high and honorable position of Mayor of such a town as Singleton would scorn to say anything prejudicial to a former rival's character in this public way unless he could fully substantiate it? We therefore wait for a reply, confident that the Mayor will not hesitate to at once inform the ratepayers and others what sinister purpose Mr. Browne is trying to effect by this simple letter, which Mr. Bowman holds to be "nothing but a political dodge."

No. 41.

Extract from the "*Singleton Argus*."

THE PROPOSED ADDITION TO THE TOWN COMMON.

To the Editor of the *Singleton Argus*.

Sir,

17 September, 1877.

In your issue of Wednesday last appears a notice respecting "the proposed addition to the Town Common" of 1,200 acres of unsold land, applied for at the instance of one or two aldermen of the municipality, on account of the barren nature of the Commonage and its inadequate size. You also notice that some parties have sent in applications praying that it may be surveyed, in order to be thrown open for public auction.

I am one of those parties, and the member for Patrick's Plains is aware that I am one of them.

Some twelve months ago or so, when Mr. Quinn was busily preparing for his august inauguration, around which the nimbus of disappointment was already gathering, as Lord Mayor, he, doubtless, under the stimulation of high hope and intense gratitude for favours looming in the distance, proposed "that an application be made to Government for this 1,200 acres of land, and that our representative in Parliament be instructed to take charge of it." That honorable gentleman, ever willing without the semblance of constraint (and I am happy to be afforded the opportunity of testifying thereto) to serve the cause of the poor man, evinced no unwillingness in respect of this municipal request, although unsustained by the approval of the ratepayers to support its prayer. Now the question will suggest itself to any thinking man—How have these municipal people managed the Common already in their possession? Eight years ago they got it and fenced it at an outlay of £500. It is 1 mile from the township, and situated on the northern bank of the river. £32 a year is paid to a ranger for receiving a beast now and then, and entering its brands in a book. When the beast is wanted, which is rarely, as no beast worth 30s. is ever put in there, you may find it if you can; but if not, the ranger has a little boy who will get it for you at a charge of 2s. 6d. This is often mortifying, as the beast, when brought in, is so poor that it has to be returned again.

It had, when taken possession of by the Council, a forest of gums—red, blue, spotted, and white—second to none in the Colony, but which has disappeared without the ratepayers profiting one sixpence. Some of those trees have been known to yield 100 posts and rails, worth at the stump 70s. Where are they? Who has taken them? Has a register been kept of the pecuniary profits arising from their sale? Has there been no jobbery, no working of the oracle, in the process of denudation.

In a report, furnished by Baron Von Mueller to the Victorian Government some three years ago, on the condition and value of forests in Victoria, he computed the value of the timber reserves, if untouched for twenty-five years, at £45 per acre. A sound blue gum (*Eucalyptus globulus*) or iron-bark (*E. paniculata*) he estimates, when 3 feet in diameter, as being worth, unfelled, 10s. The red gum (*E. teriticornis*), which grows to 150 feet, and of which our Common had contained a very large number, is, in the estimation of the Baron, the most valuable for sleepers, fences, and piles of all the eucalypts.

This is the property capable of yielding, if under skilful management, £1,000 since the Municipal Council got hold of it, and would continue to yield annually by preserving the saplings and thinning out the humpbacks, the gnarls, and the non-uprights, which absorb the nutriment that would grow straight and healthy trees. I say this is the property which the Council has ruined, and which it will take them or some future Council a quarter of a century to recuperate.

And yet, in the face of facts so apparent, they want to cajole the Government out of another 1,200 acres, to be utilized in the same profitable manner.

As a pasturage it has been condemned by the unanimous condemnation of the respectable portion of the tax-paying community. No man who values a horse would put it there. Those who do put them there are apprentices and embryo jockeys, who now and then buy a horse for 5s. or 10s., and get some taxpayer's permission to put it in the Common in his name. So that we actually offer a premium for the propagation of a breed of mongrel animals whose extinction was sought by Government to be accomplished by a tax of a certain sum per head upon all horses. The Bill for this purpose, some six years ago, was lost by a small majority.

If

If our representative will take the trouble of going with me into figures he will arrive at something like the following results:—

	£	s.	d.
Fencing Common (I believe)	400	0	0
Eight years interest at 10 per cent.	320	0	0
„ wages for ranger, at £35	280	0	0
„ rent, at £50 per annum, offered by a neighbouring squatter, and refused, for Town Common	400	0	0
	£1,400	0	0

Although not inspected and therefore not appraised, I am unable approximately to determine the value of the timber eight years ago; but I conscientiously affirm that the money value of the trees cut down in the Common for the last eight years cannot be stated at a lower sum than £500. You will have to bear in mind that railway sleepers were fetching 5s. each, and many trees have given six of them. It must be a miserable tree that would not turn out two.

All this money—nearly £2,000—has been recklessly flung away. Will any one of the aldermen take the trouble of showing that it has not? A few paltry horses, half-fed, and many starved to death, are the only outcome of all this sacrifice. I lost two horses, one valued at £15 and the other at £12, by foolishly placing them in the Common; others, having sustained similar privations, refuse to place anything in the Common.

I am one of those who wrote to Government deprecating the alienation of this land for a Commonage on the grounds I have stated. The ground was not sought from any liberal or high-minded motive. If the area were 10,000 acres instead of one, I don't think twenty ratepayers could be found who would give a button for it. It has no pastoral value, no agricultural value, and no timber reserves. For what then would the ratepayers "God bless his worship"? They have already lost by the original boon, and they have no wish to increase their liabilities. If the people wanted such a thing they have the means of making themselves heard. But it stole into the public ear like other symphonies from the Municipal harmonium, a sort of joy-bell sounded on the eve of a great demonstration with the following accompaniment—"Singleton for ever"; "Advance Australia"; "The purtiest town in the Colony will be denied nothing by a paternal Government"; "Hurrah for our Member"; "God bless ourselves." Luscious interjections these, Mr. editor—full of odour and sweetness.

'Twas in the speech on election day, of the sanguine and ambitious alderman, the first intimation was given of this promised boon to Singleton; but the people regarded it as a joke—one of those poetic favours which are the outcome of exuberant frolic just before the advent of a glorious triumph. But alas, for all human speculation, and municipal speculation in particular, the worthy and popular alderman counted his eggs before they were hatched. The naughty ratepayers of Singleton declined his services, and elected a man in his place that was never inside the walls of a Council Chamber. The promised town Common was weighed in the balance and found wanting. Something was said about a portion of land being wanted as a recreation ground. I shall at once give my adhesion to any movement that has for its object the apportionment of half a section of this thousand acres for that purpose. But this ground being barren and covered with dead timber, the Government had better stipulate before parting with it for the *bonâ fide* conversion of its area into an ornamental botanical plantation, with plants, walks, and an arcade or two—sylvan fashion. If the ground is not worth the expenditure of improvements upon it, it is worth nothing. Good air, so vital to healthy existence, cannot be purchased at too costly a rate. The medicine man and his drugs will be found much dearer, not to reckon up the injury inflicted by repeated attacks of avoidable sickness.

I, Mr. Editor, have submitted to the Government what I have taken the liberty to regard as the better, and certainly the more lucrative disposal of this land. Singleton proper is but a small area; it has barely room within the next twenty-five years to develop into a commercial and manufacturing centre, and will have no reserves for private residences. Wealthy merchants and tradesmen, and professionals, will seek for suburban sites for villas, and where are they to get them? They can't go to Neotsfield, to Barcona, or to Abbey Green for them. There is no outlet so convenient and none more healthy than this embryo Common.

It has water frontage—it is out of reach of flood—and it has an iron-stone soil—the next best, I believe, to limestone—as a foundation for buildings.

If parcelled out into allotments of 5, 10, and 20 acres respectively, and placed at £5 per acre, the entire land would gradually pass into the hands of buyers within five years. Of our Member I shall be permitted to say that he has many qualifications which would endear him to an electorate, and especially to a constituency which depends so much on others to do things which they ought to do for themselves—a constituency whose wants are as multiform as they are multitudinous, and whose persistence in hunting up their quarry is quite a marvel to me. The constituency of Patrick's Plains is distinguished among other things, for its wealth, its education, its general respectability. If it has the poor man here and there he has not been slow to make himself felt. But has the poor man no other capacity than that which assists him in procuring political or eleemosynary aid? Has he no capacity for intrigue, for profiting by the nepotism or undue accessibility of his superiors? Has his Tom or Jimmy any little talent which might fit him for one of those thousand and one niches so liberally provided in the architecture of our political temple? Why not he as well as his neighbour's son who has passed a successful Civil Service examination? 'Tis all moonshine, this high-falutin talk about qualification, moral character, and so forth! So the poor man thinks; and if he can but get himself or his son into the snugger of officialdom he cares little by which door he enters—the back or the front.

I have already trespassed so largely upon your space that I can hardly frame an apology for continuing the raid into the territory of the *Argus* yet a little further. But I shall make it *multum in parvo*—it will be a feat of condensation.

I have said so much upon the theory of the political relations subsisting between a Member of Parliament and his constituents that I feel under an obligation to quote an author or two on the subject. Geo. Canning and Henry Brougham were candidates for the representation of Liverpool in the British Parliament. They were rivals in the same field, and were regarded by the whole nation as "crackmen" in legal and political handicraft. Each was the mouth-piece of his party, and its declared representative.

Upon

Upon the escutcheon of either was no tarnish, no blot, no stain—nothing that could hide its emblazoned and time-honored armorial. And what did these men say to the electors of Liverpool? "Liverpool should be remembered by them as an integral portion of the British Empire, as a link in a great chain, as an artery in a great living organism. It cannot be affected and the empire not affected; it cannot be dislocated without dislocating the vast machine of which it forms a part. England is a temple—Liverpool one of the pillars which form its substructure. The temple will stand if the substructure in none of its parts gives way. In representing Liverpool to the best of our abilities, and with all the concern which honor, truth, and loyalty demand, we feel that we are representing the majesty, the glory, the vital interests of Great Britain." These (I speak from memory) were the words addressed by these great men on the subject of "the relation between Member and constituent." They were in perfect accord on that point.

JNO. B. RUBIE.

No. 42.

Mr. Acting District-Surveyor Woolrych to The Surveyor General.

Sir, Singleton Temporary Common, Camp, Merriwa, 27 September, 1877.

In reference to the application of the Municipal Council of Singleton for the conversion of the present temporary Common of 1,400 acres into a permanent Common, in accordance with your B.C. instructions of the 9th January, 1877, to Mr. D.-S. Evans, I have the honor to report that this Common was granted on the representation made by the inhabitants of Singleton in 1835, in a *memorial wherein they state "that travelling stock for market have no pasturage on which to feed unless in private paddocks, the charges for which entail considerable expense." Upon this it was recommended that a temporary Common should be set apart until required for sale or other public purposes. At the same time 1,000 acres of the Government V.R. of Darlington was set apart for the exclusive use of the inhabitants of Singleton as a permanent Common under clause 29 of "Crown Lands Occupation Act of 1861."

The expense referred to as having been incurred by the Municipality is as follows:—

	£
Fencing the two Commons. (See Town Clerk's letter of †3rd June, 1868) ...	270
Ring-barking 359 acres of the permanent Common, at 1s. per acre ...	18
Stock-yard on the permanent Common ...	25

The average number of horses and cattle running on the Commons (for they are not divided by a fence), taking one year with another, is about seventy, the greatest number in the best season being 110 on the 2,400 acres. The land for the most part is in fact very inferior for pasturage.

I do not recommend the conversion of the temporary Common into a permanent one, because—

1st. Nothing has been brought forward by the applicants to show that the representations made by the Singleton memorialist in 1865 were incorrect.

2nd. The Commoners will not be deprived of this land until it is required for sale or other public purpose, in which case it would be at the demand of and for the public generally.

3rd. The temporary Common contains on the barren spurs from the main ridge a few good villa sites which will be of easy access from Singleton on the completion of the new low-level bridge. Their sale would be desirable should a sufficient demand arise, but this application if granted would not only relieve private landowners of any fear they may now entertain of this temporary Common being brought into the market, but it would also deprive the public of the option of having it put up for sale.

I enclose a sketch of the Commons, and a letter that I received from the Mayor of Singleton, also the report of the discussion of the Municipal Council on this matter.

I have, &c.,

FRANCIS B. W. WOOLRYCH.

Common Ranger's Report.—The report of the Common ranger showed sixty-five head of horses and cattle running on the Common belonging to ratepayers, and five to non-ratepayers: total, 70 head. There had been none lost or strayed during the month to the best of his knowledge, but one horse, branded FG, the property of Mr. Molster, had died. (The ranger's books were tabled for inspection.) The report was received on the motion of Alderman Samuel Wilson, seconded by Alderman Munro.

[Enclosure B to No. 42.]

The Mayor of Singleton to Mr. Acting District-Surveyor Woolrych.

Sir, Municipal Council Chambers, Singleton, 21 September, 1877.

With reference to our issue of the 17th instant respecting the application made by the Singleton Borough Council for a permanent grant of the present temporary Common, in trust for the inhabitants of Singleton, I beg to refer you to the letter from this Council to the Minister for Lands, dated 8th December last, and in addition thereto beg to state that serious injury would be inflicted on the inhabitants of Singleton if deprived of their present temporary Common for several reasons.

In the first place it appears that the only permanent waterhole, at the back of the Common, is on the temporary Common, and that the loss of this waterhole would seriously affect the stock grazing on the Common, as the only other available supply in dry seasons would be from the river, a distance of not less than one and a half miles from the further extremity of the Common.*

It would also deprive the residents of the town of the best portion of the grazing land† included in the total block of 2,400 acres, and as the population of the town is rapidly increasing, in a few years hence even the whole extent of the present permanent and temporary Commonages will be too limited for grazing the stock of the inhabitants.‡

As a further reason in favour of not depriving the inhabitants of Singleton of the use of the temporary Common, I beg to submit for your consideration the fact that with the exception of the Common all the Crown lands surrounding the town have been alienated.§ and the inhabitants themselves depend solely on the Common for their supplies of firewood, &c.,|| and easy access to obtain which will shortly be afforded by the new low-level bridge.

As

* This does not appear to be too far.—F.B.W.W.

† There is a small extent of good pasturage at the rifle huts, near the new bridge, to which this refers, &c. See sketch.

‡ At present it benefits only about seventy out of a population of about 2,000. The land might be turned to better use at some future time.

§ Singleton was originally laid out as a private township, and of course, surrounded by land already alienated from the Crown.

|| I was informed that most of the firewood came from Mix's Creek and other places, although it is probable when the bridge is completed the firewood on the Common will be available.—F.B.W.W.

*See No. 1

Tracing. Appendix D. 7 Mar., 1866. Ex. Co. minute paper.

†See No. 25.

See Common ranger's report at foot of this letter.

See enclosures A, B, and C.

As the Borough Council have paid a large sum of money for fencing,* &c., of both the permanent and temporary Commons, out of the ordinary revenue of the Council, and therefore contributed in a great measure to the rates paid by the inhabitants of Singleton, you will admit that this will also be worthy of your consideration.

If the residents of Singleton are deprived of the use of the temporary Common, not alone would a great portion of this fence be lost to them but a further large outlay would be necessary in fencing in two sides of the permanent Common.†

Believing that a petition was sent in to the Government by many of the inhabitants of Singleton (most of whom are, I am sorry to say, now deceased), in the year 1865, applying for the present permanent and temporary Commons as a reserve for fat stock going to market, I beg to state that no reserve is, in my opinion, necessary for that purpose, but should the Government be desirous of making such a reserve, I beg to call your attention to the Crown lands available on the north side and adjoining the present permanent Common, consisting of two or three sections within the population boundary of Singleton, which in my opinion is more adapted for a stock reserve than the present temporary Common, as all the roads from the neighbouring localities in that direction pass through or by it to Singleton.‡

I am also of opinion that the present temporary Common, asked to be offered for sale for villa residences, will not be required for that purpose for many years to come, if ever.§

I may also remark that the apparent small number of stock generally depastured on the Common by the inhabitants of Singleton has been due in a great measure to the want of easy access, but which will now be removed by the new low-level bridge which connects the town with the temporary Common.¶

Finally, I beg to submit for your consideration the fact that as Singleton is a private town, it has not had the privileges extended to it which are usually conferred on Government towns, by the granting of reserves for recreation and other purposes, and that the use of the Commons hitherto has been the only favour conferred upon the inhabitants of Singleton by the Government.**

I have, &c.,

ALEX. BOWMAN,
Mayor.

Received at Merriwa, 26th Sept., 1877. Transmitted to the Surveyor General with my report of 27th Sept., 1877.—FRANCIS B. W. WOOLRYCH, Acting District Surveyor.

[Enclosure C to No. 42.]

SINGLETON BOROUGH COUNCIL.

A MEETING of the Borough Council took place at the Municipal Council Chambers, Hunter-street, on Wednesday evening last. Present: The Mayor, Aldermen Jarman, S. Wilson, Adams, J. Wilson, junr., Maguire, Campbell, Gates, and Munro. The minutes of the previous meeting were read and confirmed.

Correspondence.—The following outward correspondence was read: Letter to Committee's report on the subject. The following letter from Mr. W. C. Browne, M.L.A., addressed to the Clerk of the Council, was also read:—

"Sir,

"Singleton, 3 September, 1877.

"I desire to state for your information that the application which I presented to the Minister for Lands from the Borough Council of Singleton, for the conversion of the temporary Common to a permanent one, and the vesting of it in their trust for the inhabitants of Singleton, is *opposed* by certain persons who are desirous of having it surveyed in lots and submitted to auction sale. I have already strongly protested to the Minister for Lands against such a course being adopted, which would be highly detrimental to the interests of the inhabitants of Singleton; and I would respectfully suggest the advisability of immediate action being taken by the Borough Council to prevent this land being wrested from them.

"I have, &c.,

"W. C. BROWNE."

The correspondence was received on the motion of Alderman Jarman, seconded by Alderman S. Wilson.

Consideration of Correspondence.—The inward correspondence was next considered. A motion in Alderman Munro's name, of which notice had been given, was laid upon the table, to the effect that a public meeting be called to consider the subject of Mr. Browne's letter. The Mayor desired, before the consideration of the motion took place, to state what steps he had taken since having been communicated with by the Council Clerk. He had, as the Council's deputy, been requested to call upon the Hon. Minister for Lands with reference to certain ideas that had rushed into print, and an opinion which had gone abroad to the effect that certain parties were desirous of becoming possessed of the Singleton temporary Common. As requested, he had waited on that Minister, and found that nothing had ever been mooted of such a thing. After a lot of trouble he got the Minister to read a letter received from Mr. Browne, which merely stated that he "had heard" that such things were likely to be brought forward. He (the Mayor) desired distinctly to know whether any such application had been made, and the reply was in the negative, Mr. Garrett adding, that until Mr. District-Surveyor Evans had furnished his report on the ground nothing should be done, and in the event of Mr. Evans through a continuation of illness not making his report within a certain time, the matter would be put into another surveyor's hands, when it would be decided whether the Government were going to make it a permanent Common, or use it for some other purpose. The whole matter he (the Mayor) thought, so far as the reports were concerned, had merely been tried on as some dodge that none of the Council knew anything about. He assured the Council that the Minister for Lands had promised in his presence that nothing should be done until the Council's application had been seen to. On these grounds he thought all action should be stayed pending the report alluded to. There had been several Ministers in office, each of whom had been of opinion that this piece of land should be devoted to the town. He had been perfectly surprised on receiving Mr. Poppenhagen's letter. They might rest assured that they were not going to be trampled upon, therefore Alderman Munro might, perhaps, see fit to withdraw his motion until some more definite action were taken by the public, or until it was found who were trying to get the land sold. He thought the letter written by their worthy member was more a political letter than anything else. He (the Mayor) did not care much about politics himself, and was satisfied only to look after the interests of the municipality. Alderman Munro explained the motives which had led himself and Alderman Maguire to ask the Council Clerk to communicate with the Mayor upon the subject, as he was in Sydney at the time. They had done so in the interests of the public, and his notice of motion had been made with an idea of facilitating a settlement of the matter; but after the Mayor's explanation he would be quite prepared, with the Council's consent, to withdraw it. If there had been no application made to the Minister for Lands he did not see why the trouble of calling a public meeting should be gone to.—The Mayor repeated that none had been made; if it had, it was made in such a way that none of the officials in the Lands Office knew anything at all about it. If the surveyor reported favourably the matter would be dealt with; but if not, let them call a public meeting. He held that Mr. Browne's letter was nothing but a political dodge.—Alderman Jarman said that, like Alderman Munro, he had had some conversation with Mr. Browne on the subject, and that gentleman had assured him that such was the case; and further, that it was his intention, on the House resuming its sittings, to call for papers which would show the names of those making the application. As far as the Mayor's statement went, the Minister for Lands' tenure of office was uncertain; and it seemed to him (Alderman Jarman) that the whole hinge of the thing was this, viz., that if Mr. Surveyor Evans should report favourably on the condition of the land as suitable for auction, it would be put up for sale; if otherwise, it would be appropriated to the town as sought for. What was to hinder the Council from taking action in the meantime, in order to try and secure the ground? If the report was unfavourable,

* Cost of fence for 2,400 acres, £270; in return for which 9 years' use of the pasture, timber, &c., and fees (see Regulations) have been had.

† It is not to be assumed that the Commoners would be deprived of the use of the Singleton temporary Common unless it was required by the majority of the inhabitants of Singleton and of the district, numbering 7,000 or 8,000, who have also an interest in this land, which should not be ignored. In any case it would not be absolutely necessary to fence as long as the present fences stand.

‡ It was on the statement that such a reserve was required that the temporary Common was granted. I have no map showing what vacant Crown land there is at present in the vicinity mentioned.—F.B.W.W.

§ In the event referred there would be no necessity to take any action, as the temporary would become in point of fact a permanent Commonage. ¶ I was informed that the Common was not capable, in the best of seasons, of carrying more than about 110 head. It might carry more by ring-barking the trees. As yet, however, only 359 acres of the permanent Common have been ring-barked at a cost of £18—equal to an expenditure of £2 per annum for nine years.

** It may be said that Singleton originated in a private speculation in land. When the Government V.R. was given up as a permanent Common, 1,000 acres of land were withdrawn from the market, and should the remaining 1,400 be withdrawn in like manner, the people of Singleton and adjacent district who have no Commonage right would find themselves entirely in the hands of private landholders.—F.B.W.W.

unfavourable, then they could call a public meeting; but a stitch in time saved nine, and a step taken now, though it might do no good, could do no harm that he was aware of.—Alderman Campbell said the Council had already taken steps in the matter, and what more did they want to do at present? It was hardly likely that the surveyor would report upon it as being a favourable piece of land to make farms of (laughter).—Some argumentative discussion having taken place, Aldermen Campbell and Jarman were called to order by the chair, as it was not competent for the matter to be privately discussed at the board.—Alderman Jarman repeated his opinions. He was open to conviction, and if any alderman could show him what harm could be done by taking action, well and good, but he could not for the life of him see how it could be. Perhaps next week they might have a new Minister for Lands, who could go ahead just as he liked.—The Mayor said he could not very well upset the arrangements of other Ministers. The facts were briefly these: The Council had applied for the temporary Common to be converted into a permanent one, and Government were now awaiting the surveyor's report upon it, so that they had no right to interfere unless some underhand work was going on, which he again assured them was not the case. He was assured by the Minister for Lands that not even had an application been made to revoke the temporary Common.—Alderman Campbell had not believed at first, and did not believe now that any unfavourable application had been sent in.—Alderman S. Wilson agreed that they ought to wait a reasonable time, but at the same time the Council might write and hurry the officials up.—Alderman Jarman objected to their having such a thin skin in having anything to do with a Government. With Governments like the one at present in power, unless they tried to move them, hurried them up, wrote to them, and hunted them up, they would get nothing at all done.—Alderman Campbell suggested that the Council should take the advice of the old song, and "wait till they get it; and if they didn't, wait till they do." After much more discussion to a similar effect, Alderman Munro withdrew his motion.

Debentures.—The Council Clerk drew attention to the fact that a debenture of £500 had to be met by the 1st proximo, and suggested that steps should be taken to arrange for an overdraft to meet the same. There were about £320 in hand, and £50 odd (Government endowment) yet to be received. The Mayor volunteered to guarantee privately that the debentures should be seen to, and the necessary steps taken. The proposition was acceded to with thanks by the Council.

Transmitted to the Surveyor General with my letter of the 27th September, 1877.

FRANCIS B. W. WOOLRYCH,
Acting District Surveyor.

No. 43.

Memo. by The Deputy Surveyor General to The Under Secretary for Lands.

UPON the application of the Borough of Singleton that the permanent Common of 1,000 acres should be increased to include the temporary Common of 1,400 acres, making a total area of 2,400 acres, the enclosed report was obtained from Mr. Acting District-Surveyor Woolrych.

The area already devoted to Commonage is sufficient for the purpose, the average number of stock depasturing upon the Commons, both permanent and temporary, being about seventy head.

It is submitted for the consideration of the Secretary for Lands that the application for an increase to the area of the permanent Common be declined.

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

B.C., 17 October, 1877.

Mr. Secretary Baker directed that 1,000 acres be added to the permanent Common, and that the portion suitable for building sites within the remainder be still embraced within the temporary Commonage. Mr. Acting D.-S. Woolrych will be good enough to prepare an amended description.—P. F. ADAMS, 17.

Mr. Landers,—Please to return papers to the Reserve Branch.—G.L., 17 Dec., /77.

Mr. Davidson, 19. Instructions issued to Acting District-Surveyor Woolrych, 20 December, 1877.

Mr. Blaxland,—These should await report from the District Surveyor.—G.L., 30 Jan., /78.

No. 44.

The Mayor to The Secretary for Lands.

Sir,

Municipal Council Chambers, Singleton, 29 November, 1877.

I beg to call your attention to the application made by the Singleton Borough Council to convert the present temporary Common at Singleton into a permanent Common, to be vested in the Council as trustees for the inhabitants of Singleton. Your early attention to the above will much oblige

Yours, &c.,

ALEX. BOWMAN,
Mayor.

Minutes on above.

The papers in this case are noted to Mr. Thompson, and from Mr. Thompson to the Under Secretary.—R.D.F., 7 Dec., /77. Mr. T.—Have the papers obtained quickly.—W.W.S., 7 Dec.

No. 45.

Mr. Acting District-Surveyor Woolrych to The Surveyor General.

Sir,

Camp, at Woodford, 29 January, 1878.

I have the honor to request that the papers, with my report of 27th September, 1877, may be forwarded to me for perusal, as they contain the information required to enable me to carry out your instructions of the 20th December.

I have, &c.,

FRANCIS B. W. WOOLRYCH.

Minutes on above.

The papers herein applied for are forwarded to Mr. District-Surveyor Woolrych, as requested. To be returned as early as convenient.—P. F. ADAMS. Received, 22 Feb. Returned same date with my letter of 22 Feb., containing amended description required.—F. B. W. WOOLRYCH, Actg. D.-S., 22 Feb., /78.

23

No. 46.

Mr. Acting District-Surveyor Woolrych to The Surveyor General.

Sir,

Camp at Tighe's Hill, 22 February, 1878.

I have the honor of transmitting herewith, in accordance with your instructions of the 20th See No. 43. December, an amended description of the Singleton permanent Common, which will yet leave the most Enclosed. suitable building sites within the temporary Commonage available for the public.

I have, &c.,

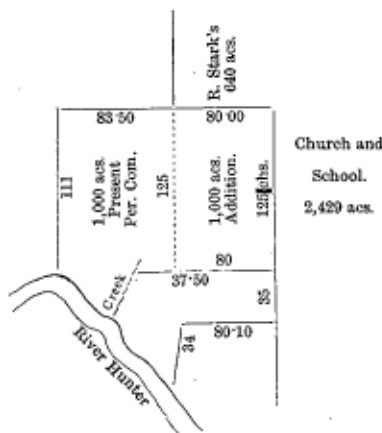
FRANCIS B. W. WOOLRYCH,
Acting D.S.

[Enclosure.]

Amended description of proposed permanent Common at Singleton.

County of Durham, parish of Darlington, on the Hunter River, containing 2,000 acres: Commencing on the left bank of the Hunter River, at the south-eastern corner of J. M'Dougall's 900 acres; and bounded on the west by the eastern boundary of that land and its northerly prolongation, being in all a line bearing north 111 chains; on the north by a line bearing east 80 chains and 50 links to the south-west corner of R. Stark's 640 acres; thence by the southern boundary of that land easterly to the western boundary of the church and school 2,429 acres; on the east by the western boundary of the church and school 2,429 acres southerly 125 chains; and on the south by a line bearing west 117 chains and 50 links to a small creek; by that creek downwards to the Hunter River; and thence by that river upwards, to the point of commencement.

Transmitted to the Surveyor General with my letter of the 22nd February, 1878.—F. B. W. WOOLRYCH, Acting D.S.



No. 47.

Memo. of Mr. J. G. Neale.

Re Application for the Proclamation of the Temporary Common at Singleton as a permanent Common.

11 March, 1879.

MEMO:—In December, 1876, the Municipal Council of Singleton applied for the proclamation of the temporary Common at that place as a permanent Common, and Mr. Baker, the then Minister for Lands, as stated by the Surveyor General on 77/11,482 Ms., directed that 1,000 acres should be added to the permanent Common. Mr. Woolrych, the surveyor, was instructed to furnish a description of the land proposed to be so appropriated, and on the 22nd February, 1878, did so. The only thing now remaining to be done is for the Survey Department to furnish a description of the additional area, in order that it might be included in an abstract of dedication.

J. G. NEALE,

11 Mar., 1879.

Minutes on No. 47.

The further description required should be obtained from the Survey Department, and the dedication can then be at once proceeded with.—W.W.S., 12 March. Surveyor General, 12/3/79. Description herewith.—G.L., 31 March, 1879. List laid before Parliament, 16 April, 1879.

Enclosed.

[Enclosure.]

Addition to permanent Common at Singleton.

County of Durham, parish of Darlington, on the Hunter River, containing 1,000 acres. The Crown lands within the following boundaries: Commencing at the south-east corner of the permanent Common, dedicated 2nd October, 1866; and bounded thence on the west by the eastern boundary of that Common north 125 chains to its north-east corner; thence on the north by the southern boundary of R. Spark's 640 acres east 80 chains to the south-east corner of that portion; thence on the west by a line south 125 chains; thence on the south by a line west 80 chains, to the point of commencement.

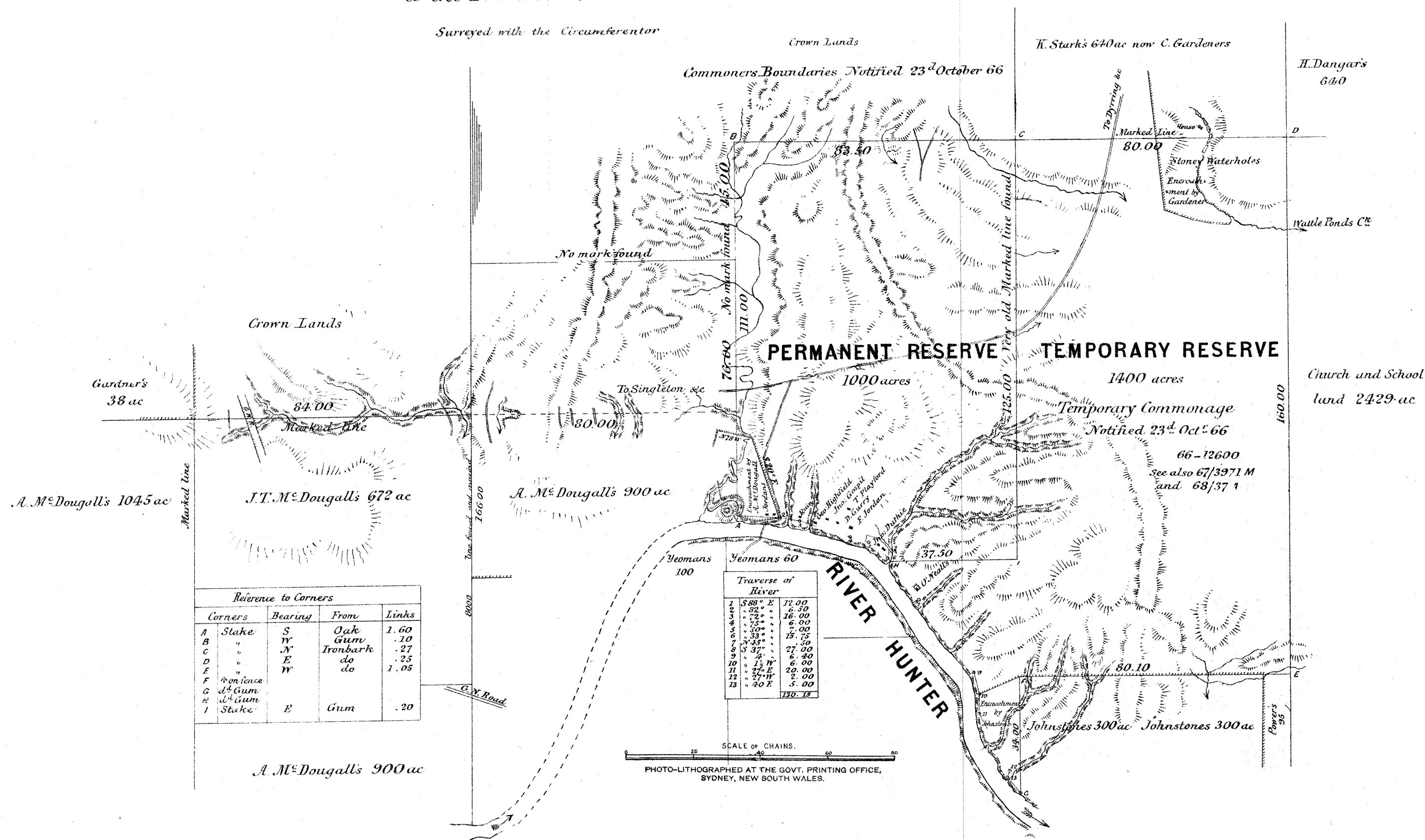
[5 plans.]

Sydney: Thomas Richards, Government Printer.—1879.

[2s. 6d.]

PLAN of the V.R. of DARLINGTON shewing the portion granted as a Commonage to the Town of SINGLETON

Surveyed with the Circumferentor



Transmitted to the Surveyor General with my letter of June 1865 / 65.62

(sd) D.M. Maitland

Licensed Surveyor.

Cat N^o D 247. 1557.

(Sig. 854)

Xs
John Richardson

Appendix B.

Enclosure B to N° 7:

Containing by the last Census, 1000 Inhabitants.



(Sig.854)

COPY
OF
TRACING

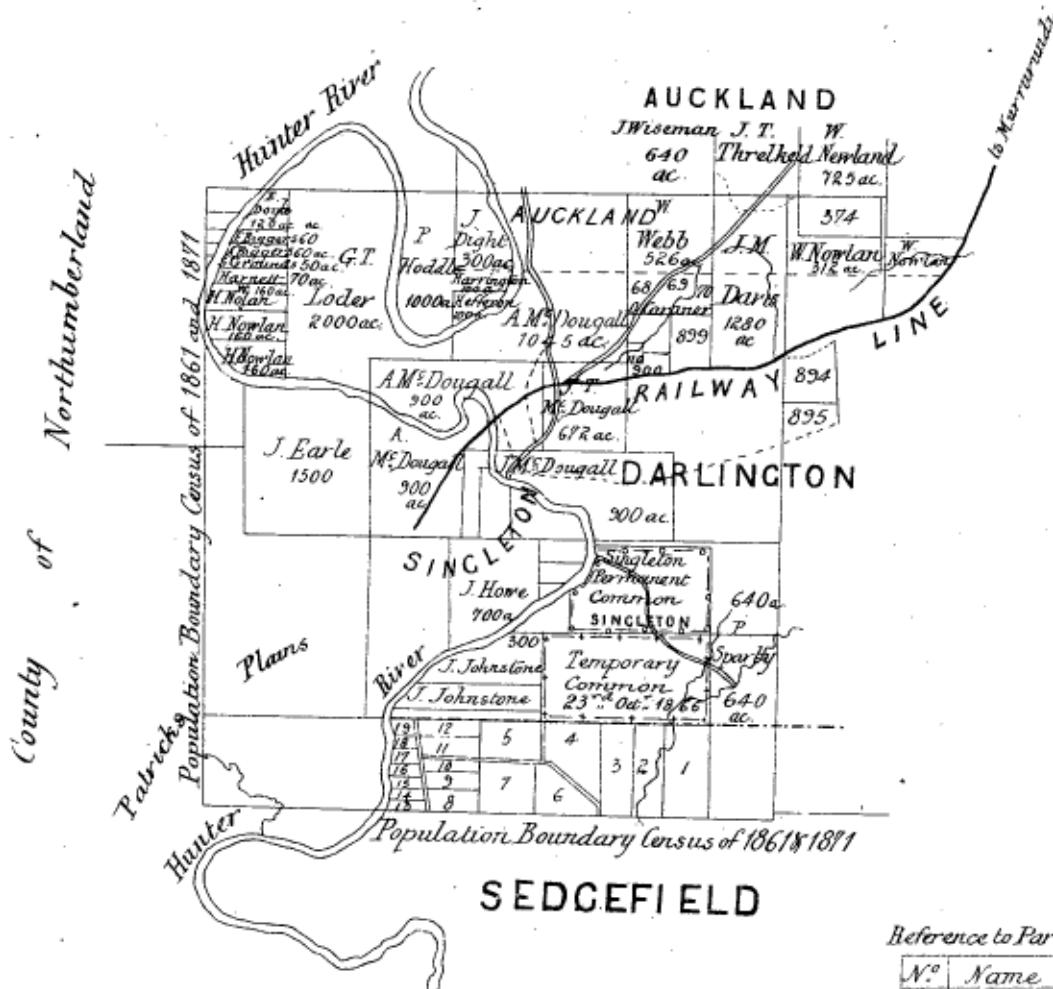
Appendix C.

Enclosure to N^o 36

of portions in the
Parishes of Auckland and Darlington
County of Durham

Shewing Permanent and Temporary Commons
in the
Town of Singleton

Permanent Common edged thus —○—○—○—○—○—
Temporary Common do do —+—+—+—+—+—+—



Reference to Parish of Sedgefield

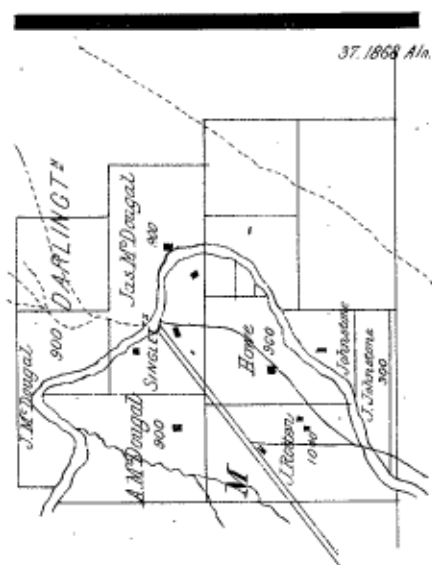
N ^o	Name	area
1	J. K. Howe	3220.0
2	W. J. Dangar	2420.0
3	do	2331.50
4	Rich ^d . Davies	2350.0
5	T. Allen	2031.0
6		1923.0
7	H. C. Dangar	2433.0
8	—	80.0.0
9	—	80.0.0
10	—	80.0.0
11	—	981.0
12	—	953.0
13	—	40.0.0
14	—	40.0.0
15	—	40.0.0
16	—	40.0.0
17	—	40.0.0
18	—	40.0.0
19	—	221.0

(Sig. 854)

(Sig. 854)

Transmitted to the Surveyor General
with my Report of the 27th Sep^r N^o 77/26
Francis B W. Woodrugh Ad^l S

PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.



1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

TEMPORARY COMMON AT ADELONG.

(PETITION—GOLD MINERS AND OTHERS.)

Received by the Legislative Assembly, 1 April, 1879.

The Honorable the Members of the Legislative Assembly of New South Wales.

The Petition of the undersigned Gold Miners and others, resident at Adelong,—

HUMBLY SHOWETH:—

1. That your Petitioners believe it has been held by the Government that Temporary Commons are not Crown Lands.

2. That the Temporary Common at Adelong comprises over 13,000 acres, and by reason of such a large area being reserved miners and others wishing to take up land for gold mining purposes or to settle in the district are unable to do so.

3. That it has been the belief for many years, that each person may obtain an area of two acres by virtue of improvements, and many under such an impression have erected extensive improvements valued from £40 to over £100 on two-acre blocks, and are now threatened with expulsion by reason of such areas being within the Temporary Common, and several have already been fined at the Local Police Court and removed from their two-acre holdings.

4. That some of such persons so threatened have had their improvements on their lands for years.

5. That a large portion of the Adelong Creek Gold Fields, where the principal mining in the district has been carried on, and which has been proved to be highly auriferous, is within the Temporary Common, and persons wishing to lease such land or otherwise take it up for gold mining purposes cannot do so by reason of the land within such Common not being Crown Lands.

6. That these restrictions prevent any influx of population, and tend to cause the removal from the district of many valuable residents, especially miners, who were they able to obtain holdings for working and fixed residences, would remain settled in the district.

7. That as such Commons are not Crown Lands, miners cannot even under their Miners' Rights obtain their $\frac{1}{4}$ -acre for residence, and even were they able such an area is not sufficient for their necessary requirements.

8. That it is desirable for such portion of the Temporary Common as is included within the boundaries of the Adelong Gold Field as originally proclaimed, and nearly all of which is within the population boundary at Adelong, should be revoked, so that any persons desirous of taking up such land for gold mining purposes, or to obtain one two-acre block for residence upon which he can fixedly settle in the district, may do so without fear of being dispossessed.

Your Petitioners therefore humbly pray, that you may be pleased to cause such portion of the Temporary Common at Adelong as above described to be revoked, and that provision may thereupon be made to enable any miner to take up the same for gold mining purposes and for residence.

And your Petitioners will ever pray.

[Here follow 23 signatures.]

1878.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

BARRINGTON GOLD FIELD.

(APPLICATIONS SINCE 1ST JANUARY, 1878, NAMES OF APPLICANTS, AND AREA OF LAND APPLIED FOR.)

*Ordered by the Legislative Assembly to be printed, 26 November, 1878.**[Laid upon the Table in accordance with promise made in answer to Question 1, Votes, No. 41, 26 November, 1878.]*

RETURN of Applications for Gold Mining Leases on the Barrington Gold Field, made since 1st January, 1878, showing names of applicants and area of land applied for.

No.	Names.	Area.	No.	Names.	Area.
		Acres.			Acres.
62	J. Murphy, Mrs. Crieghton, and W. Morris	3	86	W. Kelly, P. V. Newcombe, and J. Armstrong	3
63	J. G. Forbes and G. Pritchard	2	87	J. Willis and J. Buchanan	3
64	T. Thompson and J. Hinton	3	88	T. E. S. Hall, A. Bernard, J. Buckley, W. Lindeman, C. Wing, and J. Irwin	10
65	F. Brockwell, W. Roe, C. Kafer, W. York, and H. Langford	2	89	P. Connelly and C. Doust	4
66	J. Stanway	2	90	C. Doust, P. Connelly, C. Wing, and T. Lancaster	2
67	John Rose	2	91	G. Bald	3
68	R. Edwards	2	92	C. Scott, J. Collins, R. Newell, and R. Matherson	3
69	P. Phillips	1	93	C. Doust, P. Connelly, B. D. Williams, and E. Moses	4
70	J. Watson and H. Langlands	2	94	J. H. Short	2
71	J. D. Thomas and C. H. Thomas	3	95	J. Williams, J. Orr, J. Slade, J. Donnelly, W. Budge, J. Baird, R. Kennedy, E. Ashton, J. Jones, J. Roderick, A. Garrat, J. Hague, and E. Price	3
72	G. Pritchard, J. Beveridge, and J. G. Forbes	2	96	J. Cripps, H. Forbes, R. Ireland, and G. Harris	3
73	T. J. A. Clarke	2	97	G. Shoesmith, R. Newell, C. Scott, R. Matherson, and J. Collins	3
74	W. Atkins and J. Irwin	2	98	Sydney Flagg	3
75	S. Morgan	2	99	James McNeilly and C. Doust	2
76	A. Anderson, W. Roberts, and T. John	3	100	W. Lindeman, J. Buckley, J. Joiner, A. Bernard, C. Wing, and T. E. S. Hall	5
77	T. Simpson, J. Rice, and M. H. Langworthy	3	101	J. D. Thomas and H. F. Fenwick	3
78	E. Bartlett, E. Bartlett, J. B. Cameron, and M. H. Langworthy	3	102	J. G. Forbes, G. Pritchard, and J. Beveridge	2
79	J. Watson, H. Langlands	2	103	B. D. Williams and E. Moses	10
80	T. J. A. Clarke and J. Thomas	2	104	G. Harris, W. May, and T. Robinson	4
81	W. H. Peard and W. Anderson	3			
82	J. G. Forbes, J. Armstrong, C. A. Henry, and J. Thompson	4			
83	E. Bartlett, J. Roxby, H. Saxby, J. B. Cameron, J. Saxby, and E. Bridge	3			
84	R. Abbott and G. Shoesmith	2			
85	M. Burley, C. Thomas, H. Thomas, W. Kelly, W. Davis, J. Higgins, C. McIntyre, T. Thomas, T. John, and T. John, junr.	10			

No.	Names.	Area.	No.	Names.	Area.
105	C. Scott, R. Newell, R. Matheson, and J. Collins	1	154	H. H. Manning, A. H. W. Hill, and S. Wright	3
106	A. Fouks, D. Williams, and C. Kallers	10	155	W. Matthews	3
107	F. Brockwell and C. Paul	3	156	J. Wilson, G. Sykes, and B. R. Pearse	4
108	R. Saxby, J. Cameron, and R. Matheson	3	157	M. Udressich	5
109	J. Turner, R. Wilks, and H. Saxby	3	158	R. M'Nicoll, J. Dowie, and D. Baillie	2
110	W. J. Harris and W. J. Thomas	2	159	M. Carey, J. Armstrong, and J. Rice	2
111	W. Hughes, S. Powell, and D. Jenkins	3	160	J. M'Donald	2
112	A. Richter	2	161	J. Payne, R. Hayward, and A. Payne	2
113	J. Cripps, H. Forbes, R. Ireland, and G. Harris	4	162	J. G. Jackson, A. Laurie, J. Basilisio, and J. Laurie	3
114	A. Baker and J. Barnel	3	163	Do. do.	3
115	G. Shoesmith and R. Abbott	2	164	J. Barnett, J. Hansen, and W. Holm	2
116	J. Conway and C. Scott	3	165	C. Doust, W. May, O. Wilson, and J. M'Neilly	4
117	M. McRae, K. Matheson, and R. Abbott	3	166	T. R. Pearse, W. Dyson, W. Hughes, and W. Griffiths	3
118	J. Evans and T. John	2	167	D. Hughes, W. Griffiths, S. Powell, and D. Jenkins	3
119	D. London	2	168	P. V. Newcombe, R. Kay, J. Mail, and J. Armstrong	3
120	L. Watson, senior, and L. Watson, junior	2	169	W. Dyson and T. Williams	3
121	S. Miller and D. M'Isaacs	4	170	C. M'Intyre, J. Higgins, junior, R. Kennedy, and G. Bald	3
122	T. John, senior, T. John, junior, J. Burley, and T. Thomas	2	171	J. Driscoll, A. Buist, J. M. Sweet, J. Rodgers, C. Siebinger, H. Hewitt, N. Watt, O. Green, R. J. Smith, T. Newman, T. F. Whistler, J. Russell, D. Watson, N. Driscoll, W. A. Hollinshead, and C. W. Readett	10
123	W. Little, C. M'Intyre	4	172	G. Wilcox, W. Roe, J. Richards, and W. Smith	2
124	C. Paul, A. Baker, D. Loudon, and J. Barriell	3	173	J. Nutman and J. Plummer	2
125	C. Buckiag, G. Vetter, and J. Dietce	3	174	T. Crennan and R. Macnamara	3
126	J. Arkins, C. W. F. Merewether, R. Kay, and C. Scott	3	175	T. Pratten, T. Ainsworth, J. See, and C. Pemberton	2
127	J. Evans and P. V. Newcombe	3	176	R. Clegg, T. John, and H. Forbes	2
128	R. Walker, W. M'Lean, and J. Walker	3	177	J. Rose	2
129	L. Watson	2	178	W. S. Luke and D. Ross	5
130	J. Kilbride, J. Wright, Jno. Kilbride, and P. Kilbride	2	179	J. Shelton, D. Shelton, A. Redman, G. Redman, and E. Tighe	5
131	F. Brockwell, C. Paul, J. Murray, P. Maguire, W. Robinson, and C. Paul	3	180	J. Stevenson, T. Bourne, and T. Barton	3
132	F. Brockwell, C. Paul, J. Murray, P. Maguire, D. Maher, and J. H. Bee	3	181	P. Ivors, N. Cradick, W. Treweek, and W. Cressingham	5
133	J. B. Jones, J. Roberts, J. Thomas, and W. Morgan	3	182	N. Cradick, W. Treweek, P. Ivors, and W. Cressingham	3
134	Do. do.	3	183	Do. do.	5
135	T. A. J. Clarke, J. Thomas, W. Headley, and W. Wornmald	2	184	W. Miller and T. Stevens	2
136	R. Edwards, J. B. Jones, J. Thomas, J. Roberts, and W. Morgan	2	185	E. Earley, J. G. Forbes, and R. Kennedy	4
137	J. B. Jones, W. Morgan, J. Thomas, and J. Roberts	4	186	W. Reid, W. Massey, and J. Moran	3
138	J. Stott, J. Easton, S. Wright, and J. D. Bell	5	187	J. Buckley and W. Lindeman	1
139	T. Williams, W. Dyson, J. Williams, H. Dogherty, and J. Buckley	4	188	A. Redman, J. Sheton, G. Shelton, E. Tighe, J. Saxby, and E. Saxby	2
140	J. Courtain, T. R. Saxby, and J. Saxby	3	189	J. G. Stevenson and W. Bound	6
141	B. Sala, D. Marcheri, and M. Murphy	3	190	P. Connelly, J. P. Connelly, J. Courroy, and E. Williams	5
142	D. Cramb and D. M'Vicar	2	191	J. G. M'Ternan and G. Cowan	3
143	S. Wright, J. Chalker, S. Stott, and J. Easton	3	192	S. Wright, S. Barker, J. Stott, and D. Dixon	3
144	H. Fieldhouse, T. H. Fieldhouse, and C. Scott	3	193	G. Redman, E. Tighe, and A. Redman	3
145	J. Armstrong	2	194	J. Kilbride, J. O'Neill, J. Kilbride, J. Hutchinson, J. Collie, P. Kilbride, J. Hutchinson, and M. M'Kitten	2
146	J. Thompson and A. Anderson	4	195	Do. do.	1
147	J. Griffiths and W. G. Redman	3	196	G. Cowan and J. M'Ternan	3
148	E. Brazill and W. Scott	2	197	G. Harris and J. Connelly	3
149	P. V. Newcombe and W. Coleman	2	198	J. Buchanan and F. Porak	5
150	T. Fallon, G. Bald, and E. Wells	3	199	T. O'Brien and J. Lees	2
151	F. Hindmarsh, H. Fieldhouse, Jas. Hindmarsh, and J. Hindmarsh	4	200	W. Matthews and M. Driscoll	2
152	R. Kennedy and G. Bold	2	201	J. Somerville, M. Fryar, and J. Brittle	2
153	N. Cradick, W. Treweek, and P. Ivors	5			

No.	Names.	Area.	No.	Names.	Area.
		Acres.			Acres.
202	C. H. Pemberton ...	2	227	Thomas Pearce, A. C. Thompson, David Hughes, William Griffiths, Thomas Williams, and William Dyson ...	2
203	J. H. Short, J. Watson, and J. Peel	2	228	George Procter, John Williams, John Hunt, and James Wilson ...	1
204	T. Bourne, J. Stevenson, T. Barton, H. Wallace, W. Hodgson, and G. M'Nee ...	3	229	J. Armstrong, W. Kelly, and P. V. Newcombe ...	2
205	A. C. Thompson, T. R. Pearce, W. Dyson, D. Hughes, W. Griffiths, and D. Williams ...	3	230	Michael Joyce ...	3
206	T. K. Pearce, G. Sykes, B. Logue, and J. Wilson ...	3	231	J. Downes, J. Payne, and D. Loudon	3
207	D. Hughes, W. Griffiths, S. Powell, W. Trehearn, D. Jenkins, T. D. H. Williams, J. Pearce, J. Hoper, I. Lloyd, and W. Grogan ...	3	232	Daniel Sheehan ...	3
208	J. Williams, J. Wilson, J. Hunt, and G. Procter ...	2	233	G. M'Nee, W. Griffiths, W. Wallis, and J. Bryant ...	2
209	W. Dyson and T. Williams ...	3	234	H. Montague, J. Westerley, and A. Dark ...	5
210	B. Logue, G. Sykes, T. Pearce, and J. Wilson ...	3	235	John Reid, J. Noteley, and D. Bornes	3
211	G. Kyte, H. Langland, J. M'Donald, R. Dixon, J. Perie, and C. M'Intyre	2	236	A. Redman and J. Heaney ...	4
212	W. Mathews, J. Nicholas, W. Price, D. Lowe, and W. Lewis ...	3	237	G. W. Redman, A. Redman, and J. Heaney ...	2
213	Do do ...	3	238	J. Payne, D. M'Dermott, and Jas. Letson ...	3
214	J. Rae and R. Hunter ...	2	239	Francis Porah ...	5
215	T. Hogarth and T. Penman ...	2	240	Michael Carey ...	2
216	T. Bourne, W. Hodgson, J. Steven- son, T. Barton, H. Corbett, A. Stevenson, and A. Bennett ...	3	241	Edmund Williams ...	5
217	A. Fouks, J. Stevenson, W. Hodgson, and T. Barton ...	3	242	Thomas O'Brien, E. Morgan, and D. Hopkins ...	3
218	T. Baxter, E. Sern, D. Bowes, and A. Pinkerton ...	4	243	G. Pullin, W. Crabb, J. G. Stephen- son, and W. Round ...	5
219	J. Read and J. Notley ...	3	244	O. Wilson, D. M'Isaac, G. Harris, and S. Miller ...	3
220	R. Kennedy, G. Bold, J. Slade, J. Baird, A. Gellatly, J. Higgins, and A. C. Thompson ...	2	245	T. Crennan ...	3
221	W. D. Luke and M. Thomas ...	3	246	C. Doust, W. May, O. Wilson, and J. M'Neely ...	4
222	J. Kilbride, Jno. Kilbride, J. O'Neill, P. Kilbride, P. Morrissey, J. Hut- chinson, and D. Maher ...	2	247	J. Duval, D. M' Dermott, H. Corbett, T. Mullard, J. Thompson, and A. Cameron ...	3
223	E. Williams ...	2	248	J. Wickes, M. Cannon, and Thos. Bartlett ...	2
224	James Murphy and Henry Wickes ...	5	249	J. Hindmarsh and T. H. Thomas ...	4
225	Thomas Bourne, William Currie, and James Stevenson ...	4	250	P. Kavanagh, J. Drinan, J. Sullivan, and R. Widdison ...	3
226	James Dowie, David Baillie, and Robert M'Nicoll ...	3	251	W. F. Millam, W. Mahon, and A. Clarke ...	2
			190	applications. Total acres ...	586

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

BARRINGTON GOLD FIELD.

(APPLICATIONS FOR REWARD FOR DISCOVERY OF.)

Ordered by the Legislative Assembly to be printed, 25 April, 1879.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 1 April, 1879, That there be laid upon the Table of this House,—

“Copies of all Papers in connection with the report of the discovery of the
“Barrington Gold Field, as well as applications for rewards for the discovery
“of the same.”

(Mr. Copeland.)

SCHEDULE.

NO.	PAGE.
1. Telegram from Under Secretary for Mines to Land Agent, Dungog, asking him to report on the discovery of gold at Back Creek, Barrington River, and at Monkera. 7 June, 1876.....	2
2. Telegram from C. G. Smith, Dungog, to the Under Secretary for Mines, to the effect that some Monkera men were at work on Back Creek, Barrington River. 8 June, 1876	2
3. Letter from Crown Lands Agent, Stroud, to the Under Secretary for Mines, to the effect that a number of men are prospecting for gold on the upper parts of the Barrington River. 7 June, 1876	2
4. Letter from Land Agent, Dungog, to the Under Secretary for Mines, reporting on the gold workings at the Barrington River. 10 June, 1876	2
5. Letter from Under Secretary for Mines to Land Agent, Dungog, acknowledging receipt of letter of the 10 June, 1876. 20 June, 1876	3
6. Letter from Mr. T. Laurie, Mining Registrar, Nowendoc, to the Under Secretary for Mines, to the effect that gold had been found on a tributary of the Barrington River. 19 June, 1876	3
7. Letter from Under Secretary for Mines to Mr. Thomas Laurie, Nowendoc, acknowledging receipt of his letter of the 19th June, 1876. 29 June, 1876	3
8. Letter from Messrs. W. Williams and party to Mr. J. Buchanan, Warden, Armidale, to the effect that they had taken possession and marked out 400 yds. ground for a prospecting area on a quartz reef, at Back Creek. 30 June, 1876	3
9. Letter from Land Agent, Stroud, to the Under Secretary for Mines, respecting the prospects of the Barrington Gold Field, &c., &c. 3 July, 1876	3
10. Letter from Mr. W. Johnston to the Under Secretary for Mines, to the effect that he had reported orally to the Government through the Honorables J. F. Burns and J. Dooner, the discovery of a new gold field. 8th July, 1876	4
11. Letter from Under Secretary for Mines to Mr. W. Johnston, Back Creek, to the effect that no reports of discoveries of gold fields are recognized but those that are made direct and addressed to the Minister for Mines. 2 August, 1876	4
12. Letter from Mr. W. Williams, respecting Barrington Gold Fields. Received by Warden, 12/7/76	4
13. Letter from Under Secretary for Mines to Mr. W. Williams, informing him of the extent of ground a miner is entitled to under the 55th clause of the Mining Board Regulations, after reporting the discovery of payable gold. 25 July, 1876	4
14. Letter from Mr. Thomas Laurie, Nowendoc, to the Under Secretary for Mines, reporting on the Barrington Gold Fields, and enquiring whether a miner has a right to mine in Church and School lands. 13 July, 1876.....	4
15. Telegram from Under Secretary for Mines to Warden Buchanan, asking him to proceed to the Barrington River and report upon the condition of the field, and recommend boundaries of gold field reserve. 17 July, 1876	5
16. Telegram from Warden's Clerk, Armidale, to the Under Secretary for Mines, to the effect that Warden Buchanan left for Cope's Creek, &c. 18 July, 1876.....	5
17. Telegram from Warden Buchanan to Under Secretary for Mines, for tracing of country around Barrington, &c. 21 July, 1876	5
18. Telegram from Under Secretary for Mines to Warden Buchanan, to the effect that a tracing had been sent to him at Gloucester, &c. 21 July, 1876.....	5
19. Letter from Messrs. H. Saxby and Party to the Minister for Mines, respecting reward for discovery of Barrington Gold Field, &c. 8 August, 1876	5
20. Letter from Under Secretary for Mines to Messrs. H. Saxby and Party, to the effect that they did not fulfil the conditions under which the reward was offered, &c. 14 August, 1876	6
21. Letter from Messrs. H. Saxby and Party to the Under Secretary for Mines, further respecting reward. 18 August, 1876	6
22. Letter from Under Secretary for Mines to Messrs. H. Saxby and Party, further respecting reward. 31 August, 1876	6
23. Letter from Mr. W. J. Fergusson to the Minister for Mines applying, on behalf of Mr. W. Williams, for reward for discovery of a payable gold field. 15 January, 1879.....	6
24. Minute of Under Secretary for Mines respecting claims for reward for discovery of Back Creek Gold Field. 30 January, 1879	7
25. Letter from Under Secretary for Mines to Mr. W. J. Fergusson, to the effect that it is thought Mr. Williams is not entitled to the reward. 10 February, 1879.....	7
26. Letter from Messrs. Saxby and Party, forwarding statement of their finding gold at Back Creek, Barrington River. 26 February, 1879	7
27. Letter from Under Secretary for Mines to Messrs. Saxby and Party, to the effect that the Secretary for Mines sees no reason to reverse the decision arrived at by a former Minister. 12 March, 1879.....	7

BARRINGTON GOLD FIELD.

No. 1.

Telegram from Under Secretary for Mines to Land Agent, Dungog.

SEND a telegram to the Land Agent at Dungog, requesting him to be good enough to ascertain and report to this office the fullest particulars respecting the discovery of gold in the vicinity of Back Creek, Barrington River, and at Monkerai.—H.W., 7/6/76.

Telegram—7th June, 1876.

(Telegram from Under Secretary for Mines to Land Agent, Dungog.)

Sydney, 7 June, 1876.

WOULD you be good enough to ascertain and report to this office the fullest particulars respecting the discovery of gold in the vicinity of Back Creek, Barrington River, and at Monkerai.

No. 2.

Telegram from C. G. Smith, Dungog, to The Under Secretary for Mines.

Sydney, 8 June, 1876.

No gold found at Monkerai, but some Monkerai men at work at Back Creek, Barrington River. About thirty men at work; making wages, although all inexperienced and without proper appliances. Water to contend with; deep ravine; no alluvial ground spoken of. Shall be able to report more fully to-morrow or on Saturday.

No. 3.

The Land Agent, Stroud, to The Under Secretary for Mines.

Sir,

Port Stephens Crown Lands Office, Stroud, 7 June, 1876.

I have the honor and beg to apprise you for the information of the hon. the Minister for Mines that a number of persons are prospecting for gold on the upper parts of Barrington River, about 40 miles to the north-west of Stroud, in this district. It is said that payable gold has been found in that locality, but of this I have little more than rumour to guide me; but as persons have been inquiring that in the event of the ground proving payable, will miners' rights be issued at this office, and I have answered yes. I beg to suggest that a limited supply of forms be forwarded to enable me to issue miners' rights and business licenses should these be applied for. I beg further to state that a small supply of the other necessary forms of return in connection with the issue of these be also forwarded. I beg to add that I shall deem it my duty to report progress as soon as reliable information can be obtained.

I have, &c.,

THOMAS LAMAN,

Crown Lands Agent.

Inform that there will be no objection to appoint him to issue miners' rights and business licenses if he desire, or to appoint him mining registrar if he think there will be any mining within his district, and in that case he will be supplied with all necessary forms, but no salary attaches to the office, the payment being by fees and commission on the sale of miners' rights, &c.—H.W., 10/6/76.

Informed.—12 June, 1876.

No. 4.

The Land Agent, Dungog, to The Under Secretary for Mines.

Sir,

Dungog, 10 June, 1876.

With reference to my telegram of the 8th instant respecting the gold workings at the Barrington River, I have the honor to report that two or three persons returned to-day, and from one of them, who, although inexperienced as a miner, is very intelligent and reliable, I glean the following:—

In the ravine where the workings are, a party of four, indifferently provided with tools, &c., obtained, in one week, 5 ounces of gold. They consider that they have between three and four month's work in their claim.

One man, in three weeks, obtained 3 ounces, working with a bucket and tin dish.

The gold is of a rough character, indicating close proximity to the matrix. The ravine is not of great extent, but there is a flat into which it opens of about 100 yards in width that would give employment to a large body of men if payable gold were struck there. An attempt has been made to prospect on this flat, several shafts having been run down for a few feet (the deepest 7 feet), but further progress interrupted by an influx of water.

There are between thirty and forty men on the spot, and I understand that they think favourably of the place, and look to some profitable work being done in the summer season.

Should I obtain any further information, I shall not fail to report to you; but, if I may venture an opinion, I think that an official inspection of the locality and surrounding country would be advisable.

I have, &c.,

CHAS. GRAHAM SMITH,

L. A.

Acknowledge, with thanks.—J.L., 16/6/76.

Acknowledged.—20th June, 1876.

No. 5.

3

No. 5.

The Under Secretary for Mines to The Land Agent, Dungog.

Sir,

Department of Mines, Sydney, 20 June, 1876.

I am directed by the Secretary for Mines to acknowledge, with thanks, the receipt of your letter of the 10th instant, giving a report upon the gold-workings at the Barrington River.

2. Should occasion arise, it is hoped that you will be able to furnish this department with some further particulars.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 6.

The Mining Registrar, Dungog, to The Under Secretary for Mines.

Sir,

Nowendoc, 19 June, 1876.

I beg to acknowledge receipt of yours of the 14th, and, in reply, beg to state that gold has been found on a tributary of the Barrington River, about 9 miles west from Gloucester. Up to date it is only found in bed of a small creek, and in small quantities, although said to be payable. Seventy men on the ground. The gold of a coarse or nuggetty description.

I also beg to acknowledge receipt one book of miners' rights. Miners nearly all gone from this to Barrington rush.

I have, &c.,

THOMAS LAURIE,

Mining Registrar.

Acknowledge with thanks, and request a report of any further news respecting the rush.—J.L., 27/6/76. Acknowledged.—29 June, 1876.

No. 7.

The Under Secretary for Mines to The Mining Registrar, Nowendoc.

Sir,

Department of Mines, Sydney, 29 June, 1876.

I am directed by the Secretary for Mines to acknowledge with thanks the receipt of your letter of the 19th instant, respecting the gold discovery at the Barrington River.

2. Should there be any further news respecting the rush, I am to ask you to be good enough to report thereon.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 8.

Messrs. W. Williams and Party to Mr. Warden Buchanan.

Dear Sir,

30 June, 1876.

We the undersigned hereby give notice, that we did on the 30th day of June, 1876, take possession and marked out 400 yards by 400 yards for a prospecting area on a new quartz reef on the head of Back Creek new diggings, Barrington.

WILLIAM WILLIAMS,
DANIEL M'NARCELL,
PATRICK PURCELL,
FRANCIS PURCELL.

Ask Mr. Warden Buchanan to proceed there at once and report upon the condition of the field, recommend the bounds of a gold field reserve, and if he can find a suitable person there as mining registrar.—17/7/76.—J.L.

By telegram add—Tracing of the locality will be forwarded at once to post office, Gloucester.—17/7/76. Telegram.—17/7/76.

Will Mr. Campbell be kind enough to have a tracing prepared for Mr. Warden Buchanan, at his earliest convenience.—17/7/76.

Tracing herewith.—W.S.C., 17 July, /76. Forwarded to-day.—17/7/76.

No. 9.

The Land Agent, Stroud, to The Under Secretary for Mines.

Sir,

Crown Lands Office, Stroud, 3 July, 1876.

Having reference to my communication dated the 7th ultimo, and your reply thereto of the 12th, I have the honor and beg to report that from persons who have visited the Barrington, I learn that the prospects there are considered to be favourable, that most of the diggers on the ground are making good wages, and that in all probability it will turn out to be a good and payable gold field. Already there are some 200 persons on the spot, and during the last week a considerable number of diggers have passed through Stroud on their way thither, some of whom have applied to me for miners' rights.

Under these circumstances I beg to suggest that it will be necessary to authorize some person in the district to issue miners' rights and business licenses, and perhaps ultimately to appoint a mining registrar for the district; in any case, I beg to say, I shall deem it my duty to do all in my power to assist the department in carrying out any arrangement it may be thought desirable to make in connection with mining operations carried on in the district.

I have, &c.,

THOS. LAMAN,

Agent.

The Land Agent at Stroud may be appointed to issue miners' rights, &c.—J.L., 6/7/76.
Minute for Executive Council, 10th July, 1876.

No. 10.

No. 10.

Mr. W. Johnston to The Minister for Mines.

Sir, Barney's or Back Creek Diggings, Barrington River, Gloucester, 8 July, 1876.

On the 27th day of June, 1876, I had the honor orally to report to the Government, through the honorable J. F. Burns, Postmaster, and the honorable J. Docker, the discovery of a new gold field. I have the honor now, in a more formal manner, to report the same as above described.

I have, &c.,

W. JOHNSTON.

Date when news of the discovery first reached this office? Name of the person through whom the information was received?

Inform the writer that his report of the 27th ult. has not reached this office, but that there was no need for it, as official report on the subject had been called for long prior to the date named, and moreover no reports are recognized but such as are made direct and addressed to the Minister for Mines.—J.L., 27/7/76. Informed, 2 Aug., /76.

No. 11.

The Under Secretary for Mines to Mr. W. Johnston.

Sir,

Department of Mines, Sydney, 2 August, 1876.

In reference to your letter of the 8th ultimo, to the effect that you had, on the 27th of June last, orally reported, through certain Members of the present Ministry, the discovery of a new gold field at the Barrington River, I am directed by the Secretary for Mines to inform you that such report has not reached this office, nor indeed was it necessary, as official reports on the subject had been called for long prior to the date above-named; and moreover, no reports of such discoveries are recognized but those that are made direct and addressed to the honorable the Minister for Mines.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 12.

Mr. W. Williams to Mr. Warden Buchanan.

Dear sir,

N.M.D. 76-465, 12/7/76.

It may not be out of place to explain a few lines about this new gold field.

There are about 200 persons on the ground. There is nothing very rich struck as yet. Everyone is getting a little, making about £2 per week.

The creek is about 5 miles long, and the diggers are working about 3 miles along the creek. The diggers are flocking in very thick this last few days from Sydney. A registrar's office is very much wanted. I have found some very good gold in the quartz reef. I am prospecting now.

I remain, &c.,

WM. WILLIAMS

Please let me know how much ground we can hold when we mark out our prospecting claim. Direct—WM. WILLIAMS, New Gold Field, Barrington.

For the information of the hon. the Minister, B.C., 13/7/79.—J. BUCHANAN, Warden. If it is desired, I am prepared to visit this gold field.—J.B. May the papers have this if they desire? Yes.—H.W., 19/7/76.

Inform that under Regulation No. 55 of the Mining Board, any miner is entitled, after reporting the discovery of payable gold, to 240 feet in length along the reef, if the claim is less than 1 mile from the nearest claim yielding gold; if more than 1 mile and less than 3, 360 feet along the reef; if more than 3 miles from the nearest claim yielding gold, 480 feet along the reef. The width of a prospecting claim should in no case exceed 400 feet.—H.W., 20/7/76. Informed, 25 July, /76.

No. 13.

The Under Secretary for Mines to Mr. W. Williams.

Sir,

Department of Mines, Sydney, 25 July, 1876.

In reference to the inquiry contained in your letter of the 30th ultimo, I am directed to inform you that, under the 55th clause of the Mining Board Regulations, any miner is entitled, after reporting the discovery of payable gold to the following extent of ground along the reef, namely, to 240 feet if the claim is less than 1 mile from the nearest claim producing gold; if more than 1 mile and less than 3, to 360 feet; if more than 3 miles, to 480 feet.

2. I am to add that the width of a prospecting claim should in no case exceed 400 feet.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 14.

The Mining Registrar, Nowendoc, to The Under Secretary for Mines.

Sir,

Nowendoc, 13 July, 1876.

I beg to acknowledge receipt of yours dated 29th June, and in reply beg to state that I have just paid a visit to the Barrington Gold Field on the 9th and 10th instant, and beg herewith to enclose a few remarks on the same. In the first place there is between 200 and 300 men on the ground, mostly town

You may
remember me
with Bagot &
Co.'s tin mines.

town people from Sydney, Newcastle, Maitland, &c., and not at all adapted for diggers nor a digger's life. However, they are going away just as fast as they came, which is mostly the case at all new rushes. However, I may mention that there is a few of the Barrington farmers that are working well; also, a few of the Nowendoc diggers who seem well satisfied with their earnings, the average being about £3 per week, which will improve as they get the place opened up. In the next place, as I stated before, the present diggings is about 9 miles west from Gloucester. The creek, or rather mountain gorge, taking its rise in high mountains west of the Barrington River, and flowing easterly through the Church and School lands, and known as Back Creek, the present diggers' camp, and where the creek enters the Church and School lands; the said Church and School lands, I think, will be found to contain good deposits of gold. Being the first flats where all the drift, what is known amongst diggers as the wash, has been deposited altogether, the present diggings will turn out to be more extensive than the parties on the ground give credit for.

In the next place I may be permitted to mention that a reef, of about 18 inches in width, has been found on the main tops above the diggings, showing fair gold in the stone, and a few claims have been pegged out; in fact nearly all the good quartz stone found on the creek shows gold to the naked eye. I may also state that I issued a few miners' rights. I had no form of business license. It is only one good day's ride from this place.

I have, &c.,

THOMAS LAURIE.

P. S.—It would be well to make it public whether a miner has a right to work on Church or School lands or not.

Seen.—Inform that the miners' right does not entitle the holder to mine for gold on Church and School lands, but it can be mined under gold lease.—J.L., 26/7/76. Informed, 1st August, 1876.

No. 15.

Telegram from The Under Secretary for Mines to Mr. Warden Buchanan, Armidale.

Sydney, 17 July, 1876.

REFERRING to your memorandum of the 13th instant, please to proceed to the Barrington River at once and report upon the condition of the field and recommend boundaries of gold field reserve.

Also endeavour to find and recommend some suitable person there as mining registrar; a tracing of the locality will be forwarded immediately to you at the post office, Gloucester.

No. 16.

Telegram from Warden's Clerk, Armidale, to The Under Secretary for Mines.

Sydney, 18 July, 1876.

YOUR telegram *in re* Barrington Gold Field received late last night. Mr. Buchanan left here on Thursday last for Cope's Creek; it has been raining heavily ever since; all rivers and creeks flooded; hardly possible for him to get back; will, however, telegram directly he does.

Seen—J.L., 19/7/76.

No. 17.

Telegram from Mr. Warden Buchanan, Armidale, to The Under Secretary for Mines.

Sydney, 21 July, 1876.

ARRIVED here from Cope's Creek last night, start to-morrow by coach for Barrington; telegraph to Murrurundi; free railway-pass to Morpeth and back; cannot go any other way; country flooded; send tracing to Gloucester of country round Barrington.

WARDEN BUCHANAN.

Send pass by post to care of station-master at Murrurundi. Inform by telegram such done; that tracing was sent to Gloucester some days since.—H.W., 21/7/76.

Telegram 21st July, 1876, and free passes to Warden, care of station-master, Murrurundi.—21st July, /76.

No. 18.

Telegram from The Under Secretary for Mines to Mr. Warden Buchanan, Armidale.

Sydney, 21 July, 1876.

A FREE pass by rail will be sent by to-night's post to the care of the station-master at Murrurundi. The tracing was sent to Gloucester for you some days since.

No. 19.

Messrs. H. Saxby & Party to The Minister for Mines.

Sir,

Dungog, 8 August, 1876.

I do myself the honor to submit for your consideration the following facts in connection with the Barrington Gold Field.

1st. In the month of March, 1876, I and my party, consisting of my three brothers, commenced to work on this field in hope of finding payable gold. By the beginning of April we brought into Dungog, and lodged in the Commercial Bank, about 11 ounces, the product of the said field.

2nd. Since that time we have continued to work always on payable gold.

3rd.

3rd. There are now from 300 to 400 men on the field, over 200 of whom have been at work there for nearly three months.

4th. In view of these facts we beg that as we consider ourselves the discoverers of said gold field, the reward of £500, offered by the Government for such a discovery, may be paid to us at your earliest convenience.

We have, &c.,

HENRY SAXBY.

(For self & party.)

Inform the writer that they did not fulfil the condition of making the discovery known to the Minister for Mines.—J.L., 11/8/76. Informed.—14th August, 1876.

No. 20.

The Under Secretary for Mines to Messrs. H. Saxby & Party.

Gentlemen,

Department of Mines, Sydney, 14 August, 1876.

In reference to your letter of the 8th instant, bringing forward a claim as discoverers of the Barrington Gold Field to the reward of £500 offered by the Government, I am directed by the Secretary for Mines to point out that you did not fulfil the conditions under which such reward was offered, making the discovery known to the Minister for Mines.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 21.

Messrs. H. Saxby & Party to The Under Secretary for Mines.

Sir,

Dungog, 18 August, 1876.

We have the honor to acknowledge receipt of your communication of the 14th instant, notifying that in consequence of our not having made known our discovery earlier, we are not entitled to the reward of £500 as the openers of the Barrington Gold Field, and in reply to which we beg to say:—

1st. That we were in ignorance as to the precise conditions under which discoverers of new fields were entitled to the reward offered; we just knew that a certain sum had been voted for such, and we naturally thought that applying in the way we did, after having *proved* the field to be payable, was the proper course. We are not men of much education, and living far in the bush, it is out of our way to become acquainted with all of the Government notices.

2nd. Although we may have been late in communicating with the department, yet the fact still remains, that we are the discoverers of the field, and it was through us that it became known. We hope that you will take these circumstances into consideration, and that they may have weight with you, as it cannot surely have been the meaning of Parliament when it voted the amount of the rewards, to debar men, who, through ignorance, failed in complying with a condition, from participating in them as honest discoverers.

We have, &c.,

HENRY SAXBY.

(For self and party.)

The reward is for making known as well as discovering, and the mode of making known is presented. Unless these terms be strictly adhered to, discoverers may keep secret their discoveries as long as they can for their own benefit, and then when the discovery comes to be known, perhaps against their inclinations, they may put in a claim for reward.—J.L., 24/8/76. Mr. Saxby.—31 Aug., 76.

No. 22.

The Under Secretary for Mines to Messrs. H. Saxby & Party.

Gentlemen,

Department of Mines, Sydney, 31 August, 1876.

I am directed by the Secretary for Mines to acknowledge the receipt of your letter of the 18th instant, setting forth certain reasons why the reward for the discovery of the Barrington Gold Field should be awarded to you.

2. In reference thereto, I am to point out that the reward was offered for making known as well as discovering, and that the mode of making known is clearly prescribed. Unless these terms are strictly adhered to, discoverers may keep secret the result of their search as long as they can for their own special benefit, and then when it comes to be generally known (perhaps in opposition to their wish), put in their application for the reward.

3. As therefore you have neglected to comply with the terms upon which the reward could be claimed, your application cannot be entertained.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 23.

Mr. W. Fergusson to The Minister for Mines.

Sir,

Glen Innes, 15 January, 1879.

I have the honor to apply, on behalf of Mr. W. Williams, to the reward offered in 1876 for the discovery of a payable gold field.

Mr. Williams being the first miner to discover payable gold on the Back Creek, Barrington. Mr. Williams was out by himself some nine months prospecting, he reported his find to Mr. Warden Buchanan, of Armidale.

Mr. Williams, through ill-health having to leave the Barrington, is now in reduced circumstances and he thinks he is entitled to some reward for being the discoverer of the above-named gold field.

I have, &c.,

WM. J. FERGUSSON.

Mr. Warden Buchanan for report as to date on which the discovery was made known to him, and by whom, with any remarks he may think fit to offer.—H.W., 20/1/79., B.C.

Mr. Williams' report on the Barrington Gold Field was received by me on the 12th July, 1876.

I forwarded the same to the Mining Department on the 13th July, 1876, and was instructed to visit the field.—J. BUCHANAN, Warden, B.C., 27/1/79. Mines, 29/1/79.

No. 24.

No. 24.

Minute of The Under Secretary for Mines.

(Claims for Reward for Discovery of the Back Creek Gold Field.)

THE claimants are :—

Wm. Williams and three others, dated 30th June, 1876.

Wm. Johnson, dated 8th July, 1876.

Henry Saxby and party, dated 8th August, 1876.

Messrs. Williams and party reported to Mr. Warden Buchanan that they had taken up a quartz claim on the 30th June, 1876.

Mr. Johnson says that he reported orally through the hon. J. F. Burns, the hon. J. Docker, on the 27th June, 1876, the discovery.

Messrs. Henry Saxby and party reported on the 8th August, 1876, that they had brought gold into Dungog early in April, 1876.

THE discovery was known in the department on the 7th June, 1876, and a report had been obtained from an officer, and was sent to the Press for publication by the 13th June, 1876.

I am inclined to think that persons engaged chiefly in cutting timber had been in the habit of occasionally searching for and obtaining gold about the beds of creeks and gullies in the vicinity for a long time, and that they had not made the discovery known partly because they had no idea of the value of the field, and partly because they desired to keep the discovery secret, to prevent others from participating in it.

Had it not been for the information published in the newspapers, I doubt whether any of the applicants or the discoverers would have made the discovery known. Under these circumstances it appears to me doubtful whether the discoverers are entitled to the reward.—H.W., 30/1/79.

App., 6/2/79.—E.A.B. Mr. Fergusson, *pro* Williams and party, informed, 10th February, 1879.I find on looking up the other cases (two) referred to that Mr. Johnston and Saxby and others were informed in August /76 to the effect that their applications were not made in terms of the "notice" *re* discovery of new gold fields, and must therefore be refused, and the Under Secretary has decided that there is no necessity to communicate further with them on the subject.—C.O.H., 10/2/79.

No. 25.

The Under Secretary for Mines to Mr. W. Fergusson.

Sir,

Department of Mines, Sydney, 10 February, 1879.

Referring to your letter of the 15th ultimo, in which you apply, on behalf of Mr. W. Williams for the reward offered in the year 1875 for the discovery of a payable gold field, I have the honor, by direction of the Secretary for Mines, to inform you that, as the discovery of the field had been made known to the department before Mr. Williams' notification of it was made, it is thought Mr. Williams is not entitled to the reward.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 26.

Messrs. H. Saxby & Party to The Secretary for Mines

Back Creek Gold Fields, 26 February, 1879.

We the undersigned beg to forward statement of our finding gold at Back Creek, Barrington, which paper we vouch for correctness.

We were the first who found gold on this gold field, which we first discovered in loose rock about 200 yards below the present township. At the time we scarcely knew what gold was, and quite ignorant of its value. We obtained 15 ounces in about three months between four of us, and was told by an experienced miner it was payable. We sent to the Mint, and, on receipt of returns, immediately reported to the Minister for Mines its payability, and applied for reward. This was about the 8th of August, 1876. This was the time a rush began to set in.

We also sent another application about six weeks later.

We claim, although not knowing anything about gold-mining till we were shown, and although through ignorance we may not have sent in application just as form required, to be the authors of it, and hope the matter will be favourably considered. The present important and extensive gold field at Barrington owes its existence to us in our humble capacity of trying and at last making known the existence of gold.

HENRY SAXBY & PARTY.

I see no reason to reverse the decision arrived at by my predecessor.—E.A.B., 10/3/79. Inform the applicants, care of H. Copeland, Esq., M.P.—H.W., 10/3/79. Informed, 12 March, 1879.

No. 27.

The Under Secretary for Mines to Messrs. H. Saxby & Party.

Gentlemen,

Department of Mines, Sydney, 12 March, 1879.

Referring to your letter of the 26th ultimo further respecting your claim to be regarded as the discoverers of the Barrington Gold-field, I have the honor to inform you that the Secretary for Mines sees no reason to reverse the decision arrived at by a former Minister, as conveyed to you in my letters of 14th and 31st of August, 1876, respectively.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

1878.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

PROSPECTING FOR GOLD.

(REGULATIONS RELATING TO VOTE IN AID OF.)

Ordered by the Legislative Assembly to be printed, 10th September, 1878.

REGULATIONS relating to the vote in aid of Prospecting, approved by His Excellency the Governor and the Executive Council, 17th June, 1878.

(Submitted to Parliament, in terms of the Appropriation Act of 1878.)

Department of Mines, 25th June, 1878.

THE following Regulations relating to the vote for the purpose of assisting prospecting for Gold, made by His Excellency the Governor, with the advice of the Executive Council, in pursuance of a resolution of the Legislative Assembly, are published for general information.

W. H. SUTTOR,
Minister for Mines.

1. From out the sum of £5,000, voted by Parliament for the encouragement of prospecting, such sums may be granted by the Minister for Mines to any Association or Company applying for the same, as shall be recommended by the Prospecting Board, as hereinafter provided, not exceeding one pound for every pound contributed by such Association or Company.

2. Before recommending the grant of any money to any Association or Company, the Prospecting Board shall be satisfied by inquiry and examination that the tract of country proposed to be prospected, and the mode of prospecting proposed, are suitable; and shall then estimate the cost of the proposed work, and of the materials and implements necessary therefor.

3. The Prospecting Board shall in no case recommend the granting of a sum exceeding 50 per cent. of the estimated cost of the proposed works and necessary materials and implements.

4. In the event of any money being granted to any Association or Company as aforesaid, such Association or Company may, from time to time, claim such instalment thereof as the Warden or other officer authorized thereto by the Minister shall certify as due under these Regulations. But before giving any such certificate, the Warden or other officer shall inspect the work, materials, and implements in respect of which the instalment is claimed, and shall see that the work has been done within the site, and in the manner approved of by the Board, and that the sum claimed does not exceed 50 per cent. of the value (according to the estimate made by the Prospecting Board) of the work done, and of the cost of materials and implements necessary therefor.

5. The Prospecting Board may, in any case in which it shall appear expedient so to do, recommend that, as a condition precedent to the granting of money, the Association or Company to whom it is proposed to make the grant, shall enter into a contract to perform the work in the place and manner recommended by such Board, and the Association or Company shall, if required, enter into a bond for the satisfactory completion of such work. And every such agreement shall set out in what manner, at what times, and subject to what conditions the money granted, or any instalment thereof, may be claimed.

6. Upon the recommendation of the Prospecting Board, any portion of territory selected as a site for prospecting may be reserved from sale, selection, or leasing, and from occupation under miners' rights or mineral licenses.

7. At any time after the discovery of gold within any such reserve, so much thereof as in the opinion of the Minister for Mines shall not be necessary to recompense the Association or Company for having made such discovery, shall be thrown open to the holders of miners' rights, and to leasing under the Mining Act, 1874.

8. No Association or Company to whom aid shall be granted under these Regulations shall be entitled to claim any money reward which has been, or shall be, offered by the Government for the discovery of new Gold Fields.

9. The Prospecting Board aforesaid shall consist of the Under Secretary for Mines, the Geological Surveyor, and the Warden of the District in which the land to be prospected is situate, or the Warden nearest thereto. Provided that the Minister for Mines may at any time appoint any other person a member of such Board, in addition to or in substitution for any of the officers aforesaid.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

EXPORT DUTY ON GOLD.

(PETITION AGAINST—GOLD-MINERS ON BARRINGTON GOLD FIELD.)

Received by the Legislative Assembly, 17 June, 1879.

Petition for the Abolition of the Export Duty on Gold.

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

The humble Petition of the undersigned Gold-miners resident on the Barrington Gold Field,—

RESPECTFULLY SHOWETH:—

1. That the retention of an export duty is contrary to the fiscal policy of this Colony, and the abolition of said duty has on several occasions received the assent of the Legislative Assembly by large majorities.

2. Your Petitioners are of opinion that no good reason can be adduced for imposing an export duty on gold that would not apply with equal force to an export duty on coal, kerosene, shale, silver, copper, or tin, none of which are however subject to such duty, notwithstanding such last-mentioned mining lands can be either leased at five shillings per acre or purchased in fee simple at £2 per acre.

3. Your Petitioners must each be the holder of a miner's right, at a cost of ten shillings per annum, which under the Mining Board Regulations only entitles the holders to occupy half an acre of land, being equivalent to a rent of £1 per acre, and many of your Petitioners, in addition to the above payment, hold their claim under lease from the Crown, for which they pay an additional £1 per acre as annual lease rent.

4. That each of the above titles, viz., the "Miner's Right" and the "Lease" convey by Statute law (Mining Act, 1874) absolute property in all gold found in such claim. Your Petitioners therefore feel aggrieved at being further subjected by an export duty on their produce, which they respectfully submit (taking the above premises into consideration) can only be viewed in the light of a tax on their individual labour.

5. Your Petitioners are of opinion that gold-mining, although highly beneficial to the State in attracting population to our shores, and especially to the interior of the country, and in many other ways greatly enhancing the value of adjacent Crown Lands, is nevertheless not a specially remunerative avocation to the miner, as the Annual Report of the Department of Mines for 1877 will sufficiently show; as during that year 6,974 miners produced gold to the value of £456,973, being an average of only £65 10s. 6d. for each miner engaged thereat for the year, and from this amount must be deducted the cost of mining material and the use of machinery of the value (as set down in said Report) of £227,540.

6. Your Petitioners further submit that many miners, although producing comparatively large quantities of gold upon which such export duty has to be paid, do not give back to the shareholders the amount of money invested therein, many of them not even paying interest on the capital expended in their development.

7. Your Petitioners therefore humbly pray that your Honorable House will be pleased to take the above premises into your favourable consideration, and that you will further be pleased to grant the relief herein sought. And your Petitioners, as in duty bound, will ever pray.

[Here follow 327 signatures.]

Similar Petitions were received:—

On same date, from Gold-miners resident on the Adelong Gold Field; 187 signatures.

On same date, from Gold-miners resident on the Peel River Gold Field; 149 signatures.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

EXPORT DUTY ON GOLD.

(PETITION AGAINST—GOLD-MINERS ON HILL END GOLD FIELD.)

Received by the Legislative Assembly, 24 June, 1879.

Petition for the Abolition of the Export Duty on Gold:

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

The humble Petition of the undersigned Gold-miners resident on the Hill End Gold Field,—

RESPECTFULLY SHOWETH:—

1. That the retention of an export duty is contrary to the fiscal policy of this Colony, and the abolition of said duty has on several occasions received the assent of the Legislative Assembly by large majorities.

2. Your Petitioners are of opinion that no good reason can be adduced for imposing an export duty on gold that would not apply to coal, kerosene, shale, silver, copper, or tin, none of which are however subject to such duty, notwithstanding such last-mentioned mining lands can be either leased at five shillings per acre or purchased in fee simple at £2 per acre.

3. Your Petitioners must each be the holder of a miner's right, at a cost of ten shillings per annum, which under the Mining Board Regulations only entitles the holder to occupy half an acre of land, being equivalent to a rent of £1 per acre; and many of your Petitioners, in addition to the above payment, hold their claims under lease from the Crown, for which they pay an additional £1 per acre as annual lease rent.

4. That each of the above titles, viz., the "Miner's Right" and the "Lease," convey by Statute law (Mining Act, 1874) absolute property in all gold found in such claim. Your Petitioners therefore feel aggrieved at being further subjected to an export duty on their produce, which they respectfully submit (taking the above premises into consideration) can only be viewed in the light of a tax on their individual labour.

5. Your Petitioners are of opinion that gold-mining, although highly beneficial to the State in attracting population to our shores, and especially to the interior of the country, and in many other ways enhancing the value of adjacent Crown Lands, is nevertheless not a specially remunerative avocation to the miner, as the Annual Report of the Department of Mines for 1877 will sufficiently show; as during that year 6,974 miners produced gold to the value of £456,973, being an average of only £65 10s. 6d. for each miner engaged thereat for the year, and from this amount must be deducted the cost of mining material and the use of machinery of the value (as set down in said Report) of £227,540.

6. Your Petitioners further submit that many mines, although producing comparatively large quantities of gold upon which such export duty has to be paid, do not give back to the shareholders the amount of money invested therein, many of them not even paying interest on the capital expended in their development.

7. Your Petitioners therefore humbly pray that your Honorable House will be pleased to take the above premises into your favourable consideration, and that you will further be pleased to grant the relief herein sought. And your Petitioners, as in duty bound, will ever pray.

[Here follow 140 signatures.]

THE UNIVERSITY OF CHICAGO

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THE UNIVERSITY OF CHICAGO

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

EXPORT DUTY ON GOLD.

(PETITION AGAINST—GOLD-MINERS ON ROCKY RIVER GOLD FIELD, NEW ENGLAND.)

Received by the Legislative Assembly, 2 July, 1879.

Petition for the Abolition of the Export Duty on Gold.

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

The humble Petition of the undersigned Gold-miners resident on the Rocky River Gold Field, New England,—

RESPECTFULLY SHOWETH:—

1. That the retention of an export duty is contrary to the fiscal policy of this Colony, and the abolition of said duty has on several occasions received the assent of the Legislative Assembly by large majorities:

2. Your Petitioners are of opinion that no good reason can be adduced for imposing an export duty on gold that would not apply with equal force to an export duty on coal, kerosene, shale, silver, copper, or tin, none of which are however subject to such duty, notwithstanding such last-mentioned mining lands can be either leased at five shillings per acre or purchased in fee simple at £2 per acre.

3. Your Petitioners must each be the holder of a miner's right, at a cost of ten shillings per annum, which under the Mining Board Regulations only entitles the holder to occupy half an acre of land, being equivalent to a rent of £1 per acre; and many of your Petitioners, in addition to the above payment, hold their claims under lease from the Crown, for which they pay an additional £1 per acre as annual lease rent.

4. That each of the above titles, viz., the "Miner's Right" and the "Lease," convey by Statute law (Mining Act, 1874) absolute property in all gold found in such claim. Your Petitioners therefore feel aggrieved at being further subjected to an export duty on their produce, which they respectfully submit (taking the above premises into consideration) can only be viewed in the light of a tax on their individual labour.

5. Your Petitioners are of opinion that gold-mining, although highly beneficial to the State in attracting population to our shores, and especially to the interior of the country, and in many other ways greatly enhancing the value of adjacent Crown lands, is nevertheless not a specially remunerative avocation to the miner, as the Annual Report of the Department of Mines for 1877 will sufficiently show; as during that year 6,974 miners produced gold to the value of £456,973, being an average of only £65 10s. 6d. for each miner engaged thereat for the year, and from this amount must be deducted the cost of mining material and the use of machinery of the value (as set down in said Report) of £227,540.

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7. Your Petitioners therefore humbly pray that your Honorable House will be pleased to take the above premises into your favourable consideration, and that you will further be pleased to grant the relief herein sought. And your Petitioners, as in duty bound, will ever pray.

[Here follow 46 signatures.]

Similar Petition was received:—

On same date, from Gold-miners resident on the Araluen Gold Field; 92 signatures.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

APPLICATIONS FOR LAND AT GULF CREEK.

(CORRESPONDENCE, MINUTES, PLANS, &c.)

Ordered by the Legislative Assembly to be printed, 7 February, 1879.

RETURN to an *Order*, made by the Honorable the Legislative Assembly of New South Wales on 11th October, 1878, That there be laid upon the Table of this House,—

- “(1.) Copies of all Papers, Documents, Minutes, &c., relating to the applications of Messrs. Banks, Lester, and Farquhar, and also of Messrs. Griffiths and Gaffney, for land at Gulf Creek, county of Gough.
“(2.) Copies of all Correspondence which has taken place between the Lands Department, the Mines Department, and the applicants, or those acting on their behalf.
“(3.) Copies of Surveyors’ Reports and Plans, also copies of all entries in the books or registers of the Lands and Mines Departments in any way relating to these applications.”

(Mr. Hurley, Hartley.)

SCHEDULE.

NO.		PAGE.
1.	Authority to Mr. R. Craig to select 3 blocks of land. 2 September, 1872	5
2.	Application for M.L. 12,862, by Mr. R. Craig. 2 September, 1872	5
3.	Treasurer's receipt for £15 deposit on application to select 60 acres. 2 September, 1872	5
4.	Letter from Mr. R. Craig to Minister for Lands, enclosing receipt. 2 September, 1872	5
5.	Application for M.L. 12,863, by Mr. R. Craig. 2 September, 1872	5
6.	Do. 12,864 do. do.	5
7.	Instructions to survey M.Ls. 12,862/4. 7 September, 1872	6
8.	Description of M.L. 12,863	6
9.	Do. 12,863	6
10.	Do. 12,864	6
11.	Application for M.L. 13,917 (Griffiths and Gaffney). 16 September, 1872	6
12.	Treasurer's receipt for £80, deposit on applications 13,917/32. 16 September, 1872	7
13.	Letter from Messrs. Griffiths & Gaffney to Minister for Lands, enclosing receipt. 16 September, 1872	7
14.	Application for M.L. 13,918 (Griffiths & Gaffney). 16 September, 1872	7
15.	Do. 13,919 do. do.	7
16.	Do. 13,920 do. do.	7
17.	Do. 13,921 do. do.	7
18.	Do. 13,922 do. do.	8
19.	Do. 13,923 do. do.	8
20.	Do. 13,924 do. do.	8
21.	Do. 13,925 do. do.	8
22.	Do. 13,926 do. do.	8
23.	Do. 13,927 do. do.	9
24.	Do. 13,928 do. do.	9
25.	Do. 13,929 do. do.	9
26.	Do. 13,930 do. do.	9
27.	Do. 13,931 do. do.	9
28.	Do. 13,932 do. do.	10
29.	Instructions to survey M.Ls. 13,917/32. 23 September, 1872	10
30.	Treasurer's receipt for broken period rent on M.Ls. 13,917/32. 30 September, 1872	10
31.	Description of M.L. 13,921	10
32.	Do. 13,922	11
33.	Do. 13,923	11
34.	Do. 13,924	11
35.	Do. 13,925	11
36.	Do. 13,926	11

NO.		PAGE.
37.	Description of M.L., 13,927	11
38.	Do. 13,928	12
39.	Do. 13,929	12
40.	Do. 13,930	12
41.	Do. 13,931	12
42.	Do. 13,932	12
43.	Application for M.L. 17,279, Banks & Co. 14 December, 1872 (taken from register)	12
44.	Do. 17,280 do. do. do.	13
44a.	Plan of M.L. 17,279/80. (Appendix A.)	13
45.	Letter from Mr. Gaffney to District-Surveyor Armidale, respecting Surveyor Chard. 22 January, 1873	13
46.	Do. Mr. Griffiths do. do. land surveyed for Mr. Blair. 22 January, 1873	13
47.	Mr. L.-S. Chard to the Sur. General, transmitting plan of M.L. 12,862/4. 29 January, 1873	13
48.	Do. do. reporting upon complaint by Messrs. Griffiths & Gaffney. 13 February, 1873	14
49.	Mr. D.-S. Greaves, reporting upon complaint by Messrs. Griffiths & Gaffney. 12 March, 1873	15
50.	Letter from Messrs. Craig & party to Minister for Lands, to the effect that Gaffney & party are extracting tin from their selection, and asking for injunction. 19 March, 1873	16
51.	Authority to prosecute Messrs. Gaffney & party. 9 April, 1873	16
52.	Letter from U.S. for Lands to Griffiths & Co., informing them that authority to prosecute refers to selections Nos. 6,063/92. 19 April, 1873	16
53.	Letter from U.S. Lands to Craig & Co., informing them that authority to prosecute refers to selections Nos. 6,063/92. 19 April, 1873	17
54.	Report by Mr. D.-S. Greaves, on complaint by Griffiths & Gaffney. 23 March, 1873	17
55.	Letter from Messrs. Gaffney & Co. to Mr. D.-S. Greaves, to the effect that Mr. Chard has surveyed a portion of their mineral claim to Mr. Blair, for Craig & Co. 10 March, 1873	17
56.	Letter from Mr. Blair (for Craig & Co.) to Mr. D.-S. Greaves, asking him to stop Gaffney & party from working their land, &c. 24 March, 1873	17
57.	Telegram from Mr. Blair to Mr. D.-S. Greaves, to the effect that Gaffney & party will work disputed land. 26 March, 1873	17
58.	Letter from Mr. Blair to Mr. D.-S. Greaves, asking him (for manager) how to act to stop Gaffney & party from working land. 28 March, 1873	18
59.	Letter from Messrs. Griffiths & Gaffney to Mr. D.-S. Greaves, respecting portion 59. 30 March, 1873	18
60.	Do. Mr. Blair to Minister for Lands, respecting disputed land claimed by Griffiths, Gaffney, and party. 3 April, 1873	18
61.	Letter from Mr. Craig to Minister for Lands, respecting disputed land. 4 April, 1873	18
62.	Memo. from Mr. Fitzpatrick, M.P., requesting permission to see papers, &c. 7 April, 1873	19
63.	Letter from Mr. Blair to Minister for Lands, respecting dispute. 9 April, 1873	19
64.	Mr. Farnell's decision on the case. 7 May, 1873	19
65.	Letter from U.S. for Lands to Mr. Blair, informing him of Minister's decision. 17 May, 1873	19
66.	Do. do. to Mr. C. J. Griffiths, informing him of Minister's decision. 19 May, 1873	19
67.	Letter from Mr. Griffiths to Mr. D.-S. Greaves, enclosing declaration by Gaffney. 28 May, 1873	20
68.	Declaration by Mr. Gaffney. 27 May, 1873	20
69.	Letter from Mr. John Brown, to the effect that he has been in possession of land taken up by Griffiths and Gaffney since date of application, &c. 29 May, 1873	20
70.	Mr. L.-S. Wener to Surveyor General, transmitting plan of M.Ls. 13,921/32. 2 June, 1873	20
71.	Letter from Mr. Griffiths to Minister for Lands, respecting land in dispute. 16 July, 1873	20
72.	Do. Messrs. Farquhar, Banks, & Lester to U. Sec. for Lands, requesting that persons be prevented from working their land. 21 July, 1873	21
73.	Authority to prosecute Griffiths and party. 21 July, 1873	21
74.	Memo. for Leases Nos. 12,862/4 in duplicate.	21
75.	Letter from John Gaffney to Minister for Lands, further re-disputed land. 22 July, 1873	21
76.	Do. Messrs. Banks and party to U. Sec. for Lands, applying for leases. 14 August, 1873	22
77.	Telegram from Messrs. Griffiths & Gaffney to Minister for Lands, to the effect, they are summoned by Banks for working their land. 28 August, 1873	22
78.	Telegram from Messrs. Griffiths & Gaffney, requesting answer to telegram. 29 August, 1873	23
79.	Memo. from Mr. L.-S. Wener, re portion 131	23
80.	Letter from Mr. Butchart to U.S. Mines, requesting that M.L. 12,862 may be declared forfeited for non-payment of rent. 11 August, 1875	23
81.	Letter from U.S. Mines to Mr. R. Craig, informing that unless rent be paid on M.L. 12,862 it will be forfeited. 19 August, 1875	23
82.	Letter from A. K. Mackenzie, pro. Griffiths & Gaffney, applying for refund of £5 18s. in respect of M.L. 13,917/20. 28 April, 1876	23
83.	Letter from U.S. Mines to A. K. Mackenzie, approving of refund. 10 May, 1876	23
84.	Do. do. U.S. Finance and Trade, approving of refund. 10 May, 1876	24
85.	Telegram from Warden's Clerk, Veg. Creek, to U.S. for Mines, re M.L. 17,279/80. 9 March, 1877	24
86.	Telegram from U.S. Mines to Warden's Clerk, Veg. Creek, re M.Ls. 17,279/80. 9 March, 1877	24
87.	Letter from U.S. Mines to Messrs. Banks and Co., demanding rent on M.L. 17,279/80. 14 March, 1877	24
88.	Letter from Under Sec. Mines to Under Sec. Finance and Trade, approving of overdue rent being received on M.Ls. 17,279/80. 24 April, 1877	24
89.	Memo. to Chief Draftsman—any objection to preparation of M.Ls. 13,921/32. 26 April, 1877	25
90.	Area, portion, No., and locality of M.Ls. 13,921/32. 27 April, 1877	25
91.	Letter from R. Craig to Minister for Mines, for permission to pay rent on M.L. 12,863. 14 May, 1877	25
92.	Letter from Under Sec. Mines to Mr. R. Craig, approving of rent due being paid. 17 May, 1877	25
93.	Letter from Under Sec. Mines to Under Sec. Finance and Trade, approving of rent due being paid on M.L. 12,863. 17 May, 1877	25
94.	Letter from Mr. R. Craig to Sec. for Mines, for permission to pay rent on M.L. 12,862. 16 May, 1877	25
95.	Letter from Under Sec. Mines to Mr. R. Craig, approving of payment of rent. 18 May, 1877	25
96.	Letter from the Under Sec. Mines to Under Sec. Finance and Trade, approving of rent being paid on M.L. 12,862. 18 May, 1877	26
97.	Letter from Mr. B. Hart to Under Sec. Mines, requesting cancellation M.Ls. 17,279/80 and 12,862/3. 31 May, 1877	26
98.	Letter from Under Sec. Mines to Messrs. Banks and Co., calling upon them to show cause why M.L. 17,279/80 should not be cancelled. 7 June, 1877	26
99.	Letter from Under Sec. for Mines to Mr. R. Craig, calling upon him, &c., re M.Ls. 12,862/3. 7 June, 1877	26
100.	Letter from Under Sec. Mines to Mr. R. Craig, that unless cause be shown M.L. 12,862/3 will be cancelled. 26 June, 1877	26
101.	Letter from Under Sec. Mines to Mr. H. Cohen, M.P., informing him that Mr. R. Craig has been called upon, &c., re M.Ls. 12,862/3. 26 June, 1877	26
102.	Letter from Mr. Partridge to Mr. Buchanan, for opinion. 21 June, 1877	27
103.	Do. Mr. Harold to Mr. McElhone, M.P., inviting attention to treatment received by miners. 23 June, 1877	27
104.	Letter from Mr. R. P. Abbott to Minister for Mines, requesting that matter of M.Ls. 17,279/80 be delayed for a fortnight. 27 June, 1877	27
105.	Letter from Under Sec. Mines to Mr. Abbott, M.P., approving of his request. 6 July, 1877	27
106.	Do. do. Mr. Cohen, M.P., informing him that Minister had complied with Mr. Abbott's request. 6 July, 1877	28

NO.	PAGE.
107. Letter from Mr. Abbott, M.P., to Minister for Mines, requesting that matter of M.Ls. 12,862/3 be delayed for a fortnight. 27 June, 1877	28
108. Letter from Under Sec. Mines to Mr. Abbott, M.P., approving of his request. 4 July, 1877	28
109. Letter from U.S. Mines to Mr. Cohen, M.P., informing him that Minister had complied with Mr. Abbott's request. 4 July, 1877	28
110. Clerk of Warden's Court, Veg. Creek, certifying to copies of M.L. appn., &c., &c. 29 June, 1877	28
111. Copy of objections by Mr. M. W. Carr, agent for Banks & Co. 12 June, 1877	28
112. Do. M.L. application by Messrs. Hart & Swyny. 5 June, 1877	29
113. Do. Depositions, Banks & Co. v. Hart & Swyny. 28 June, 1877	29
114. Letter from Messrs. Farquhar & Craig to Minister for Mines, re Gulf Stream Tin Mining Company. 29 June, 1877	30
115. Letter from E. J. Swyny to Minister for Mines, respecting M.L. appn. 121, Vegetable Creek. 3 July, 1877	31
116. Letter from U.S. Mines to Mr. H. E. Cohen, M.P., in answer to Mr. Swyny's letter. 18 July, 1877	31
117. Letter from Mr. J. M. Banks to Minister for Mines, respecting M.Ls. 12,862/3 and 17,279/80. 9 July, 1877	31
118. Letter from Mr. Warden Graham to Under Sec. Mines, reporting on matter of expenditure on Leases 12,862/3 and 17,279/80. 3 August, 1877	32
119. Telegram from Mr. Warden Graham to Under Sec. Mines, to the effect that men committed for stealing tin off Gulf Stream Co.'s land. 5 July, 1877	32
120. Report from Mr. Warden Graham to Under Sec. for Mines, respecting blocks 59 and 60 (M.Ls. 17,279/80). 5 July, 1877	33
121. Telegram from Warden's Clerk, Veg. Creek, to Mr. Warden Graham, re Gulf Stream Co. v. Agnew and party. 6 May, 1877	34
122. Telegram from Mr. Carr, Veg. Creek, to Mr. Warden Graham, re possession of blocks 59 and 60. 4 June, 1877	34
123. Telegram from Mr. A. Cadell to P. Magistrate, Tenterfield, re dispute Gulf Stream Co. 13 June, 1877	34
124. Telegram from Mr. Cadell to Police Magistrate, Tenterfield, re dispute Gulf Stream Company—men arrested for stealing tin. 21 June	34
125. Telegram from Warden's Clerk, Veg. Creek, to Warden, Tenterfield, re Anderson & Lamont's and Agnew & party's applications for M.Ls. 5 July	34
126. Minute of Minister for Mines on the matter. 12 July, 1877	35
127. Letter from U.S. Mines to Mr. McElhone, M.P., respecting action taken by the department in matter of Agnew & party M.L. applications at Veg. Creek. 16 July, 1877	35
128. Letter from U.S. Mines to Messrs. Farquhar & Craig, acknowledging receipt of their letter of the 29th June. 16 July, 1877	35
129. Telegram from Warden's Clerk, Veg. Creek, to Under Sec. Mines, inquiring if interest of Gaffney in M.Ls. 13,921/32 was transferred to T. Reynolds in September, 1873. 9 July, 1877	35
130. Telegram from U.S. Mines to Warden's Clerk, Veg. Creek, to the effect that no record of any such transfer. 13 July, 1877	36
131. Letter from Treasury to Under Sec. Lands, to the effect that balance of purchase money on C.P. 77/107 has been credited. 12 July, 1877	36
132. Declaration by Mr. R. Craig re M.C.P. 77/107. 12 July, 1877	36
133. Letter from Messrs. Griffiths & Co. to Under Sec. for Mines, for permission to pay overdue rent on M.L's. 13,925/8. 17 July, 1877	36
134. Letter from Under Sec. Mines to Messrs. Griffiths & Co., approving of rent being paid. 21 July, 1877	36
135. Letter from Under Sec. Mines to Under Sec. Finance and Trade, approving of rent being paid on M.L's. 13,925/8. 21 July, 1877	37
136. Letter from Mr. J. H. Butchart to Minister for Mines, requesting permission to see applications for blocks 59 and 60. 19 July, 1877	37
137. Declaration by Mr. J. M. Banks, re M.C.P. 77/108. 24 July, 1877	37
138. Telegram from Lands to Mr. Gower, C.P.S., Veg. Creek, inquiring if he would undertake to inspect and report on C.P's. of Craig & Co. 24 July, 1877	37
139. Telegram from Mr. Gower, to the effect that he cannot spare time to report upon land. 25 July, 1877	38
140. Telegram from Mr. G. H. Gower, acting C.P.S., Veg. Creek, to Comr. Cond. Sales, to the effect that he has visited Banks & others C.P's. 28 July, 1877	38
141. Memo. to Mr. Hodgkinson for Cat. No. of plans of portions 22 and 23, 59 and 60. 31 July, 1877	38
142. Letter from Mr. Leary, M.P., to Under Sec. Mines, to the effect that Mr. Warden Graham had refused an injunction against Banks & Co. 13 August, 1877	38
143. Telegram from Under Sec. Mines to Mr. Warden Graham, inquiring if he had refused an application by Gaffney for an injunction against Banks. 14 August, 1877	38
144. Declaration by Mr. J. M. Banks, re C.P. 77/108. 15 August, 1877	38
145. Letter from Treasury to Under Sec. Lands, to the effect that balance of purchase money on M.C.P. 77/108 has been credited. 16 August, 1877	39
146. Telegram from Mr. Warden Graham to Under Sec. Mines, to the effect that Gaffney applied to him for an injunction in the street at Armidale. 16 August, 1877	39
147. Letter from Under Sec. Mines to Mr. Leary, M.P., informing him that the reason assigned by the Warden for refusing an application by Mr. Gaffney for an injunction was that Gaffney applied to him in the street at Armidale. 16 August, 1877	39
148. Letter from Mr. Butchart to Minister for Mines, to the effect that he has purchased one-half of mineral selections No. 17,279/80. 16 August, 1877	39
149. Letter from Under Sec. Mines to Mr. J. H. Butchart, informing him that any transfer in respect of M.L. 17,279/80, submitted in the prescribed form, will receive due consideration. 21 August, 1877	39
150. Letter from Mr. Gower, C.P.S., Veg. Creek, to Comr. Cond. Sales, reporting on C.P's. 77/107 and 108. 18 August, 1877	40
151. Letter from Mr. Abbott to Minister for Mines, requesting postponement of cases to be held by the Warden re M.L's. 17,279/80 and 12,862/3. 21 August, 1877	40
152. Telegram from Under Sec. Mines to Mr. Warden Graham, asking if he could postpone inquiry re M.L's. 17,279/80 and 12,862/3. 22 August, 1877	40
153. Letter from Under Sec. Mines to Mr. Abbott, M.P., informing him that Mr. Warden Graham has been asked whether he can postpone inquiry, &c. 23 August, 1877	40
154. Telegram from Mr. Warden Graham to Under Sec. Mines, to the effect that he can arrange to hold inquiry on 14 September. 23 August, 1877	40
155. Telegram from Under Sec. Mines to Warden, Tenterfield, that 14 September will suit, &c. 27 August, 1877	41
156. Letter from Mr. Butchart to Minister for Mines, to the effect that he has purchased an interest in the land represented by M.Ls. 17,279/80. 23 August, 1877	41
157. Letter from Under Sec. Mines to Mr. Butchart, informing him that all his letters are registered, &c. 28 August, 1877	41
158. Memo. re preparation of deeds, &c.	41
159. Letter from Chief Comr. Con. Sales to Mr. J. M. Banks, informing that declaration accepted. 28 August, 1877	41
160. Letter from Chief Comr. Con. Sales to Mr. R. Craig, informing him that declaration accepted. 28 August, 1877	41
161. Letter from Mr. W. Hezlett to Hon. Thos. Garrett, to the effect that Mr. Francis Buckle is anxious to get a Ministerial order to hasten the issue of leases. 30 August, 1877	42
162. Copy C.P. application, No. 77/107—R. Craig	42
163. Do. do. No. 77/108—Banks & Co.	42
164. Do. do. No. 77/107—R. Craig	42
165. Do. do. No. 77/108—Banks & Co.	42
166. Schedule applications of Messrs. Craig and Banks & Co.	42
167. Description M.C.P., 77/107	43
168. Do. do. 77/108	43

NO.		PAGE.
169.	Telegram from Under Sec. Mines to Warden, Tenterfield, inquiring whether an injunction has been granted Gaffney & others against Banks & party. 31 August, 1877	43
170.	Telegram from Under Sec. Mines to Warden, Tenterfield, for reply to telegram of 31 August, 1877. 10 September, 1877	43
171.	Telegram from Warden, Tenterfield, to Under Sec. Mines, to the effect that Gaffney applied for special injunction, but was refused, &c. 11 September, 1877	43
172.	Telegram from Warden Graham to Under Sec. Mines, to the effect that he has been informed that deeds have issued for blocks 59 & 60 and 22 & 23, &c. 14 September, 1877	43
173.	Telegram from Under Sec. Mines to Mr. Warden Graham, that the Minister thinks the inquiry should proceed. 14 September, 1877	44
174.	Telegram from Warden, Veg. Creek, to Under Sec. Mines, requesting reply to his telegram. 14 September, 1877	44
175.	Letter from Mr. Warden Graham to Under Sec. for Mines, forwarding evidence as to expenditure on M.L's. 17,279/80, 12,862/3. 20 September, 1877	44
176.	Evidence referred to by Mr. Warden Graham	44
177.	Letter from Under Sec. Mines to Mr. Warden Graham, to the effect that as the purchase of land has been completed no action can be taken, &c. 15 October, 1877	47
178.	Letter from Under Sec. Mines to Messrs. Hart and Swyny, that as the land has been purchased no action can be taken, &c. 18 October, 1877	47
179.	Telegram from Mr. R. P. Abbott to Warden, Veg. Creek, to the effect that grants of portions 59 & 60 and 22 & 23 have been issued. 13 September, 1877	47
180.	Memo. from Warden, Tenterfield, to Under Sec. Mines, enclosing documents, handed to him by Mr. Thos. Reynolds. 20 September, 1877	47
181.	Documents referred to (2)	48
182.	Letter from Mr. B. Hart to Minister for Mines, calling attention to inquiry held by Warden with respect to certain M. leases. 20 September, 1877	49
183.	Letter from Under Sec. Mines to Mr. Cohen, M.P., in reply to Mr. Hart's letter of the 20th September, 1877. 17 October, 1877	49
184.	Power of Attorney <i>re</i> M.L's. 13,925/8. 3 October, 1877	50
185.	Letter from Griffiths and Co. to Under Sec. Mines for permission to pay rent on M.L's. 13,921/4, 13,929/32. 9 October, 1877	50
186.	Letter from Under Sec. Mines to Messrs. Griffiths & Co., approving of rent being paid. 18 October, 1877	50
187.	Letter from Under Sec. Mines to Under Sec. Finance and Trade, approving of rent being paid. 18 October, 1877	50
188.	Power of Attorney <i>re</i> M.L's. 13,921/4, 13,929/32. 23 October, 1877	50
189.	Letter from Mr. Butchart to Minister for Mines, inquiring whether it is intended to proceed further in the investigation of dispute <i>re</i> blocks 59 & 60. 4 February, 1878	51
190.	Letter from Under Sec. Mines to Mr. J. H. Butchart, to the effect that no reason exists for disturbing decision <i>re</i> portions 59 & 60. 13 February, 1878	51
191.	Letter from Mr. Butchart to Minister for Lands, <i>re</i> blocks 59 & 60. 8 March, 1878	51
192.	Do. do. do. requesting attention to communication of 8 March. 20 March, 1878	52
193.	Letter from Under Sec. Mines to Under Sec. Lands, requesting return of papers in connection with M.L's. 17,279/80. 26 March, 1878	52
194.	Memo. <i>re</i> M.L's. 17,279/80. 23 March, 1878	52
195.	Memo. from Mr. Butchart to Record Clerk, Lands Dept., requesting that his letter may be laid before the Minister. 27 March, 1878	53
196.	Letter from Mr. Butchart to Minister for Lands, <i>re</i> portions 21, 22, and 23 (M.L's. 12,862-4). 28 March, 1878	53
197.	Letter from Mr. Butchart to Minister for Lands, requesting that cases may be dealt with as speedily as possible. 10 April, 1878	53
198.	Letter from Minister for Mines to Minister for Lands, requesting that papers in case Griffiths and Gaffney v. Banks and Party, &c., may be sent for perusal. 26 April, 1878	53
199.	Letter from Mr. Butchart to Minister for Lands <i>re</i> claim of Griffiths and Gaffney to certain land. 30 April, 1878	54
200.	Letter from Mr. Butchart to Minister for Mines, requesting to be heard by Solicitor. 27 May, 1878	54
201.	Letter from Under Sec. Mines to Mr. Butchart, approving of his request. 28 May, 1878	54
202.	Minister for Mines' decision in the matter of dispute, Griffiths and Gaffney v. Craig and party. 5 June, 1878	54
203.	Letter from Under Sec. Mines to Mr. Butchart, to the effect that Minister for Mines sees no reason for arriving at a decision adverse to that given by Mr. Farnell on 7th May, 1878. 8 June, 1878	55
204.	Letter from Mr. Butchart to Under Sec. Mines, to the effect that dispute is in reference to blocks 59 and 60. 10 June, 1878	55
205.	Letter from Under Sec. Mines to Mr. Butchart, to the effect that Sec. for Mines is unable to give a decision respecting blocks 59 and 60. 14 June, 1878	65
206.	Letter from Mr. Butchart to Minister for Lands, <i>re</i> dispute between Messrs. Griffiths and Gaffney and Messrs. Banks and others as to leases, &c., of portions 21, 22, 23, 59, and 60. 20 June, 1878	55
207.	Letter from Mr. Butchart to Minister for Mines, acknowledging receipt of letter of June 14th. 20 June, 1878	55
208.	Letter from Mr. John Gaffney to Under Sec. Mines, enquiring if it is the intention of the Government to investigate his case. 17 July, 1878	56
209.	Letter from Under Sec. Mines to Mr. John Gaffney, to the effect that Sec. for Mines has no power to disturb decision arrived at by the Minister for Lands. 5 August, 1878	56
210.	Letter from Mr. John Gaffney to Minister for Lands, inquiring if it is the intention of the Government to investigate his case. 19 July, 1877	56
211.	Letter from Mr. J. H. Butchart to Minister for Lands, to the effect that he is still without any communication <i>re</i> Griffiths and Gaffney's mining selections. 2 August, 1878	56
212.	Letter from Mr. J. H. Butchart to Minister for Lands, enclosing copy of letter received from Dept. of Mines <i>re</i> papers referring to portions 59 and 60. 20 August, 1878	56
213.	Letter from Chief Commissioner, Conditional Sales, to Mr. J. H. Butchart, requesting him to indicate action the Government is asked to take <i>re</i> claims of Griffiths and Gaffney to portions 59 and 60. 5 September, 1878	57
214.	Letter from Mr. Butchart to Minister for Lands, to the effect that he is desirous that the merits of the case should be reconsidered by the Sec. for Lands, &c. 12 September, 1878	58
215.	Mineral Lease, No. 12862 (R. Craig)	58
216.	Do. 12863 do.	60
217.	Do. 12864 do.	61
218.	Do. 13921 (Griffiths and Gaffney)	63
219.	Do. 13922 do.	65
220.	Do. 13923 do.	67
221.	Do. 13924 do.	69
222.	Do. 13925 do.	71
223.	Do. 13926 do.	73
224.	Do. 13927 do.	75
225.	Do. 13928 do.	77
226.	Do. 13929 do.	79
227.	Do. 13930 do.	81
228.	Do. 13931 do.	83
229.	Do. 13932 do.	85
230.	Do. 17279 (Banks and Co.)	87
231.	Do. 17280 do.	89

APPLICATIONS FOR LAND AT GULF CREEK.

No. 1.

The Under Secretary for Lands to Mr. R. Craig.

Sir,

Department of Lands, Sydney, 2 September, 1872.

In compliance with the request contained in your application of this date, I am instructed by the Secretary for Lands to convey to you authority to select, within 12 months from this date, three blocks of 20 acres each, from any available Crown lands, for the purpose of working minerals other than gold, subject, of course, to all prior claims and to all the conditions of the Crown Lands Occupation Act of 1861, and the regulations founded thereon. Selection reported at 10-22, 2/9/72.

2. If no unobjectionable selection be reported to this department within 12 months from this date, the present authority will be considered obsolete, and the first year's rent already paid by you will be forfeited.

I have, &c.,

LINDSAY G. THOMPSON,
(For the Under Secretary.)

No. 2.

Mr. R. Craig to The Secretary for Lands.

Sir,

Lime-street, Sydney, 2 September, 1872.

I have the honor to report to you that, in pursuance of the authority conveyed to me in the letter of the Under Secretary for Lands, dated this date, I have selected the portion of Crown lands hereunder described, for the purpose of working tin, viz.:—20 acres, county of Gough, parish of ——— Received at 10-22, 2-9
situated to the southwards of Thomas Hollyman and J. Smith's mineral selection of 40 acres, situated north-west from Blair's camp.

I have, &c.,

ROBERT CRAIG.

Mr. Greaves, D.S.—W.H., for J.S., 5 Sept. D.-S. Greaves, 7 Sept.—2,484.

No. 3.

Treasurer's Receipt.

(No. 15,039.)

New South Wales, The Treasury, 2 September, 1872.

RECEIVED from Robert Craig the sum of £15 sterling, for deposit on application for authority to select 60 acres, in three blocks of 20 acres, for mineral purposes.

W. NEWCOMBE,

Pro Treasurer.

£15.

No. 4.

Mr. R. Craig to The Secretary for Lands.

Sir,

Lime-street, Sydney, 2 September, 1872.

I have the honor to enclose a receipt for the sum of £15, which I have deposited in the Colonial Treasury as the first year's rent for portion of 60 acres each, which I am desirous of leasing under the 22nd clause of the Crown Lands Occupation Act; and I request that I may be favoured with the necessary authority to enable me to select the area specified for the purpose of working tin.

I have, &c.,

ROBERT CRAIG.

No. 5.

Mr. R. Craig to The Secretary for Lands.

Sir,

Lime-street, Sydney, 2 September, 1872.

I have the honor to report to you that, in pursuance of the authority conveyed to me in the letter of the Under Secretary for Lands, dated this day, I have selected the portion of Crown lands hereunder described, for the purpose of working tin, viz.:—20 acres, county of Gough, parish of ——— Received at 10-22, 2/9/72.
situated to the southward of Thomas Hollyman and J. Smith's mineral selection of 40 acres, situated north-west from Blair's camp.

I have, &c.,

ROBERT CRAIG.

Mr. Greaves, D.S.—W.H., for J.S., 5 Sept. D.-S. Greaves, 7 Sept.—2484.

No. 6.

Mr. R. Craig to The Secretary for Lands.

Sir,

Lime-street, Sydney, 2 September, 1872.

I have the honor to report to you that, in pursuance of the authority conveyed to me in the letter of the Under Secretary for Lands, dated this date, I have selected the portion of Crown lands hereunder described, for the purpose of working tin, viz.:—20 acres, county of Gough, parish of ——— Received at 10-22, 2/9/72.
situated to the southward of Thomas Hollyman and J. Smith's mineral selection of 40 acres, situated north-west from Blair's camp.

I have, &c.,

ROBERT CRAIG.

Mr. Greaves, D.S.—W.H., for J.S., 5 September. D.-S. Greaves, 7 September—2,484.

No. 7.

No. 7.

The Deputy Surveyor General to Mr. District-Surveyor Greaves.

(Lease paper, No. 72/19,220-22.)

(Mineral lease, No. 12,862-4.)

Sir,

Surveyor General's Office, Sydney, 7 September, 1872.

Application having been received on the 2nd September, at 10.22 o'clock, from Robert Craig, to lease for mineral purposes, 60 acres of land in three blocks in the parish of —, descriptions of which are annexed, I have to request that you will be good enough to have measured the area applied for in the form prescribed for conditional purchase, if unobjectionable.

I am, &c.,

R. D. FITZGERALD,
(For Surveyor General.)

DESCRIPTION.

12,862.

20 acres, county of Gough, situated to the southwards of Thomas Hollyman and J. Smith's mineral selection of 40 acres, situated north-west from Blair's Camp.

12,863.—20 acres. Same description.

12,864.—20 acres. Same description.

Mr. Licensed-Surveyor Chamberlain to measure.—M. O'C. BLAKE, for D.S., 18 Nov., /72.
Transferred to Mr. L.-S. Chard.—T. J. CHAMBERLAIN, 20 Dec., /72.

No. 8.

Description of Mineral Lease.

Robert Craig's M.L. 12,862.

20 acres, county of Gough, parish of Muir, M.L. portion 23: Commencing on the north-western side of a road 1 chain wide at the southern corner of M.L. portion 22; and bounded thence on the south-east by that road dividing it from part of M.L. portion 60 in the parish of Landsend, bearing south 30 degrees west 14 chains 14 links; on the south-west by a line bearing west 30 degrees north 14 chains 15 links; on the north-west by parts of the south-eastern boundaries of M.L. portions 24 and 20 being in all a line bearing north 30 degrees east 14 chains 14 links; and on the north-east by the south-western boundary-line of portion 22 aforesaid, bearing east 30 degrees south 14 chains 15 links to the point of commencement.

No. 9.

Description of Mineral Lease.

Robert Craig's M.L. 12,863.

20 acres, county of Gough, parish of Muir, M.L. portion 22: Commencing on the north-western side of a road 1 chain wide at the southern corner of M.L. portion 21; and bounded thence on the south-east by that road, dividing it from parts of M.L. portions 59 and 60 in the parish of Landsend, bearing south 30 degrees west 14 chains 14 links; on the south-west by the north-eastern boundary-line of M.L. portion 23 bearing west 30 degrees north 14 chains 15 links; on the north-west by part of the south-eastern boundary of M.L. portion 20, bearing north 30 degrees east 14 chains 14 links; and on the north-east by the south-western boundary-line of M.L. portion 21 aforesaid, bearing east 30 degrees south 14 chains 15 links to the point of commencement.

No. 10.

Description of Mineral Lease.

Robert Craig's M.L. 12,864.

20 acres, county of Gough, parish of Muir, M.L. portion 21: Commencing at the eastern corner of M.L. portion 20, and bounded thence on the north-west by part of the south-eastern boundary-line of that portion bearing south 30 degrees west 13 chains 59 links; on the south-west by the north-eastern boundary-line of M.L. portion 22, bearing east 30 degrees south 14 chains 15 links; on the south-east by a road 1 chain wide dividing it partly from part of M.L. portion 59 in the parish of Landsend, and a line in all bearing north 30 degrees east 14 chains 51 links; and on the north-east by another road 1 chain wide bearing west 30 degrees north 3 chains 75 links west 25 degrees 30 minutes north 5 chains 3 links west 18 degrees 8 minutes north 2 chains 56 links; and thence west 30 degrees north 2 chains 87 links to the point of commencement.

No. 11.

Messrs. Griffiths and Gaffney to The Secretary for Lands.

Sir,

Bondi, 16 September, 1872.

We have the honor to report to you that, in pursuance of the authority conveyed to me in the letter of the Under Secretary for Lands dated this date, we have selected the portion of Crown lands here-under described, for the purpose of working minerals other than gold or coal, viz.:—20 acres, county of —, parish of —, situated starting from a tree marked J along a reef running north and south on the waterfall of the Beardy Creek, Wellington Vale Run.

We have, &c.,

CHAS. J. GRIFFITHS & JOHN GAFFNEY,
(p. A. K. MACKENZIE.)

Mr. Greaves, D.S.—W.H., p. J.S., 18.

D.-S. Greaves, 23 Sep.—2,726.

No. 12.

7

No. 12.

The Under Secretary for Finance and Trade to Messrs. Griffiths and Gaffney.

(No. 16,330.)

New South Wales. The Treasury, 16 September, 1872.

RECEIVED from C. J. Griffiths and Jno. Gaffney the sum of £80 sterling for deposit on application for authority to select 320 acres for mineral purposes in sixteen 20-acre blocks.

£80.

W. NEWCOMBE,

(pro. Treasurer.)

No. 13.

Messrs. Griffiths and Gaffney to The Secretary for Lands.

Sir,

Bondi, 16 September, 1872.

We have the honor to enclose a receipt for the sum of £80, which we have deposited in the Colonial Treasury as the first year's rent for sixteen portions of 20 acres each, which we are desirous of leasing under the 22nd clause of the Crown Lands Occupation Act; and we request that we may be favoured with the necessary authority to enable us to select the area specified for the purpose of working tin.

We have, &c.,

CHARLES J. GRIFFITHS & JOHN GAFFNEY,
(p. A. K. MACKENZIE.)

No. 14.

Messrs. Griffiths and Gaffney to The Secretary for Lands.

Sir,

Bondi, 16 September, 1872.

I have the honor to report to you, that in pursuance of the authority conveyed to me in the letter of the Under Secretary for Lands, dated this date, I have selected the portion of Crown lands here-
under described, for the purpose of working minerals other than gold or coal, viz.:—20 acres, county of
parish of situated adjoining our selection of this date of No. 1 from tree marked J.

I have, &c.,

CHAS. J. GRIFFITHS & JOHN GAFFNEY,
(p. A. K. MACKENZIE.)

Mr. Greaves, D.S.—W.H., p. J.S., 18.

D.S. Greaves, 23 Sep.,—2,726.

No. 15.

Messrs. Griffiths and Gaffney to The Secretary for Lands.

Sir,

Bondi, 16 September, 1872.

I have the honor to report to you, that in pursuance of the authority conveyed to me in the letter of the Under Secretary for Lands, dated this date, I have selected the portion of Crown lands here-
under described, for the purpose of working minerals other than gold or coal, viz.:—20 acres, county of
parish of situated adjoining our selection of this date of No. 2 from tree marked J.

I have, &c.,

CHAS. J. GRIFFITHS & J. GAFFNEY,
(p. A. K. MACKENZIE.)

Mr. Greaves, D.S.—W.H., p. J.S., 18.

D.S. Greaves, 23 Sep.,—2,726.

No. 16.

Messrs. Griffiths and Gaffney to The Secretary for Lands.

Sir,

Bondi, 16 September, 1872.

I have the honor to report to you that in pursuance of the authority conveyed to me in the letter of the Under Secretary for Lands, dated this date, I have selected the portion of Crown lands here-
under described, for the purpose of working mineral other than gold or coal:—20 acres, county of
of parish of situate adjoining No. 3 of our selection of this date, from tree marked J.

I have, &c.,

CHAS. J. GRIFFITHS & J. GAFFNEY,
(p. A. K. MACKENZIE.)

Mr. Greaves, D.S.—W.H., p. J.S., 18.

D.S. Greaves, 23 Sept.,—2,726.

No. 17.

Messrs. Griffiths and Gaffney to The Secretary for Lands.

Sir,

Bondi, 16 September, 1872.

I have the honor to report to you that in pursuance of the authority conveyed to me in the letter of the Under Secretary for Lands, dated this date, I have selected the portion of Crown lands here-
under described, for the purpose of working minerals other than gold or coal, viz.:—20 acres, county of
of parish of situated adjoining No. 4 of our selection of this date, from tree marked J.

I have, &c.,

CHAS. J. GRIFFITHS & J. GAFFNEY,
(p. A. K. MACKENZIE.)

Mr. Greaves, D.S.—W.H., p. J.S., 18.

D.S. Greaves, 23 September.—2,726.

No. 18.

No. 18.

Messrs. Griffiths and Gaffney to The Secretary for Lands.

Sir,

Bondi, 16 September, 1872.

No. 6.
Received at 2-15,
16/9/72.

I have the honor to report to you that in pursuance of the authority conveyed to me in the letter of the Under Secretary for Lands, dated this date, I have selected the portion of Crown lands hereunder described, for the purpose of working minerals other than gold or coal, viz.:—20 acres, county of parish of situated adjoining No. 5 of our selection of this date, from tree marked J.

I have, &c.,

CHAS. J. GRIFFITHS & J. GAFFNEY.

Mr. Greaves, D.S.—W.H., p. J.S., 18.

D.-S. Greaves, 23 September.—2,726.

No. 19.

Messrs. Griffiths and Gaffney to The Secretary for Lands.

Sir,

Bondi, 16 September, 1872.

No. 7.
Received at 2-15,
16/9/72.

I have the honor to report to you that in pursuance of the authority conveyed to me in the letter of the Under Secretary for Lands, dated this date, I have selected the portion of Crown lands hereunder described, for the purpose of working minerals other than gold or coal, viz.:—20 acres, county of parish of situated adjoining No. 6 of our selection of this date, from tree marked J.

I have, &c.,

CHAS. J. GRIFFITHS & J. GAFFNEY,
(p. A. K. MACKENZIE.)

Mr. Greaves, D.S.—W.H., p. J.S., 18.

D.-S. Greaves, 23 September.—2,726.

No. 20.

Messrs. Griffiths and Gaffney to The Secretary for Lands.

Sir,

Bondi, 16 September, 1872.

No. 8.
Received at 2-15,
16/9/72.

I have the honor to report to you that in pursuance of the authority conveyed to me in the letter of the Under Secretary for Lands, dated this date, I have selected the portion of Crown lands hereunder described, for the purpose of working minerals other than gold or coal, viz.:—20 acres, county of parish of situated adjoining No. 7 of our selection of this date, from tree marked J.

I have, &c.,

CHAS. J. GRIFFITHS & J. GAFFNEY,
(p. A. K. MACKENZIE.)

Mr. Greaves, D.S.—W.H., p. J.S., 18.

D.-S. Greaves, 23 September.—2,726.

No. 21.

Messrs. Griffiths and Gaffney to The Secretary for Lands.

Sir,

Bondi, 16 September.

No. 9.
Received at 2-15,
16/9/72.

I have the honor to report to you that in pursuance of the authority conveyed to me in the letter of the Under Secretary for Lands, dated this date, I have selected a portion of Crown lands hereunder described, for the purpose of working minerals other than coal or gold, viz.:—20 acres, county of parish of situated adjoining No. 8 of our selection of this date, from tree marked J.

I have, &c.,

CHAS. J. GRIFFITHS & J. GAFFNEY,
(p. A. K. MACKENZIE.)

Mr. Greaves, D.S.—W.H., p. J.S., 18.

D.-S. Greaves, 23 Sep.—2,726.

No. 22.

Messrs. Griffiths and Gaffney to The Secretary for Lands.

Sir,

Bondi, 16 September, 1872.

No. 10.
Received at 2-15,
16/9/72.

I have the honor to report to you that in pursuance of the authority conveyed to me in the letter of the Under Secretary for Lands, dated this date, I have selected the portion of Crown lands hereunder described, for the purpose of working minerals other than gold or coal, viz.:—20 acres, county of parish of situated adjoining No. 9 of our selection of this date, from tree marked J.

I have, &c.,

CHAS. J. GRIFFITHS & J. GAFFNEY,
(p. A. K. MACKENZIE.)

Mr. Greaves, D.S.—W.H., p. J.S., 18.

D.-S. Greaves, 23 Sept.—2,726.

9

No. 23.

Messrs. Griffiths and Gaffney to The Secretary for Lands.

Sir, Bondi, 16 September, 1872.
 I have the honor to report to you that, in pursuance of the authority conveyed to me in the letter of the Under Secretary for Lands, dated this date, I have selected the portion of Crown lands hereunder described, for the purpose of working minerals other than gold or coal, viz.:—20 acres, county of ^{A.} parish of ^{Received at 2-15, 16/9/72.} situated from tree marked A, on a tributary of Gulf Creek, Beardy Creek Waters, Wellington Vale Run.

I have, &c.,
 CHAS. J. GRIFFITHS & J. GAFFNEY,
 (p. A. K. MACKENZIE.)

Mr. Greaves, D.S.—W.H., p. J.S., 18. D.-S. Greaves, 23 Sept.—2,726.

No. 24.

Messrs. Griffiths and Gaffney to The Secretary for Lands.

Sir, Bondi, 16 September, 1872.
 I have the honor to report to you that, in pursuance of the authority conveyed to me in the letter of the Under Secretary for Lands, dated this date, I have selected the portion of Crown lands hereunder described for the purpose of working minerals other than gold or coal, viz.:—20 acres, county of ^{B.} parish of ^{Received at 2-15, 16/9/72.} situated from tree marked B, a tributary of Gulf Creek, Beardy Creek Waters, Wellington Vale Run.

I have &c.,
 CHAS. J. GRIFFITHS & J. GAFFNEY,
 (p. A. K. MACKENZIE.)

Mr. Greaves, D.S.—W.H., p. J.S., 18. D.-S. Greaves, 23 Sept.—2,726.

No. 25.

Messrs. Griffiths and Gaffney to The Secretary for Lands.

Sir, Bondi, 16 September, 1872.
 I have the honor to report to you that, in pursuance of the authority conveyed to me in the letter of the Under Secretary for Lands, dated this date, I have selected the portion of Crown lands hereunder described, for the purpose of working minerals other than gold or coal, viz.:—20 acres, county of ^{C.} parish of ^{Received at 2-15, 16/9/72.} situated from tree marked c, on tributary of Gulf Creek, Beardy Creek Waters, Wellington Vale Run.

I have, &c.,
 CHAS. J. GRIFFITHS & J. GAFFNEY,
 (p. A. K. MACKENZIE.)

Mr. Greaves, D.S.—W.H., p. J.S., 18. D.-S. Greaves, 23 Sept.—2,726.

No. 26.

Messrs. Griffiths and Gaffney to The Secretary for Lands.

Sir, Bondi, 16 September, 1872.
 I have the honor to report to you that, in pursuance of the authority conveyed to me in the letter of the Under Secretary for Lands, dated this date, I have selected the portion of Crown lands hereunder described, for the purpose of working minerals other than gold or coal, viz.:—20 acres, county of ^{D.} parish of ^{Received at 2-15, 16/9/72.} situated from tree marked D, on tributary of Gulf Creek, Beardy Creek Waters, Wellington Vale Run.

I have, &c.,
 CHAS. J. GRIFFITHS & J. GAFFNEY,
 (p. A. K. MACKENZIE.)

Mr. Greaves, D.S.—W.H., p. J.S., 18. D.-S. Greaves, 23 Sep.—2,726.

No. 27.

Messrs. Griffiths and Gaffney to The Secretary for Lands.

Sir, Bondi, 16 September, 1872.
 I have the honor to report to you that, in pursuance of the authority conveyed to me in the letter of the Under Secretary for Lands, dated this date, I have selected the portion of Crown lands hereunder described, for the purpose of working minerals other than gold or coal, viz.:—20 acres, county of ^{E.} parish of ^{Received at 2-15, 16/9/72.} situated from tree marked E, on tributary of Gulf Creek, Beardy Creek Waters, Wellington Vale Run.

I have, &c.,
 CHAS. J. GRIFFITHS & J. GAFFNEY,
 (p. A. K. MACKENZIE.)

Mr. Greaves, D.S.—W.H., p. J.S., 18. D.-S. Greaves, 23 Sep.—2,726.

No. 28.

Messrs. Griffiths and Gaffney to The Secretary for Lands.

Sir,

Bondi, 16 September, 1872.

F.
Received at 2.15
16/9/72.

I have the honor to report to you that, in pursuance of the authority conveyed to me in the letter of the Under Secretary for Lands, dated this date, I have selected the portion of Crown lands hereunder described, for the purpose of working minerals other than gold or coal, viz. :—20 acres, county of _____ parish of _____ situated from the tree marked F on tributary of Gulf Creek, Beardy Creek Waters, Wellington Vale.

I have, &c.,

CHAS. J. GRIFFITHS & J. GAFFNEY,
(p. A. K. MACKENZIE.)

Mr. Greaves, D.S.—W.H., p. J.S., 18.

D.-S. Greaves, 23 Sep.—2,726.

No. 29.

The Surveyor General to Mr. District-Surveyor Greaves.

[Form G.]

(Lease paper, No. 72/21,001-16.)

(Mineral Lease, No. 13,917-32.)

Sir,

Surveyor General's Office, Sydney, 23 September, 1872.

Application having been received on the 16th September, at 2.15 o'clock, from Chas. J. Griffiths and John Gaffney, to lease, for mineral purposes, 320 acres of land in sixteen blocks, in the parish of _____ descriptions of which are annexed, I have to request that you will be good enough to have measured the area applied for in the form prescribed for conditional purchase, if unobjectionable.

I am, &c.,

R.D.F. (for Sur.-Genl.)

DESCRIPTION.

1. 13,917—20 acres, starting from tree marked J along a reef running north and south on the waterfall of the Beardy Creek, Wellington Vale Run.
2. 13,918—20 acres, adjoining our selection of this date, No. 1, from tree marked J.
3. 13,919—20 acres, adjoining our selection of this date, No. 2, from tree marked J.
4. 13,920—20 acres, adjoining No. 3 of our selection of this date, from tree marked J.
5. 13,921—20 acres, adjoining No. 4 of our selection of this date, from tree marked J.
6. 13,922—20 acres, adjoining No. 5 of our selection of this date, from tree marked J.
7. 13,923—20 acres, adjoining No. 6 of our selection of this date, from tree marked J.
8. 13,924—20 acres, adjoining No. 7 of our selection of this date, from tree marked J.
9. 13,925—20 acres, adjoining No. 8 of our selection of this date, from tree marked J.
10. 13,926—20 acres, adjoining No. 9 of our selection of this date, from tree marked J.
- A. 13,927—20 acres, from tree marked A on a tributary of Gulf Creek, Beardy Creek Water, Wellington Vale Run.
- B. 13,928—20 acres, from tree marked B, same description.
- C. 13,929—20 acres, from tree marked C, same description.
- D. 13,930—20 acres, from tree marked D, same description.
- E. 13,931—20 acres, from tree marked E, same description.
- F. 13,932—20 acres, from tree marked F, same description.

Mr. Licensed-Surveyor Chard to measure.—M. O. C. BLAKE (for D.S.), 18 Nov., /72.

No. 30.

Treasurer's Receipt.

(No. 1,587.)

New South Wales, The Treasury, 30 September, 1872.

RECEIVED from Griffiths & Gaffney the sum of £23 12s. sterling, being for rent of Mineral leases other than gold as under, viz. :—

Date of Deposit.	No. and extent of Blocks.			Rate per Block.	Period of Rent.		Amount.
	No.	Area.	Total.		From	To	
1872. September 16	16	20	acres. 320	£ s. d. 1 9 6	1873. 16 September	1873. 31 December	£ s. d. 23 12 0

£23 12s. 0d.

M.L. 13,917-32.

W. NEWCOMBE,

For the Treasurer.

No. 31.

Description of Mineral Lease.

Griffiths and Gaffney's M.L. 13,921.

20 acres, county of Gough, parish of Muir, M.L. portion 94: Commencing at the northern corner of M.L. portion 93; and bounded thence on the south-east by the north-western boundary of that portion bearing south 30 degrees west 14 chains and 15 links; on the south-west by the north-eastern boundary of M.L. portion 91 bearing west 30 degrees north 14 chains and 14 links; on the north-west by a line bearing north 30 degrees east 14 chains and 15 links; and on the north-east by a line bearing east 30 degrees south 14 chains and 14 links to the point of commencement.

11

No. 32.

Description of Mineral Lease.

Griffiths and Gaffney's M.L. 13,922.

20 acres, county of Gough, parish of Muir, M.L. portion 93: Commencing on the north-western side of a road 1 chain wide at the eastern corner of M.L. portion 92; and bounded thence on the south-east by that road dividing it from parts of M.L. portions 134 and 135, parish of Landsend, bearing north 30 degrees east 14 chains and 15 links; on the north-east by a line bearing west 30 degrees north 14 chains and 14 links; on the north-west by the south-eastern boundary of M.L. portion 94 bearing south 30 degrees west 14 chains and 15 links; and on the south-west by the north-eastern boundary of M.L. portion 92 aforesaid bearing east 30 degrees south 14 chains and 14 links to the point of commencement.

No. 33.

Description of Mineral Lease.

Griffiths and Gaffney's M.L. 13,923.

20 acres, county of Gough, parish of Muir, M.L. portion 91: Commencing on the south-eastern side of a road 1 chain wide at the northern corner of M.L. portion 89; and bounded thence on the north-west by that road dividing it from part of M.L. portion 28 bearing north 30 degrees east 14 chains and 15 links; on the north-east by the south-western boundary of M.L. portion 94 bearing east 30 degrees south 14 chains and 14 links; on the south-east by the north-western boundary of M.L. portion 92 bearing south 30 degrees west 14 chains and 15 links; and on the south-west by the north-eastern boundary of portion 89 aforesaid bearing west 30 degrees north 14 chains and 14 links to the point of commencement.

No. 34.

Description of Mineral Lease.

Griffiths and Gaffney's M.L. 13,924.

20 acres, county of Gough, parish of Muir, M.L. portion 92: Commencing on the north-western side of a road 1 chain wide at the eastern corner of M.L. portion 90; and bounded thence on the south-east by that road dividing it from part of M.L. portion 132, from M.L. portion 133, and from part of M.L. portion 134, parish of Landsend, bearing north 30 degrees east 14 chains and 15 links; on the north-east by the south-western boundary of M.L. portion 93, bearing west 30 degrees north 14 chains and 14 links; on the north-west by the south-eastern boundary of M.L. portion 91, bearing south 30 degrees west 14 chains and 15 links; and on the south-west by the north-eastern boundary of portion 90 aforesaid, bearing east 30 degrees south 14 chains and 14 links to the point of commencement.

No. 35.

Description of Mineral Lease.

Griffiths and Gaffney's M.L. 13,925.

20 acres, county of Gough, parish of Muir, M.L. portion 90: Commencing on the north-western side of a road 1 chain wide at the southern corner of M.L. portion 92; and bounded thence on the south-east by that road dividing it from parts of M.L. portions 132 and 131 parish of Landsend, bearing south 30 degrees west 14 chains and 15 links; on the south-west by a road 1 chain wide dividing it from parts of the latter portion and portion 21, parish of Muir, bearing west 30 degrees north 14 chains and 14 links; on the north-west by the south-eastern boundary of M.L. portion 89, bearing north 30 degrees east 14 chains and 15 links; and on the north-east by the south-western boundary of portion 92 aforesaid, bearing east 30 degrees south 14 chains 14 links to the point of commencement.

No. 36.

Description of Mineral Lease.

Griffiths and Gaffney's M.L. 13,926.

20 acres, county of Gough, parish of Muir, M.L. portion 89: Commencing on the south-eastern side of a road 1 chain wide at the western corner of M.L. portion 91; and bounded thence on the north-west by that road dividing it from M.L. portion No. 28, bearing south 30 degrees west 14 chains and 15 links; on the south-west by a line bearing east 30 degrees south 14 chains and 14 links; on the south-east by the north-western boundary of M.L. portion 90, bearing north 30 degrees east 14 chains and 15 links; and on the north-east by the south-western boundary of portion 91 aforesaid, bearing west 30 degrees north 14 chains and 14 links to the point of commencement.

No. 37.

Description of Mineral Lease.

Griffiths and Gaffney's M.L. 13,927.

20 acres, county of Gough, parish of Landsend, M.L. portion 131: Commencing on the north-western side of a road 1 chain wide at the southern corner of M.L. portion 132; and bounded thence on the south-east by that road dividing it partly from part of M.L. portion 23 bearing south 50 degrees 30 minutes west 6 chains 24 links; and thence south 45 degrees 14 minutes west 8 chains and 67 links; on the south-west by the north-eastern boundary of M.L. portion 59 bearing west 40 degrees 30 minutes north 15 chains; on the north-west by a road 1 chain wide dividing it from part of M.L. portion 21 parish of Muir bearing north 30 degrees east 9 chains 62 links; on the north-east by a road 1 chain wide dividing it partly from part of M.L. portion 90 parish of Muir bearing east 30 degrees south 8 chains 47 links; again on the north-west by a road 1 chain wide dividing it from part of the latter portion bearing north 30 degrees east 1 chain 66 links; and again on the north-east by the south-western boundary of portion 132 aforesaid, bearing east 30 degrees south 10 chains and 57 links to the point of commencement.

No. 38.;

No. 38.

Description of Mineral Lease.

Griffiths and Gaffney's M.L. 13,928.

20 acres, county of Gough, parish of Landsend, M.L. portion 132: Commencing on the north-western side of a road 1 chain wide at the north-eastern corner of M.L. portion 131; and bounded thence on the south-east by that road dividing it from part of M.L. portion 23 from M.L. portion 24, and from part of M.L. portion 25 bearing north 50 degrees 30 minutes east 15 chains and 97 links; on the north-east by the south-western boundary of M.L. portion 133 bearing west 30 degrees north 16 chains and 16 links; on the north-west by a road 1 chain wide dividing it from part of M.L. portions 92 and 90, parish of Muir, bearing south 30 degrees west 14 chains and 96 links; and on the south-west by a north-eastern boundary of portion 131 aforesaid bearing east 30 degrees south 10 chains and 57 links to the point of commencement.

No. 39.

Description of Mineral Lease.

Griffiths and Gaffney's M.L. 13,929.

20 acres, county of Gough, parish of Landsend, M.L. portion 133: Commencing on the south-eastern side of a road 1 chain wide at the northern corner of M.L. portion 132; and bounded thence on the north-west by that road dividing it from part of M.L. portion 92, parish of Muir, bearing north 30 degrees east 10 chains and 99 links; on the north-east by the south-western boundary of M.L. portion 134, bearing east 30 degrees south 20 chains and 26 links; on the south-east by a road 1 chain wide dividing it from parts of M.L. portions 26 and 25 bearing south 50 degrees 30 minutes west 11 chains and 73 links; and on the south-west by the north-eastern boundary of portion 132 aforesaid bearing west 30 degrees north 16 chains and 16 links to the point of commencement.

No. 40.

Description of Mineral Lease.

Griffiths and Gaffney's M.L. 13,930.

20 acres, county of Gough, parish of Landsend, M.L. portion 134: Commencing on the south-eastern side of a road 1 chain wide at the northern corner of M.L. portion 133; and bounded thence on the north-west by that road dividing it from parts of M.L. portions 92 and 93, parish of Muir, bearing north 30 degrees east 9 chains and 12 links; on the north-east by a road 1 chain wide dividing it from M.L. portion 135 bearing east 30 degrees south 23 chains and 67 links to another road 1 chain wide; on the south-east by that road dividing it from parts of M.L. portions 27 and 26 bearing south 50 degrees 30 minutes west 9 chains and 74 links; and on the south-west by the north-eastern boundary of M.L. portion 133 aforesaid bearing west 30 degrees north 20 chains and 26 links to the point of commencement.

No. 41.

Description of Mineral Lease.

Griffiths and Gaffney's M.L. 13,931.

20 acres, county of Gough, parish of Landsend, M.L. portion 135: Commencing on the south-eastern side of a road 1 chain wide at the western corner of M.L. portion 136; and bounded thence on the north-west by a line and a road 1 chain wide dividing it partly from part of M.L. portion 93, parish of Muir, in all bearing south 30 degrees west 7 chains and 85 links; on the south-west by a road 1 chain wide dividing it from M.L. portion 134 bearing east 30 degrees south 24 chains and 4 links; on the south-east by a road 1 chain wide dividing it from parts of M.L. portions 27 and 28 bearing north 50 degrees 30 minutes east 8 chains and 38 links; and on the north-east by the south-western boundary of portion 136 aforesaid bearing west 30 degrees north 26 chains and 97 links to the point of commencement.

No. 42.

Description of Mineral Lease.

Griffiths and Gaffney's M.L. 13,932.

20 acres, county of Gough, parish of Landsend, M.L. portion 136: Commencing at the northern corner of M.L. portion 135; and bounded thence on the south-west by the north-eastern boundary of that portion bearing east 30 degrees south 26 chains and 97 links; on the south-east by a road 1 chain dividing it from part of M.L. portion 28 bearing north 50 degrees 30 minutes east 7 chains and 56 links; on the north-east by a line bearing west 30 degrees north 29 chains and 62 links; and on the north-west by a line bearing south 30 degrees west 7 chains and 8 links to the point of commencement.

No. 43.

Application for Mineral Lease.

Extract from Register.—Papers missing.

M.L., 17,279. Applicants.—James M. Banks, John Lester, Alexander B. Farquhar.

Area applied for—20 acres.

Situation of land—County of Gough, on a ridge for a lode near Hollyman and Smith's 40 acres, to be shown to the surveyor by J. W. Blair, near the Gulf Stream Tine Mine.

No. 1.

Description of mineral to be worked—Tin.

Date of selection—14th December, 1872, 18m. past 11 o'clock.

Yearly rent—£5.

Date of Treasurer's receipt for first year's rent—14th December, 1872.

Date of authority to select—14th December, 1872.

No. 44.

No. 44.

Application for Mineral Lease.

Extract from Register.—Papers missing.

M.L., 17,280. Applicants—James M. Banks, John Lester, Alexander B. Farquhar.

Area applied for—20 acres.

Situation of land.—County of Gough, on a ridge for a lode near Hollyman and Smith's 40 acres, to be shown to the surveyor by J. W. Blair, near the Gulf Stream Tin Mine, and adjoining No. 1.

No. 2.

Description of mineral to be worked—Tin.

Date of selection—14th December, 1872, 18m. past 11 o'clock.

Yearly rent—£5.

Date of Treasurer's receipt for first year's rent—14th December, 1872.

Date of authority to select—14th December, 1872.

No. 45.

Mr. J. Gaffney to The District Surveyor, Armidale.

Sir,

Armidale, 22 January, 1873.

On the 16th September, 1872, we selected 200 acres of land in ten blocks of 20 acres each, adjoining and situated on the waterfall of the Beardy Creek, Wellington Vale, along a reef running north and south from a tree marked J. From the date of application to the present time we have been in possession, residing and working for tin, and have had undisturbed possession. On 8th instant, Mr. Chard, surveyor, came on to our ground and asked me to show him our reef, and remarked that we were the only people who had taken up any reef in that locality; he said he was at the time surveying for Mr. Blair. I at first refused to show him our reef, as Mr. Blair had frequently asked me to show him our reef, and had frequently told different people if he could find out where our reef was situated he would move some of his ground there. Being ordered by Mr. Chard to show our starting point, Mr. Blair said, "You are before me for this, but I will take it to-morrow with three 20-acre blocks" which he could shift, and thus be before me. Mr. Chard desisted surveying at my request, and said we were the only applicants for land there. The following day seeing Mr. Chard again on the ground I went up to him, and saw him commence to survey from another direction (and not from the place I saw him surveying the day before); he surveyed three blocks which embraced our starting point which I had pointed out the day before, and which he had said we were the first applicants for. On my objecting to the survey he again desisted, but told me he had surveyed for other parties and not for me. I then asked him to show me the papers, and he refused; he afterwards said if I would go to his camp in the evening he would give me the information. I did go to Mr. Chard's camp, but he again refused to give me the information or show me the papers I desired, but said he had surveyed for Potts three blocks; Mr. Blair is agent for Potts. I believe Mr. Chard is interested with Mr. Blair in all the land he (Mr. Blair) represents, and it is the general impression in the neighbourhood; and I feel sure justice will not be done to us by him, and respectfully request you will at once visit the ground, and inquire into the truth of this my statement and claim. I may add, that on Mr. Chard refusing to give me information I told him I was going to you for it; and I have had considerable loss of time by floods and otherwise in being put to this long and expensive journey, after losing four months previously waiting on the ground for it to be surveyed.

I have, &c.,

JOHN GAFFNEY,

(On behalf of GRIFFITHS AND GAFFNEY.)

No. 46.

Mr. C. J. Griffiths to The District Surveyor, Armidale.

Sir,

Armidale, 22 January, 1873.

With reference to the dispute now pending between Griffiths and Gaffney on the one part, and Mr. Blair, regarding land surveyed to Mr. Blair on Beardy Creek Waters, and as an interested person in the above dispute, I beg to make the following statements:—That in the beginning of last December when present with Mr. Blair in his house on Gulf Creek, Mr. Blair showed me a Government permission for land taken up on mineral lease in that locality for 130 blocks, telling me at the same time that he had only in fact taken up 30 blocks, but that he had placed the 1 before the 30 in order to deceive people to whom he showed the permission, and to prevent them from taking up land near him; and it is my belief that owing to this many people prospecting in that locality left, imagining all mineral land for miles around had been taken up by Mr. Blair; he also added that some men he called the "overlanders" (meaning my partners) had found the lode, and that he would give any money to know where it was; also if he heard of any good ground being found near him he would shift his blocks on to it; at the time he said this he did not know I was a partner in the reef found by the "overlanders."

I have, &c.,

CHARLES J. GRIFFITHS.

Mr. Licensed-Surveyor Chard, for report.—W. A. B. GREAVES, 27 Jan., 1873.

No. 47.

Mr. Licensed-Surveyor Chard to The Surveyor General.

(M.L. 12,862 to 12,864.)

Sir,

Camp, near Deepwater, 29 January, 1873.

In accordance with instructions received from Mr. District-Surveyor Greaves by Mr. Licensed-Surveyor Chamberlain, and transferred to me 20th December, 1872, I have now the honor to transmit the

Plan and appli- the plan of portions Nos. 21 to 23, each containing 20 acres, parish of Muir, county of Gough, applied
 cation herewith. for by Robert Craig under the 22nd clause of the Crown Lands Occupation Act of 1861.
 *Appendix B. Value of improvements—Nil. Water supply—Nil.

I have, &c.,
 J. S. CHARD, L.S.

See my report, B.C. 73/62. This land is claimed by Capt. Griffiths. See M.L. 13,917-32.—
 W. A. B. GREAVES, 12 March, 1873. Cat., &c.—J. W. COOK, May 21st, 1873. For description.—
 W.S.C., 22 May, 1873.

No. 48.

Mr. Licensed-Surveyor Chard to The Surveyor General.

Sir,

Camp, near Deepwater, 13 February, 1873.

In accordance with instructions from Mr. District-Surveyor Greaves, dated 27th January, 1873, to report on letter by John Gaffney, on behalf of Messrs. Griffiths and Gaffney, claiming certain land in the vicinity of Gulf Creek, I have now the honor to submit—

1. Before proceeding I wish to point out certain mis-statements and inaccuracies in the above-mentioned letter.

In the application by Messrs. Griffiths and Gaffney the starting point of the ten blocks of 20 acres each is given from a tree marked x and not y.

On the 8th January, 1873, that I remarked that Messrs. Griffiths and Gaffney were the only people who had taken up any reef in that locality is not true.

When measuring portions in which Mr. Blair is interested, I was accompanied by him at the time Mr. Gaffney came to see me about his 200 acres, and I do not recollect hearing Mr. Blair say that Messrs. Griffiths and Gaffney were before him for the land in dispute.

The survey was not stopped at the request of Mr. Gaffney, neither did I say they were the only applicants for land there. I am not interested in any of the land in question, and the belief entertained by Mr. Gaffney is without the slightest foundation; that he has expressed his "belief" only is perhaps wise, else the justice for which he pleads might be doled forth in a different and disagreeable manner. Considering that Mr. Gaffney left the place for Armidale the day after the survey of portions 21 to 23, it is astonishing how quickly he found out the impressions entertained by the residents in the neighbourhood. Having spoken to many of them since, they informed me that they never had any such idea.

2. From the enclosed letter I understand that portions Nos. 21 to 23 are claimed by Messrs. Griffiths and Gaffney, and the only remaining argument advanced by them in support of this claim is that of undisturbed possession, which they have not had, the land measured having been claimed by Mr. Blair since the beginning of August, 1872. They have not worked this ground for tin, and as far as I have been able to find out, have not resided thereon.

From inquiries that I have made, it appears that Mr. Gaffney and others who are interested in the 320 acres have lived in a gully running into the Gulf Creek, which they have lately been working (for position see sketch*), and also on another gully running into the same creek, on the opposite bank. Mr. Griffiths does not reside in the locality, but occasionally visits there.

3. Herewith is the application by Charles J. Griffiths and John Gaffney, made on the 16th September, 1872, for 320 acres, of which 200 acres are taken up to embrace a reef.

The starting point, showed to me by Mr. Gaffney on or about the 8th January, 1873, is a gum sapling, on which is the letter x, about 2 inches in length, freshly cut, and only into the bark. I believe it was marked the day it was shown to me, and from its appearance I am certain it was not a week old.

Mr. Gaffney said he wished to have three blocks of 20 acres along the reef in a southerly direction, and seven in a northerly direction, pointing out some as the supposed line of reef, a bearing of about x. 30 minutes E.

For the 200 acres to be measured in accordance with the description, its position would be as shown on sketch, and on that ground alone portions 21 to 23, parish of Muir, could not be claimed by Messrs. Griffiths and Gaffney.

I may here point out the very vague manner in which this land has been applied for. The tree x not having been marked at the time of application, the position of the 200 acres was not defined, except that it was on the waterfall of the Beardy Creek, Wellington Vale Run, an area of over 200 square miles.

The portions claimed are on the boundary between Maidenhead and Wellington Vale Runs. It therefore remains for the applicants to advance some proof that the land they now claim is what they originally applied for. The only claim advanced by them is that of undisturbed possession, which is incorrect.

4. I shall now make a few remarks with reference to the prior application by Robert Craig. As the land taken up in this locality by R. and J. Craig, Paul, Potts, and others, now belong to the Gulf Stream Tin Mining Company (private company), and as Mr. Blair is interested therein, and has been acting on their behalf, I shall use his name only, to explain more clearly.

From my plan 73/4, of 29th January, and from annexed sketch, it will be seen that these blocks are southerly from Holliman and Smith's, and north-westerly from Blair's Camp, in which manner they are described.

On a recent visit to the Gulf Creek, when inquiring into the question of possession, I was informed by Mr. Alfred Tyass, who is now one of Holliman and Smith's party, that he, together with T. Holliman, prospected for a lode on the range (along which the three blocks have since been measured) for Mr. Blair in the beginning of August, 1872, who stated that he had sent to Sydney to have the land taken up.

The shafts that were sunk are shown on sketch; also see sketch for position of notice. The 100 acres meant are two 20 acres for alluvial tin (portions 19 and 20) and three 20 acres for a lode (portions 21 to 23), parish of Muir.

The statement of Mr. Tyass may be relied upon; and from the fact that Mr. Blair has claimed the land since August, and noticed it, together with the description defining its position as measured, and his application being prior, these portions 21 to 23 are undoubtedly his.

5.

5. I would therefore recommend that Messrs. Griffiths and Gaffney's claim be not entertained.

6. With reference to statement by Mr. C. J. Griffiths concerning conversation which took place when at Mr. Blair's camp on Gulf Creek, being of a private nature, it is not my duty to inquire into it.

7. Having had to visit the locality with reference to the question of possession, I forward the enclosed account.

I have, &c.,

J. S. CHARD, L.S.

The Surveyor General, with by B.C. report, 73/62, 12 March.—W. A. B. GREAVES, 12 March.

(Lease Paper, No. 72/21,001/16.)
No. 72/2,726.

(Form G.)

(Mineral Lease, 13,917/32.)

Sir,

Surveyor General's Office, Sydney, 23 September, 1872.

Application having been received on the 16th September, at 2-15 o'clock, from Chas. J. Griffiths and John Gaffney, to lease for mineral purposes 320 acres of land, in sixteen blocks, in the parish of descriptions of which are annexed, I have to request you will be good enough to have measured the area applied for in the form prescribed for conditional purchase, if unobjectionable.

I am, &c.,

R.D.F.,

(For Surveyor General).

Mr. District-Surveyor Greaves.

DESCRIPTION.

1. 13,917—20 acres, starting from tree marked x, along a reef running north and south on the waterfall of the Beardy Creek, Wellington Vale Run.
2. 13,918—20 acres, adjoining our selection of this date, No. 1, from tree marked y.
3. 13,919—20 acres, adjoining our selection of this date, No. 2, from tree marked y.
4. 13,920—20 acres, adjoining No. 3 of our selection of this date, from tree marked y.
5. 13,921—20 acres, adjoining No. 4 of our selection of this date, from tree marked y.
6. 13,922—20 acres, adjoining No. 5 of our selection of this date, from tree marked y.
7. 13,923—20 acres, adjoining No. 6 of our selection of this date, from tree marked y.
8. 13,924—20 acres, adjoining No. 7 of our selection of this date, from tree marked y.
9. 13,925—20 acres, adjoining No. 8 of our selection of this date, from tree marked y.
10. —20 acres, adjoining No. 9 of our selection of this date, from tree marked y.
- A. 13,927—20 acres, from tree marked A, on tributary of Gulf Creek, Beardy Creek Water, Wellington Vale Run.
- B. 13,928—20 acres, from tree marked B; same description.
- C. 13,929—20 acres, from tree marked C; same description.
- D. 13,930—20 acres, from tree marked D; same description.
- E. 13,931—20 acres, from tree marked E; same description.
- F. „ —20 acres, from tree marked F; same description.

Mr. Licensed-Surveyor Chard to measure.—M. O. C. BLAKE, for D.S., 18 Nov., /72. Mr. L. S. Wener, 1873.

No. 49.

Report of Mr. District-Surveyor Greaves.

THIS is a complaint by Captain Griffiths and his partner, Gaffney, against the survey by Mr. Licensed-surveyor Chard of certain mineral land at the Gulf Tin Mines.

2. The complaint is set forth in the enclosed letters of Captain Griffiths and Gaffney, and have been reported upon by Mr. Licensed-surveyor Chard, whose letter is also enclosed.

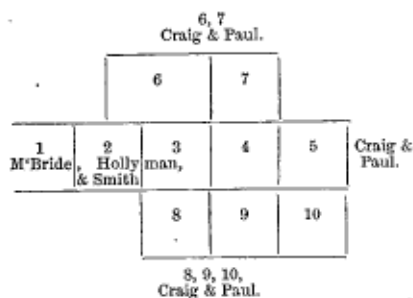
3. The applications of R. Craig, R. Craig and Paul, and C. Potts, are the applications of one company of which Mr. Blair is the representative on the ground, as is also that of J. M. Banks, Lester, and Farquhar.

4. The applications of this company have been made as follows:—2nd September, R. Craig, three portions, 8, 9, 10. (See margin.) 2nd September, J. Paul, two portions, 6 and 7. (See margin.) 10th September, R. Craig and Paul, two portions, 4 and 5. (See margin.) These portions are represented by two tracings accompanying applications of 10th September, a copy of which (see margin).

Now Hollyman and Smith's being determined portions, 8, 9, and 10 (shown in margin) and described as southward of Hollyman's and Smith's 40 acres, cannot be east of Craig and Paul's 4 and 5, else they would have been shown so and described so also. Looking carefully over the applications and the tracings accompanying, I am of opinion that Mr. Chard has surveyed without sufficient caution. That Mr. Blair pointed out the land to him I have no doubt, but that portions 21, 22, and 23, surveyed and shown on Mr. Chard's tracing accompanying his letter, were not applied for in right of application of 2nd September, but was applied for on 14th December in the joint names of Banks, Lester, and Captain Farquhar, and that Messrs. Griffiths and Gaffney by a prior application of 16th September took up the land.

5. I think no better evidence is required to show that Mr. Blair did not apply for Griffiths' land than the tracing given on 10th September, and by the wording of the application of the 14th December, viz., five portions described as "on a ridge for a lode near Hollyman and Smith's 40 acres to be shown to surveyor by Mr. Blair." Mr. Chard has measured two of these portions, and has reported that there is not room for the other three. Now, had he not surveyed three portions east of Craig and Paul's 4 and 5, which are really southwards of Hollyman's and Smith's, there would have been just room enough for the whole five portions, and it is not to be supposed that Mr. Blair has applied for the same land twice over, which would be the case if the application of 2nd September (8, 9, 10) was really east of 4 and 5.

6. A small tracing marked A (enclosed) I have compiled from Mr. Chard's surveys. It shows the positions of portions approximately as placed on Mr. Blair's sketch (see figures 6, 7, 4, 5, 8, 9, 10.) It also shows



shows the position of the land applied for by Messrs. Griffiths and Gaffney, and the tree marked by Gaffney and described, "along a reef running north and south on the waterfall of Beardy Creek, Wellington Vale Run." Ten portions, or 200 acres, no exception can be taken to the description; the reef is there, and also the marked tree which I am credibly informed was marked when the ground was discovered, and the fall of water is Beardy Creek and on Wellington Vale Run. Griffiths' claim is shown by red lines and the letters *a, b, c, d*. From the date of application until now Griffiths and his other partners have resided close by at the nearest water, and state they have been on the ground and have never left it, and I have more than once been urged by Captain Griffiths to measure the land, as a lode had been found and that others were seeking for it.

7. Mr. Chard shows the position of a tree with a notice dated 20th July, to the effect that 100 acres had been applied for. This is simply dishonest in the applicants. He also shows prospecting holes made about 8th August, and now claimed in right of an application of 2nd September. This is worth nothing, and only goes to show how *tentative* and *illusory* the descriptions have proved to be, for no applications were made for the land in dispute until 16th September by Griffiths and Gaffney, and 12th December by Mr. Blair, all prior applications being clearly for land marked 6, 7, 4, 5, 8, 9, and 10.

8. Gaffney denied to me that he did more than point out the direction of the reef, and that Mr. Chard insisted upon surveying his claim outside what he considered Mr. Blair's. Mr. Chard has shown this upon his tracing. I think Mr. Chard has been greatly misled, not only by the wording of the descriptions, but by acting upon dates that have no reference to the cases. He admitted to me that he had seen Mr. Blair's authority to select which Captain Griffiths complains of being altered to deceive him and others, and Mr. Blair admitted the alteration to me. And as regards the other complaints there have been rumours reached my office of the discovery of a lode by some overlanders with cattle, and Mr. Blair's name in connection with a reward for the discovery of it. A thousand pounds, it is said, was offered, and men paid to search, and on burning the grass a lode was discovered on the ground now in dispute. This is subsequent to Griffiths and Gaffney's application.

In justice to Mr. Blair I think Captain Griffiths should be confined to the direction of the reef, and only be allowed the strip edged pink for leases 13,917 to 26.
District Survey Office, Armidale, 12th March, 1873.

W. A. B. GREAVES.

No. 50.

Messrs. Craig & party to The Secretary for Lands.

Sir,

Lime-street, Sydney, 19 March, 1873.

Being informed by telegram from our Mining Manager that Gaffney and party are extracting tin from our selection on Gulf Creek, near Landsend, county of Gough, we most respectfully beg to request that you will grant us an injunction, or take such other steps as will prevent the above parties taking the tin off the ground.

We are suffering great loss from our not yet being in possession of our leases, as it prevents us taking personal action, and compels us thus to appeal to you for the protection which we trust you will be able to inform us has been afforded, &c.

We are, &c.,

(Pro CRAIG & PARTY),

EDWARD DEAN.

The lease has been prepared and is awaiting the diagram, when it will be sent on to the Executive Council. As the case has proceeded so far perhaps the writers may be furnished with an authority to prosecute.—21/3/73. For approval, 27. Approved.—J.S.F., 4/4/73. Craig & party, 9th April, 1873.

This action was suggested on the assumption that the letter referred to mineral selections 6,063-6,092, of which leases have, as stated, been prepared and are awaiting diagram. It now appears that the writers refer to mineral selections 12,862-64, to which, therefore, the authority to prosecute will not apply. The question of the right to the latter selections is now under investigation in the Survey Office; pending the result of it it will not be desirable to furnish the parties with the authority to prosecute. Craig & party should be so informed, and Griffiths, Gaffney, and party apprised of what has been done, in case Craig may prosecute under the authority which has issued to him.—16/4/73. Craig and party. Griffiths, Gaffney, & Co., 19th April, 1873.

No. 51.

The Secretary for Lands to Messrs. Craig and party.

Department of Lands, Sydney, 9 April, 1873.

You are hereby authorized to prefer an information, in writing, under and in pursuance of the 32nd section of the Crown Lands Occupation Act of 1861, and the Regulations thereunder, against Messrs. Gaffney and party, whom you represent are in the unlawful occupation of Crown lands selected by you under the 22nd clause of the same Act.

You are further authorized to sue for such penalty or penalties as the said Messrs. Gaffney and party shall have incurred under the 33rd section of the same Act, for and in respect of such unlawful occupation.

J. S. FARNELL,

Minister for Lands.

No. 52.

The Under Secretary for Lands to Messrs. Griffiths, Gaffney, & Co.

Gentlemen,

Department of Lands, Sydney, 19 April, 1873.

With reference to a letter which has been issued to Messrs. Craig & party, authorizing them to prosecute parties trespassing upon their mineral selections, I am directed to inform you that such authority refers to Messrs. Craig & party's selections Nos. 6,063/92, near Carpet Snake Gully, and not those selections, your respective claims to which are now under investigation in the Survey Office.

I have, &c.,

W. W. STEPHEN.

No. 53.

Thirty-
20-acre portions
at Carpet Snake
Gully, county
Gough.
M.L. 6,063 to
6,092.

M.L. 12,802-4.

17

No. 53.

The Under Secretary for Lands to Messrs. Craig & party.

Gentlemen,

Department of Lands, Sydney, 19 April, 1873.

Adverting to my letter of the 9th instant, authorising you to prosecute Messrs. Gaffney and party should they trespass upon your mineral selections near Carpet Snake Gully, county Gough, I am directed to inform you that this authority was issued on the assumption that your letter referred to the above-mentioned selections, whereas it would appear that selections Nos. 12,862/4 are those to which you allude, and as the question of your right to them is now under investigation in the Survey Office, pending the result of which no authority to prosecute can issue.

I have, &c.,

W. W. STEPHEN.

No. 54.

Report by Mr. District-Surveyor Greaves.

District Survey Office, Armidale, 23 March, 1873.

THERE cannot be a doubt that an injustice has been done by the way Messrs. Griffiths and Gaffney's claim has been treated. They are undoubtedly the first applicants for the portion coloured pink on the enclosed tracing, having first discovered tin in what is known as the track gully, which flows through portion 59, where they are now working. Their hut, where they have continuously resided, is also shown. The land coloured pink has been surveyed by Mr. Chard, for Banks, Lester and Farquhar, for whom Mr. Blair is representative, although, if Gaffney is to be believed, Mr. Chard promised to desist surveying, and when discovered at work by Gaffney's partner said he did not know whom he was surveying for until he had seen Capt. Griffiths, and notwithstanding I receive the plan for other parties whose application is three months subsequent to Griffiths and Gaffney.

see enclosures.

2nd. Griffiths and Gaffney have complied with every requirement of the Act in taking up their land and holding possession of it, and are, I think, entitled against all comers.

Plans and former report on this dispute were transmitted by my letter 73/62 of 12 March.

W. A. B. GREAVES, D.S.

M.L. 13,927 to
13,932.
1 727. 80.
N. 73/2,360.

No. 55.

Messrs. Griffiths and Gaffney to Mr. District-Surveyor Greaves.

Sir,

Gulf Creek, Wellington Vale, 10 March, 1873.

Since forwarding to you my complaint that Mr. Chard has surveyed a portion of our mineral claim to Mr. Blair, for Craig & Company, and during my visit to Armidale to lay my complaint before you, Mr. Chard has surveyed two additional portions for Mr. Blair, although he promised me before I left he would desist until I returned, and has, I am informed, sent in a plan of the same to your office. This land is taken up in the names of Banks, Lester, and Farquhar, and their application is dated 12th December, while our application is dated 16th September for the same land. My partner Hobin saw Mr. Chard while surveying, and he assured him that he could not tell who was entitled to the land he was measuring until he had seen my partner, Captain Griffiths. Mr. Chard, although he has sent in his plan, has not seen Captain Griffiths. I think my application being first, and the fact that we are camped within 10 chains of the land taken from me by Mr. Chard, and as we have applied for six portions, have been working and are now working the land he has surveyed for Banks & Co., and were it not from information I have received I should still believe Mr. Chard had been surveying for us, and was only waiting to see Captain Griffiths to hand over the land to us.

Recd., 23 March.
—W.A.B.G.

In support of what I have before written, I beg to inform you that Mr. Blair has offered my partner Brown a sum of money to show him the reef we found before taking up the land, saying at the same time now that it was surveyed to him (Blair) he (my partner) might as well show him the lode.

I told you it was the general impression here that Mr. Chard is a partner with Mr. Blair, and I think when you see how unfairly Mr. Chard has acted by surveying on applications subsequent to ours, and ignoring ours, and by taking our land from us, I shall be obliged to you to let us know whether surveyors have the power to do as they like. The sketch I enclose will I think clearly show what land we claim and are fighting for.

Appendix F.

I have, &c.,

JOHN GAFFNEY,

(On behalf, GRIFFITHS AND GAFFNEY.)

No. 56.

Mr. J. Blair to Mr. District-Surveyor Greaves.

Dear Sir,

Campbell's Wharf, 24 March, 1873.

You were kind enough to offer to stop Gaffney and party from working the land on the Gulf Creek, which has been surveyed to our company, and which is in dispute. I have heard from our manager that Gaffney and party are working our land in spite of all opposition, so I should feel greatly obliged if you would stop their working and take the tin away.

I remain, &c.,

JASPER BLAIR.

No. 57.

Telegram from Mr. J. Blair to Mr. District-Surveyor Greaves.

Sydney, March 26, 1873.

MAFLEY [? Gaffney] and party will work disputed land; please stop them.

No. 58.

Mr. J. Blair to Mr. District-Surveyor Greaves.

Dear Sir,

Campbell's Wharf, 28 March, 1873.

The bearer, Mr. Carr, is our manager, on his road to the Gulf Creek.

Would you be kind enough to give him information how to act to stop Gaffney and party from working our land, as they have defied our present manager.

I have, &c.,

JASPER BLAIR.

No. 59.

Memo. by Mr. District-Surveyor Greaves.

At the instance of Mr. Blair I have requested Messrs. Griffiths and Gaffney to discontinue working land; they are the first applicants for and have been working and otherwise in possession of for the last six months. The enclosed letter from Captain Griffiths complains of delays in putting him in possession.

I have fully reported on this dispute by my B.C. letters of 12th and 23rd March, 73/62 and 70.
District Survey Office,
Armidale, 31 March, 1873.

W. A. B. GREAVES.

Mr. C. J. Griffiths to Mr. District-Surveyor Greaves.

Sir,

Glen Innes, 30 March, 1873.

I have just received your letter requesting me to discontinue working our tin land at the Gulf, particularly portion 59, which Mr. Chard has had the audacity to measure for Mr. Blair on his application, which is three months subsequent to mine. You cannot be aware sir, that my partners Gaffney, Brown, and Co., have been living on the land and working the same now over six months without any dispute, until your surveyor, Chard, took it from us, and at the same time told my partner that he had surveyed it for us.

If you cannot see that justice is done us we must appeal to higher authority. The delay you have now occasioned us is unpardonable.

I have, &c.,

CHARLES J. GRIFFITHS,

Pro Griffiths and Gaffney.

This letter should have been enclosed in my B.C. report of yesterday, 73/74, 31 March.—W.A.B.G.,
1 April, B.C., 73/68.

No. 60.

Mr. J. Blair to The Secretary for Lands.

Sir,

Sydney, 3 April, 1873.

With reference to the disputed mineral lands claimed by Griffiths, Gaffney, and party, I have the honor to submit for your information the following statement of facts:—

1st. That I selected the land in the month of September, 1872, and did what is necessary according to law for the lease to be granted to me.

2nd. That at that date I was living on the land, the boundaries and notices were duly marked and issued according to the Act, and men were employed sinking shafts, &c.

3rd. That since that date I have up to the present time been living on the land and working it when not prevented by want of powder and tools.

4th. That Gaffney's party were not in the district until some considerable time subsequent to my residing on the disputed land, and doubting my claim applied for the lease on the chance that by some informality or mistake on my part it would probably be issued to them.

5th. That Gaffneys have never lived on or worked the land claimed, and it is generally known and accepted in the district as my lease.

6th. That the foregoing facts will I am quite sure be confirmed by any person in the vicinity who know the nature of the case.

I therefore beg you will cause the surveyor to report upon the case, and that you will be good enough to give this communication your consideration.

I have, &c.,

JASPER BLAIR.

No. 61.

Mr. R. Craig to The Secretary for Lands.

Sir,

Lime-street, Sydney, 4 April, 1873.

On the 19th ultimo we took the liberty of addressing you in reference to a telegram stating that Gaffney and party were extracting tin off our selections, and we again beg to bring this matter under your notice, with the following explanations:—

1st. Gaffney and party assert that they have a right to the land in virtue of a prior application, which we deny, and furnish the enclosed No. 12,862-4 to prove that our application was at least ten (10) or twelve (12) days before theirs.

2nd. Gaffney and party assert that they have lived on the ground. This we deny, and affirm that our manager, Mr. Blair, has resided on the ground since July last, and that Gaffney and party were not within 2 miles of the ground in question; and further, that in September our Mr. Blair worked the ground for a lode until stopped for the want of tools, and this before Gaffney and party applied for it.

3rd. That the trees were marked, and notices posted thereon according to the Act at date of above ground selection, and that the land has since been known as belonging to Blair's party.

4th. Praying that you will have the goodness to have this matter investigated as soon as possible,

I have, &c.,

ROBT. CRAIG,

One of the proprietors of the Gulf Stream Tin M. Co.

No. 62.

No. 62.

Memo. from M. Fitzpatrick, Esq., M.P.

Mr. Thompson,
Mr. Fitzpatrick craves permission to see the papers relating to mineral selections of Griffiths and Gaffney on the Gulf Creek, opposed by Craig and Paul.
7 April.

No. 63.

Mr. J. Blair to The Secretary for Lands.

Sir,

Sydney, 9 April, 1873.

With reference to the dispute pending your decision between Gaffney, Griffiths, and party, and myself, I have the honor to make the following statements:—

1st. That from July last I resided and never left the mine, until up to the present date, and that on the 2nd September I posted written notices and marked trees according to the Act, and was working the land, and only desisted on account of tools.

2nd. That Gaffney, Griffiths, and party claimed a gully to the north-east of block 59, and after finding the ground unproductive they, in the month of February, shifted their workings to a gully on our ground, block 59, at that time selected and surveyed for Craig and party in the names of Cap. Farquhar, Lester, and Banks; and that I resided on Craig and party's selection as manager until the 10th February last, and that until the said month of February (when the ground was surveyed) Gaffney and party laid no claim to block 59, either by residence thereon, working, or otherwise.

3rd. That hearing Mr. Greaves, District Surveyor, has sent down a report stating that Gaffney and Griffiths and party are the first applicants, and therefore rightly entitled to the land.

I beg to state that Mr. Greaves has never been on the land in dispute, and consequently cannot arrive at a just decision, as a proof of which our applications for blocks 21, 22, and 23 are ten days before Gaffney and Griffiths'.

I have, &c.,

JASPER BLAIR.

No. 64.

Decision of The Secretary for Lands.

I AM of opinion that Craig's selections of the 2nd September, 1872, have been measured by Mr. Chard in their correct positions (as shown on his tracing) and are so placed in conformity with the descriptions thereof.

Under the circumstances of this case of the fact of these selections being fourteen days prior to Griffiths & Co.'s should ensure their being satisfied before the subsequent selections of Griffiths of September 16th, and whose descriptions are very indefinite.

I am also of opinion that the several selections have been measured in their correct positions by Mr. Chard, as shown on his tracing. Mr. Greaves is in error in placing Craig's selections s.s.e., s., and s.s.w. of Holliman and Smith's selections, because they (Craig's selections) are described as southwards of Holliman's, and north-west of Blair's Camp, the position of which is obvious upon an inspection of Mr. Chard's tracing.

J.S.F., 7/5/73.

Mr. Blair, 17th May, /73. — Griffiths, Esq., 19th May, /73.

The instructions for Griffiths and Gaffney should now be returned to Mr. Greaves to measure for them north-westerly along ridge, from Mr. Chard's survey for Craig and Paul.—ROBT. D. FITZGERALD (for the Sur. Genl.), 20 June, /73.

No. 65.

The Under Secretary for Lands to Mr. J. Blair.

Sir,

Department of Lands, Sydney, 17 May, 1873.

In reference to your letter of the 9th ultimo, further respecting certain mineral land on Gulf Creek, county Gough, in dispute between Messrs. Griffiths, Gaffney, & Co., and Craig and party, I am directed to inform you, that under a report which has been received from the Surveyor General, the Minister for Lands is of opinion that Craig and party's selections of 2nd September last have been measured for them correctly by Mr. Licensed-Surveyor Chard, and that they are so placed in conformity with their descriptions.

From the fact that Craig and party's selections were reported fourteen days prior to those of Griffiths & Co., Mr. Secretary Farnell has decided that Craig & Co.'s claim shall be satisfied before that of Griffiths & Co.

I have, &c.,

W. W. STEPHEN.

No. 66.

The Under Secretary for Lands to Mr. C. J. Griffiths.

Sir,

Department of Lands, Sydney, 19 May, 1873.

In reference to your letter of the 30th March, on behalf of Messrs. Griffiths, Gaffney, & Co., M.L. 13,917/32. addressed to Mr. District-Surveyor Greaves, respecting certain mineral land on Gulf Creek, county of Gough, in dispute between Craig and party and your clients, I am directed to inform you that under a report which has been received from the Surveyor General the Minister for Lands is of opinion that Craig and party's selection of 2nd September last have been measured for them correctly by Mr. Licensed-Surveyor Chard, and that they are so placed in conformity with their descriptions.

From the fact that Craig and party's selections were reported fourteen days prior to those of Griffiths & Co., Mr. Secretary Farnell has decided that Craig & Co.'s claim shall be satisfied before that of Griffiths, Gaffney, & Co.

I have, &c.,

W. W. STEPHEN.

No. 67.

No. 67.

Mr. C. J. Griffiths to Mr. District-Surveyor Greaves.

Sir,

Armidale, May 28, 1873.

With reference to the disputes of tin land on Gulf Creek (Griffiths and Gaffney *versus* Craig and Co. and others), I beg to enclose a declaration made by Mr. J. Gaffney, which I should feel obliged by your handing to the hon. the Minister for Lands.

I have, &c.,

CHARLES J. GRIFFITHS.

Forwarded to the Surveyor General, to be submitted to the honorable the Minister for Lands, in connection with Gaffney's disputed claim to mineral lands.—W. A. B. GREAVES, 2 June, 1873.

No. 68.

Declaration by Mr. J. Gaffney.

I, JOHN GAFFNEY, of Wellington Vale, in the Colony of New South Wales, miner, do solemnly and sincerely declare: That on the 10th day of September now last past I prospected and tree-marked ten 20-acre blocks of reef and six 20-acre blocks of stream tin land on the Gulf Creek, Wellington Vale, and Maidenhead Runs boundary, which said several blocks of land were, on the 16th day of September last, applied for as mineral leases (other than gold), in pursuance of the "Crown Lands Occupation Act of 1861," by Charles John Griffiths and myself, in the names of "Griffiths and Gaffney."

2. That from the said 10th day of September last until the present time the said blocks of land have been *bonâ fide* occupied by me, and worked for myself and on behalf of the said Charles John Griffiths, and have not in any way been occupied or worked by any other person.

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the ninth year of the reign of Her present Majesty, intituled "*An Act for the more effectual abolition of oaths and affirmations taken and made in various departments of the Government of New South Wales and to substitute declarations in lieu thereof, and for the suppression of voluntary and extra-judicial oaths and affidavits.*"

Made and subscribed by the declarant, this twenty-seventh day of }
May, in the year one thousand eight hundred and seventy- }
three, at Armidale, in the Colony aforesaid, before me,— }

JOHN GAFFNEY.

SYDNEY BLYTHE,

Justice of the Peace.

No. 69.

Mr. J. Brown to The Secretary for Lands.

Hon. gentleman,

Gulf Creek, May 29, 1872.

I, John Brown, hereby certify that I have been in possession of the land taken up by Messrs. Griffiths and Gaffney since date of application, and I declare that I, John Brown, am the prospector of the said Company, also is Gaffney; Gaffney marked the land, which I can show, up to the day. The manager of the Gulf Stream Tin Mining Company told me to-day that you, sir, sent him a letter last week that the land belonged to the Gulf Stream Tin Mining Company and Gaffney last,—Gaffney, Griffiths, and Company have improved the land, and cost the Company over £300. The Gulf Stream Tin Mining Company have not marked the ground nor improved the land; and the manager of the Gulf Stream Tin Mining Company told me not to work the ground, or he would send for the police. Therefore, hon. gentleman, I beg for a speedy settlement of the land.

I remain, &c.,

JOHN BROWN.

No. 70.

Mr. Licensed-Surveyor Wener to The Surveyor General.

Sir,

Camp, Gulf Creek, 2 June, 1873.

Instruction No.
72/2,726. Plan
herewith.
Appendix G.

I have the honor to transmit herewith a plan of 12 portions of land parishes of Muir and Landsend, county of Gough, applied for by Chas. J. Griffiths and John Gaffney, under the 22nd clause of the Crown Lands Occupation Act of 1861, and which I have measured in accordance with your instructions dated 72/2,726, of 23rd September, 1872.

I have, &c.,

T. E. WENER.

M.L., No. 13,917, 20 acres, disputed. The Surveyor General.—M.O'C. BLAKE, for D.S., 8 July, 1873. Cat., &c.—J. W. COOK, January 21/74. For description.—W.S.C., 21 Jan., /74. Despd., 24 Jan., /74. Dealt with in Charting Branch.—W.S.C., 3 Mar., /74.

No. 71.

Mr. C. J. Griffiths to The Secretary for Lands.

Sir,

Vegetable Creek, Strathbogie, Wellingrove, 16 July, 1873.

When I called on you at the Lands Office, at Sydney, during the months of April and May last, I asked you for a decision respecting mineral land (three blocks, 20 acres each) on Gulf Creek, county Gough, in dispute between us and Craig and Co. I have since received a letter from your office, informing us that your decision in this case had been adverse to us, from the fact of Craig and Co.'s selections having been reported fourteen days prior to ours.

There

21

There is still one block of 20 acres on Gulf Creek, county Gough, in dispute between us and Banks, Lester, and Farquhar, said ground having been taken up by us, resided on, and worked since 16th September, 1872, while Banks and Co.'s application for same land is dated 12 December, 1872. I also mentioned these last facts to you when I had the honor of calling on you at your office, but in the press of business no doubt they have been forgotten. I appeal to you, sir, to be good enough to inquire into this matter, and see justice done. Mr. Fitzpatrick, my agent, is conversant with this case, and has the letters connected with it.

I have been unfortunate in losing mineral lands through most unforeseen circumstances, both that of Craig and Co., and rich land on Vegetable Creek, putting me to vast expense, and I beg, in conclusion, you will be good enough to hasten your decision in this case, remembering that our application for the ground dates nearly three months prior to Banks, Lester, and Farquhar.

I have, &c.,

CHARLES J. GRIFFITHS,

late 61st Regiment.

(*pro* GRIFFITHS & GAFFNEY.)

No. 72.

Messrs. Farquhar, Banks, and Lester, to The Under Secretary for Lands.

Sir,

Sydney, 21 July, 1873.

We have the honor to request that you will prevent any persons from working upon our tin land situated in the county of Gough, at Landsend, M.L. No. 17,279 to 17,280, pending the issue of the leases. We are given to understand that the parties working our land are Griffiths, Gaffney, and party, they having removed a considerable quantity of tin.

We have, &c.,

A. B. FARQUHAR.

JAS. M. BANKS.

JOHN LESTER.

(*p.* JAMES M. BANKS.)

Applicants delivered this letter personally and state that what they seek is an authority to prosecute Griffiths, Gaffney, and party.

Appd.—J.S.F., 21/7/73. Authority issued, 21 July, /73.

No. 73.

The Secretary for Lands to Messrs. Farquhar, Banks, and Lester.

Department of Lands, Sydney, 21 July, 1873.

You are hereby authorized to prefer an information in writing under and in pursuance of the 32nd section of the Crown Lands Occupation Act of 1861, and the regulations thereunder, against Griffiths, Gaffney, and party, whom you represent are in the unlawful occupation of Crown lands selected by you under the 22nd clause of the same Act.

Two 20-acre portions at Landsend, county Gough, M.L. No. 17,279 to 17,280.

You are further authorized to sue for such penalty or penalties as the said Griffiths, Gaffney, and party shall have incurred under the 33rd section of the same Act, for and in respect of such unlawful occupation.

J. S. FARNELL,
Minister for Lands.

No. 74.

Memo. for Leases 12,862/4.

MR. CROFT,—Urgent. Leases in duplicate for Potts, Paul, & Company, &c., &c.—W.S.C.

Received, 20/6/73.

Banks, Lester, and Farquhar, I think. Any reason for substituting Potts, Paul, and Co.?
—L.G.T., 21/7/73. Mr. Campbell.

Banks, Lester, and Farquhar are the names to send. They are given correctly on description. On descriptions Potts and Paul are partners.

No. 75.

Mr. J. Gaffney to The Secretary for Lands.

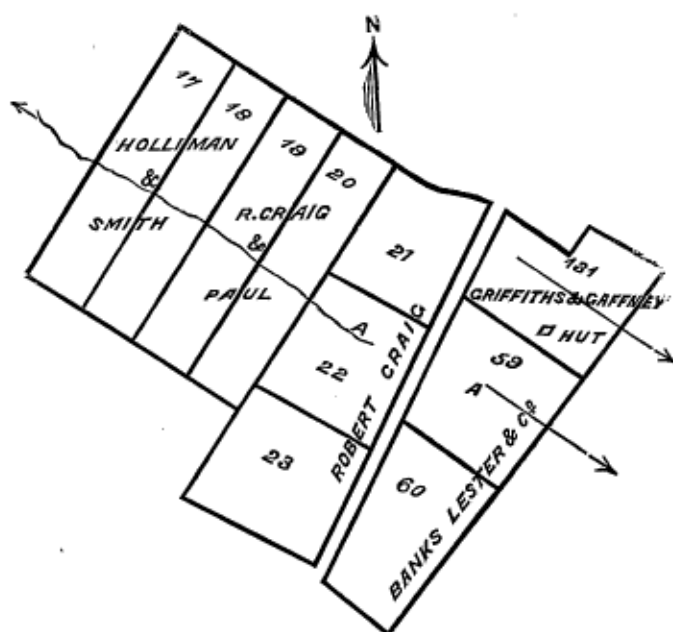
Camp, Gulf Creek, 22 July, 1873.

THE 2nd September, 1872, the undersigned and party were prospecting near the Gulf Creek, Wellington Vale Run, and marked several pieces of ground, which were applied for the 16th September same year.

In the beginning of December Mr. L.-S. Chard arrived at the Gulf, and had mine and other applications for land. Amongst the applicants was the Gulf Stream Tin Company, that is, Messrs. Blair, J. Craigh, R. Craigh, Banks, Lester, Farquharson, Buckel, Paul, and Potts. Mr. Blair, who was always together with the surveyor, made him first survey their land, and in the meantime that our application was earlier as many of the named parties he (the surveyor) left the district without surveying our ground.

As

As we saw that the survey took in land applied for by us we made objection, but without result. As the blocks Nos. 21, 22, 23, 59, and 60 are surveyed to that Company, and only having our hut in the



A and A my marked trees.

gully of block No. 131, saved that from also being taken from us. The land in question was marked by me, as shown on sketch at the same time it was taken up, and the marked trees are still unaltered.

After Mr. Chard, contrary to our objection, surveyed Nos. 21, 22, and 23 to the Gulf Stream Tin Company, then I went to Armidale to see the district surveyor to ascertain if there were prior applicants to the land, and I was informed that Mr. R. Craigh was 10 days earlier than me for the ground south of Holliman and Smith's selection; in the meantime that the disputed blocks are to the east of their land.

During my absence Mr. Chard further surveyed Nos. 59 and 60 for the same Company; nevertheless, that my partner made objections, and he told him he would not decide the ownership before he had seen Captain Griffiths, also a partner of ours. Mr. Chard sent the plans away immediately without seeing Captain Griffiths. I was, prior to the survey, camped on the ground, and had worked it. Neither Mr. Blair nor any of his partners have ever been camping on or prospecting any of the disputed blocks until this date.

In June last I got a decision from your office that the blocks 21, 22, and 23 were rightly surveyed to the Gulf Stream Tin Company, but I still believe unfairly, and would ask as a favor to get the question reconsidered.

As we are very anxious to start work on Nos. 59 and 60, where already a great amount of money is spent on work done, we would feel very grateful to get your decision which we are sure only can be in our favor.

All the ground disputed is the best of our selection, and it was Nos. 21, 59, and 60 which induced us to take up 320 acres to be certain not to be surveyed out of any ground prospected by and applied for by us.

I want further to mention that the application, according to which Nos. 59 and 60 are surveyed to the Gulf Stream Tin Company, is of the 12th December, 1872, or 3 months later than ours; and we are still working block No. 131 next to No. 59.

I have, &c.,

JOHN GAFFNEY,
Gulf Creek, by Deepwater.

No. 76.

Messrs. Banks and party to The Under Secretary for Lands.

Sir,

Department of Lands, Sydney, 14 August, 1873.

We have the honor to apply for the delivery to Mr. C. Potts of the several mineral leases particularised in the annexed schedule.

We have, &c.,

JAMES M. BANKS.
ALEX. B. FARQUHAR.
JOHN P. LISTER.
ROBERT CRAIG.

May be delivered on production of Treasury receipt showing that the fees have been paid.—15/8/73.

No. 77.

Telegram from Griffiths and Gaffney to The Secretary for Lands.

Armidale, 28 August, 1873.

SUMMONED by Banks for working our land, portion 59, Gulf Creek. Please send your decision on our claim by telegram; we are first applicants by three months; see our declaration on residence.

The decision was against Griffiths & Gaffney for portions 59 and 60.—J.S.F., 29/8/73.
Telegram.—29/8/73.

No. 78.

23

No. 78.

Telegram from Gaffney and Griffiths to The Secretary for Lands.

Armidale, 29 August, 1873.

PLEASE answer our telegram immediately.

This has been done.

No. 79.

Memorandum from Mr. Licensed-Surveyor Wener.

MEMORANDUM of Subjects requiring explanation or completion in connection with the survey and plan of 12 portions of land, parish of Muir and Landsend, county of Gough, transmitted by Mr. T. E. Wener, letter No. 73-30, of June 2nd, 1873, and on which Mr. Licensed-surveyor Wener's report in explanation is requested.

Subject.

Report.

PORTION No. 131 will not close.—
J.W., for S.G.

Survey may be received on this
explanation.—R.D.F., 19/12/73.

THIS block is the roughest land I ever had to survey as you will find from me being obliged to write inaccessible in one corner, and I could not by off-set chaining come to satisfactory results. I have calculated it over again, do not find the description much, but should believe it to lay in the north-east 166 links.—T. E. WENER.

I do not think any other than I have given can occur for satisfaction. The Surveyor General can run it back by theodolite, and close $\frac{1}{2}$ link of my peg and could not chain; was eastern 10.57. I beg that the line adjoin L. S. Chard is a broken 867 and 50° 30,624.—T.E.W.

No. 80.

Mr. J. Butchart to The Secretary for Mines.

Sir,

Sydney, 11 August, 1875.

Believing that the rent upon mineral lease 12,862 has not been paid for the present year, I have the honor to request that you will declare the same forfeited, that I may select the ground forthwith.

I have, &c.,

J. HAWKINS BUTCHART.

M.L. 12,862. Lease delivered, 15/8/73. Rent not paid for 1875.—T.C.B., 12/8/75. Make formal demand for rent due, and state if not paid within 30 days the lease will be declared forfeited.—J.L., 13/8/75. Mr. Craig, 19 Aug., '75. Arrears of rent circular on 17,279, 7/9/75.

No. 81.

The Under Secretary for Mines to Mr. R. Craig.

Sir,

Department of Mines, Sydney, 19 August, 1875.

I am directed by the Secretary for Mines to inform you that no rent for the year 1875 has been paid on the mineral lease noted in the margin, and I am to state that unless such rent be paid within 30 days from this date the lease will be forfeited.

M.L. No. 12,862,
20 acres, county
Gough. Date of
selection, 2nd
September, 1872.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 82.

Mr. A. K. Mackenzie to The Under Secretary for Mines.

Sir,

Bondi, 28 April, 1876.

As agent for Messrs. Griffiths and Gaffney I have the honor to apply for refund of £5 18s., as per enclosed receipt, being rent paid by me for mineral leases noted in the margin, which were found to have been leased to other parties.

Receipt enclosed.

GRIFFITHS & GAFFNEY,

(Per A. K. MACKENZIE).

13,917
13,918
13,919
13,920

Refund granted.—J.L., 4/5/76.

Writer and Treasury infd., 10 May, '76.

No. 83.

The Under Secretary for Mines to Mr. A. Mackenzie.

Sir,

Department of Mines, Sydney, 10 May, 1876.

I am directed to inform you that in compliance with the request contained in your letter of the 28th ultimo, the Secretary for Mines has approved of the refund to Messrs. Griffiths and Gaffney of the rent for the broken period of the year 1873, paid by them on the mineral leases noted in the margin.

M.L.'s Nos.
13,917 to 13,920
inclusive.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 84.

No. 84.

The Under Secretary for Mines to The Under Secretary for Finance and Trade.

Sir,

Department of Mines, Sydney, 10 May, 1876.

I am directed to inform you that the Minister for Mines has been pleased to direct that a refund shall be made to Messrs. Griffiths and Gaffney, rent for the broken period of the year 1873, paid by them on mineral selections Nos. 13,917 to 13,920 inclusive, at parishes of Muir and Landsend, which are unavailable.

I am to request you to be good enough to return this amount to Messrs. Griffiths and Gaffney on application.

I have, &c.,

HARRIE WOOD.

Treasury receipt, 16 September, 1872, four blocks of 20 acres each.

No. 85.

Telegram from Warden's Clerk to The Under Secretary for Mines.

Vegetable Creek, 9 March, 1877.

ARE mineral leases numbers 17,820, section number 60, and number 17,272, section number 59, parish of Muir, county of Gough, originally leased by Banks and party, available for re-selection? Please answer—most urgent.

Urgent. How do these stand? The M.L.'s Nos. quoted by Mr. Gower appear to be incorrect. Will the chief draftsman kindly supply the proper lease Nos. of the portion referred to.—H.T., 9/3/77.

Portions Nos. 59 and 60, parish of Landsend, county Gough (J. M. Banks, Lester, and Co.) Portion No. 59, M.L. 17,279; portion No. 60, M.L. 17,280.—W.S.C., 9th. M.L.'s 17,279-80, leases issued. Rent paid for 1875 on M.L. 17,280, and for 1874 on 17,279.—H.T., 9/3/77.

Inform that portions 59 and 60, parish of Landsend, county Gough, are held under minl. leases 17,279 and 17,280, which have been issued to Messrs. Banks, Lester, and Coy., and are still in force.—H.W., 9/3/77. Telegram, 9/3/77.

The leases mentioned by Mr. Gower are Nos. 17,820 and 17,272.

M.L., 17820. J.M. Creed. Portion 284, county of Gough, parish of Highland Home.

M.L., 17,272. Sempill and Martin. Situated in the county of Gordon, Tamboraora and Turon District.

M.L., 17,279.—Banks, Lester, and party. Date of receipt, 14th December, 1872. Up to what date is the rent paid?—H.T., 9/3/77.

Paid to 31 December, 1874.

No. 86.

Telegram from Under Secretary for Mines to Warden's Clerk, Vegetable Creek.

9 March, 1877.

PORTIONS 59 and 60, parish of Landsend, county of Gough, are held under mineral leases 17,279 and '80, which have been issued to Messrs. Banks, Lester, and Co., and are still in force.

No. 87.

The Secretary for Mines to Messrs. Banks and Co.

MAKE formal demand of rent in arrears on mineral leases, 17,279/80, to be paid within thirty days. If they cannot be found, send notice by registered letter.—J.L., 13/3/77.

Done.—N.C.O'N., 14/3/77. Re-submitted.—H.T. 16/4/77.

The Under Secretary for Mines to Messrs. J. M. Banks, Lester, and Co.

Gentlemen,

Department of Mines, Sydney, 14 March, 1877.

With reference to mineral selections Nos. 17,279/80, in the parish of Landsend, county of Gough, which are held by you under lease from this department, I am directed by the Secretary for Mines to apply to you for payment within thirty days of the arrears of rent due, and which are shown in the margin hereof.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

The sum of £25 being amount of rent overdue on M.L. 17,279/80, has been handed to me this morning. The Treasury may perhaps be instructed to receive the amount.—24/4/77.

Approved.—G.A.L., 24/4/77.

Under Secretary for Finance and Trade informed, 24th April, 1877.

No. 88.

The Under Secretary for Mines to The Under Secretary for Finance and Trade.

Sir,

Department of Mines, Sydney, 24 April, 1877.

I have the honor to inform you that the Secretary for Mines has approved of the payment into the Treasury forthwith of the rent overdue in respect of mineral leases Nos. 17,279/80, standing in the names of J. M. Banks, John Lester, and Captain Farquhar.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 89.

Amounts due—
M.L. 17,279, £15.
" 17,280, £10.

Treasury receipt
14 Dec., 1872,
area 2 blocks,
20 acres each,

No. 89.

Memo. to Chief Draftsman.

Will the chief draftsman kindly state whether there is any objection to the preparation of M.L.'s Nos. 13,921/32?—E.C.P., 26/4/77.

I am not aware of any objection.—W.S.C., 26th. Approved.—3/5/77.

No. 90.

Area of Mining Lease.

Portion.	Parish.	County.	M.L. No.	Area.
131	Landsend	Gough	13,927	20 acres.
132	do.	do.	13,928	do.
133	do.	do.	13,929	do.
134	do.	do.	13,930	do.
135	do.	do.	13,931	do.
136	do.	do.	13,932	do.
89	Muir	do.	13,926	do.
90	do.	do.	13,925	do.
91	do.	do.	13,923	do.
92	do.	do.	13,924	do.
93	do.	do.	13,922	do.
94	do.	do.	13,931	do.

E.J.K., 27/4/77.

No. 91.

Mr. R. Craig to The Secretary for Mines.

Hon. sir,

Sydney, 14 May, 1877.

I beg to request that you will be pleased to permit my paying arrears of rent on tin mining lease in county of Gough, Landsend, being block of 20 acres, numbered in lease 12,863.

I have, &c.,

ROBERT CRAIG.

M.L. 12,863. R. Craig. Lease executed and delivered. Rent paid for 1875.—H.T., 14/5/77. Permission asked for granted.—G.A.L., 15/5/77. R. Craig and Treasury informed.—17 May, /77.

No. 92.

The Under Secretary for Mines to Mr. R. Craig.

Sir,

Department of Mines, Sydney, 17 May, 1877.

Referring to your letter of the 14th instant, in which you ask for permission to pay arrears of rent on tin mining lease No. 12,863, I am directed by the Secretary for Mines to inform you that such permission is granted.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 93.

The Under Secretary for Mines to The Under Secretary for Finance and Trade.

Sir,

Department of Mines, Sydney, 17 May, 1877.

I have the honor to inform you that the Secretary for Mines has approved of the payment into the Treasury forthwith of the overdue rent on mineral lease No. 12,863, standing in the name of Robert Craig. Area, 20 acres, county of Gough, Landsend.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 94.

Mr. R. Craig to The Secretary for Mines.

Sir,

Sydney, 16 May, 1877.

I beg to request that you will be pleased to authorize my paying the arrears of rent on a 20-acre lease of tin land in the county of Gough, parish of Landsend, being lease No. 12,862, in my name.

I remain, &c.,

ROBERT CRAIG.

M.L., 12,862.—R. Craig. Executed and delivered. Rent paid for 1874.—H.T., 17/5/77. Permission to pay arrears of rent granted.—G.A.L., 17/5/77. Informed, 18 May, /77.

No. 95.

The Under Secretary for Mines to Mr. R. Craig.

Sir,

Department of Mines, Sydney, 18 May, 1877.

I am directed to inform you that the request contained in your letter of the 16th instant for permission to pay up arrears of rent on mineral lease No. 12,862 has been granted.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 96.

The Under Secretary for Mines to The Under Secretary for Finance and Trade.

Sir,

Department of Mines, Sydney, 18 May, 1877.

I have the honor to inform you that the Secretary for Mines has approved of the payment into the Treasury forthwith of the overdue rent on mineral lease No. 12,862, standing in the name of Robert Craig.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 97.

(77-3,692.)

Mr. B. Hart to The Under Secretary for Mines.

Dear sir,

Sydney, 31 May, 1877.

Will you be good enough to have cancelled leases of blocks Nos. 59 and 60, mineral lease Nos. 17,279 and 17,280, county of Gough, parish of Landsend; also blocks Nos. 22 and 23, mineral lease Nos. 12,862 and 12,863, same county and parish as above. Reason for cancelling—non-expenditure of £5 per acres as prescribed by law.

BENJAMIN HART,

Per D. W. SOLOMON.

M.L., 17,279/80 and 12,862/3. * Rent paid for 1877. Lease issued 15 August, 1873.

The lessees may be called upon to show cause why the leases should not be cancelled for non-observance of the conditions as to the expenditure of £5 per acre within the first three years of the lease.—G.A.L., 4/6/77. Done, 7 June, '77.

* M.L. 17,279/80 selected, 14/12/72.

M.L. 12,862/3 selected, 2/9/72.

No. 98.

The Under Secretary for Mines to Messrs. Banks & Co.

Gentlemen,

Department of Mines, Sydney, 7 June, 1877.

I am directed by the Secretary for Mines to invite you to show cause why mineral leases Nos. 17,279 and 17,280, now held by you, should not be cancelled for non-observance of the conditions therein contained as to the expenditure of the £5 per acre within the first three years of the term created by the said leases.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 99.

The Under Secretary for Mines to Mr. R. Craig.

Sir,

Department of Mines, Sydney, 7 June, 1877.

I am directed by the Secretary for Mines to invite you to show cause why mineral leases Nos. 12,862 and 12,863, now held by you, should not be cancelled for non-observance of the conditions therein contained as to the expenditure of £5 per acre within the first three years of the term created by the said leases.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

Inform that unless cause be shown forthwith the leases will have to be cancelled for non-observance of the conditions of the Act.—G.A.L., 22/6/77. Party called upon to show cause and Mr. Cohen informed.—26 June, 1877.

No. 100.

The Under Secretary for Mines to Mr. R. Craig.

Sir,

Department of Mines, Sydney, 26 June, 1877.

Referring to my letter of the 7th instant, respecting the non-observance of the conditions imposed by your mineral leases Nos. 12,862 and 12,863, I am directed to inform you that unless cause be shown forthwith the said leases will be cancelled.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 101.

The Under Secretary for Mines to H. E. Cohen, Esq., M.P.

Sir,

Department of Mines, Sydney, 26 June, 1877.

I do myself the honor to inform you that Mr. Robert Craig has been called upon, as the lessee of mineral leases Nos. 12,862 and 12,863, to show cause forthwith why the said leases should not be cancelled for non-observance of the conditions imposed by the said leases.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 102.

Mr. M. Partridge to Mr. Buchanan.

Sir,

Inverell, 21 June, 1877.

I would feel greatly obliged if you would give me your opinion on the following case:—I am a digger, and gain my living by it. I went out prospecting and found a lode. I telegraphed to Government and paid the money for two blocks of land and received receipt; I gave their description correctly.

Another party, M.N., came after I had opened up the lode and proved it, and claimed the ground on priority of lease, but it was satisfactorily proved in the local Court that they did not take the ground up under correct description, giving one county as the place where the land was situated while it was situated in another. They received no lease from Government, and also they say they took the land up under the "Primitive Mineral Act," and they never so much as spent a shilling on the ground.

I have been ejected by legal force three times, but I have gone back and taken possession. I would like to know what is the best course for me to pursue; I am sick of the local lawyers? I know in my own mind I am entitled to the ground, and I do not like to be stopped working it through the greed of Sydney capitalists.

I have, &c.,

MARK PARTRIDGE.

P.S.—If you should require a fee send word and I will send it. You must excuse my knowledge on the subject of fees as I am only a digger (one of your old Gulgong supporters). Address—"Mark Partridge, Vegetable Creek."

No. 103.

Mr. T. Harrold to J. McElhone, Esq., M.P.

Sir,

Glen Innes, 23 June.

Knowing your uprightness and important conduct as a Member of the Legislative Assembly of this Colony, I take the liberty of drawing your attention to the gross treatment miners are receiving in this part of Colony at the hands of the Mining Department and its officials. To more clearly inform you on the subject I extract from the *Glen Innes Guardian* reports of proceedings at the Wardens and Police Courts. From these you will notice a party of miners are sorely treated by the authorities here for no other offence than endeavouring to hold what they deem to be their lawful property, the claimants to which abandoned the ground for three years, and failed to pay up the rent until these miners (now being persecuted) had discovered a rich lode of tin; the former then claimed it, and although the Act states "3s. per acre shall be paid annually," has been declared by the warden here as the lawful owners.

As things are here miners are afraid to prospect land, lest when they discover anything good it will be taken from them by intruders, who in every case is backed up by the officials of the Mining Department.

For instance, the Registrar on Vegetable Creek, the principal tin field here, is the hired servant of a large mining company, and of course is not in a position to gainsay the will of the proprietary of mine upon which he is employed; at his hands miners receive all manner of injustice. In the cases I direct your attention to he distinctly told the men the ground was forfeited and allow them to take it up, but as soon as the find was made denied the statement, and appeared as a witness against them, because it is suspected the owner of the claim where he is employed has an interest in Carr and party being successful.

If you would kindly bring before the House the grossness of the treatment miners are receiving here you would certainly do the mining community a deal of good, and they would never cease to thank you.

Yours, &c.,

THOMAS HARROLD.

Will Mr. Warden Graham be good enough to furnish a report upon the whole case referred to in the within papers with the least possible delay. Report urgently required.—H.W., 29 June, 1877, B.C.

No. 104.

R. P. Abbott, Esq., M.P., to The Secretary for Mines.

Sir,

275, George-street, Sydney, 27 June, 1877.

I do myself the honor to request that no further steps be taken in the matter of the forfeiture of leases referred to in your letter 77-3,692 to Banks and others for a fortnight from this date in order to enable the lessees to furnish evidence now being collected, which, it is believed, will show sufficient cause against the forfeiture mentioned.

I have, &c.,

R. P. ABBOTT.

M.L's. 17,279/80. Request granted. Inform writer, also Mr. Cohen, M.P.—G.A.L., 29/6/77. Writer and Mr. Cohen informed, 6 July, 1877.

No. 105.

The Under Secretary for Mines to R. P. Abbott, Esq., M.P.

Sir,

Department of Mines, Sydney, 6 July, 1877.

Referring to your letter of the 27th ultimo, in which you request that the proposed cancellation of the mineral leases Nos. 17,279 and 17,280, held by Messrs. Banks and others, may be deferred for a fortnight, I have the honor to inform you that the Secretary for Mines has approved of your request being granted.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 106.

No. 106.

The Under Secretary for Mines to H. E. Cohen, Esq., M.P.

Sir,

Department of Mines, Sydney, 6 July, 1877.

I have the honor to inform you that in compliance with a request made by Mr. R. P. Abbott, the Secretary for Mines has approved of the proposed cancellation of mineral leases Nos. 17,279 and 17,280, held by Messrs. J. M. Banks and party, being stayed for a fortnight, so as to afford the lessees an opportunity of producing evidence to show why such leases should not be cancelled.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 107.

R. P. Abbott, Esq., M.P., to The Secretary for Lands.

Sir,

275, George-street, Sydney, 27 June, 1877.

With reference to your letter of the 26th instant, addressed to Robert Craig, Esq. (77/3,692), I do myself the honor to request that no further steps be taken in the matter for a fortnight from this date, in order to enable Mr. Craig to furnish evidence now being collected, which it is believed will show sufficient cause why the leases referred to should not be forfeited.

I have &c.,

R. P. ABBOTT,

M.L. 12,862/3. Request granted. Inform the writer, also Mr. Cohen, M.P.—G.A.L., 29/6/77. Writer and Mr. Cohen informed.—4 July, 1877.

No. 108.

The Under Secretary for Mines to R. P. Abbott, Esq., M.P.

Sir,

Department of Mines, Sydney, 4 July, 1877.

I have the honor to acknowledge receipt of your letter of the 27th ultimo, in which you ask that the cancellation of Mr. Robert Craig's mineral leases Nos. 12,862 and 12,863 may be deferred for a fortnight, and I am directed to inform you that the Secretary for Mines has authorised your request to be granted.

I have &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 109.

The Under Secretary for Mines to H. E. Cohen, Esq., M.P.

Sir,

Department of Mines, Sydney, 4 July, 1877.

In reference to my letter of the 26th ultimo, informing you that Mr. Robert Craig had been called upon to show cause why mineral leases Nos. 12,862 and 12,863 should not be cancelled, I have the honor to inform you that, in compliance with a request made by Mr. R. P. Abbott, the Secretary for Mines has deferred all action in the matter for a fortnight, in order to allow Mr. Craig an opportunity of furnishing evidence, showing why such cancellation should not take place.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 110.

Certificate of Clerk of the Warden's Court.

Warden's Office, Vegetable Creek, 29 June, 1877.

I HEREBY certify that the accompanying form of application for a mineral lease of 40 acres, county of Gough, parish of Landsend (No. 121, Vegetable Creek), Messrs. Ben Hart and E. J. Swyny, also letter of objection from Mr. Mark William Carr, and copy of depositions taken during the sitting of the Warden's Court, held by Mr. Warden Graham at the Court-house, Vegetable Creek, on the 28th day of June, 1877, are a correct copy from the records of this office.

Dated this 29th day of June, 1877, at Vegetable Creek.

GEO. H. GOWER,

Clerk of the Warden's Court.

No. 111.

Mr. M. Carr to The Warden's Clerk, Vegetable Creek.

Sir,

Vegetable Creek, 12 June, 1877.

In the matter of application for a mineral lease of 40 acres (No. 121), parish of Landsend, county of Gough, by Messrs. Ben Hart and E. J. Swyny, I beg to inform you that, acting as agent for Messrs. Banks, Lester, & Co., I now hand you a deposit of £5, as objectors' fee to the granting of the abovementioned mineral lease, on the grounds that Messrs. Banks, Lester, & Co. are still owners of the land, by virtue of unexpired mineral leases No. 17,279 and 17,280.

I have, &c.,

MARK WILLIAM CARR,

As agent for Banks, Lester, & Farquhar.

No. 112.

No. 112.
Application for Mineral Leases.
(Mineral Lease Regulations—Schedule 2.)

To the Honorable the Secretary for Mines, Sydney,—
Sir,

Vegetable Creek, 5 June, 1877.

We hereby make application for a mineral lease of that piece or parcel of land situated parish of Landsend, county of Gough, sections No. 59 and 60, containing 40 acres, of which we took possession on the 1st day of June, at the hour of 5 o'clock in the afternoon, for the purpose of mining thereon and therein for tin ore, by posts and trenches at each angle thereof. The datum point is s.w. corner of block 60.

Notice of our intention to make their application has been given in accordance with the regulations in that behalf, and we hand herewith a list of the persons who occupy or claim a right to the land aforesaid, or any part thereof, together with such contents as we have obtained. We also hand herewith the sum of £10, being the first year's rent in advance of the said land, and the sum of _____ to cover the cost of survey.

We hereby acknowledge that this application is made upon the distinct understanding and condition that if we shall abandon or fail to proceed with it, or if it is refused, the Secretary of Mines for the time being may deduct the sum of £10 deposited as aforesaid, any cost to which in his opinion the Crown may have been put in or about or in respect of this application; and this application shall thereupon become and be void, and the possession aforesaid shall cease and determine. And if the lease shall be granted, we shall and will commence mining operations upon or in connection with the demised land within six months from and after the granting thereof, and shall and will employ upon such land not less than six men during the first year of the term thereby created, and not less than eight men during the remainder of such term. And shall and will at any time when called upon in terms of the regulations relating to mineral leases, to do so, execute and take delivery of such lease, or failing therein for a period of fourteen days, after being so called upon, we shall and will forfeit the said sum of £10, and all right, title, or interest in and to the said land and the possession thereof, and the said lease shall be forthwith cancelled.

We have, &c.,

BENJAMIN HART.

E. J. SWYNY.

(both of Vegetable Creek.)

We are willing to accept the above mineral lease at our own risk, without inspection or survey.

BENJAMIN HART.

E. J. SWYNY.

This application was received by me this 5th day of June, 1877, at the hour of 11 o'clock in the forenoon, and is numbered 121.

GEO. H. GOWER,

Warden's Clerk, Vegetable Creek.

No. 113.
Depositions.

Warden's Court, Vegetable Creek, 28 June, 1877.

BEFORE J. B. Graham, Esq., Warden.

Messrs. Banks, Lyster, & Co., *versus* Benjamin Hart and Edward John Swyny.—Objection to mineral leases application No. 121, Vegetable Creek.

James Mathew Banks, being sworn, deposed: I am a marine surveyor, of Sydney; I am one of the principals in the company known as Messrs. Banks, Lyster, and Co., as mentioned in the objections lodged by Mr. Mark William Carr, our agent, dated 12th June last; the objection now produced is the one; I object to application made by Benjamin Hart and E. J. Swyny on the 5th June, 1877, being for 40 acres, blocks Nos. 59 and 60, parish of Landsend, county of Gough; I object on the grounds that I am one of the leaseholders of the blocks under mineral portion No. 59, mineral lease No. 17,279, dated the 30th day of July, 1873; and I object to block No. 60 on the same grounds, viz., that I am a holder of mineral lease No. 17,280, dated at Sydney, 30th July, 1873, signed by His Excellency the Governor, Sir Hercules Robinson; the leases held by me before referred to are for portions of land Nos. 59 and 60, parish of Landsend, county of Gough, being the same land as described in the application to which I object; the leases are still in force; the leases are at present in the custody of the Court as exhibits in several criminal cases.

Cross-examined by E. J. Swyny: I am aware the rent has been paid for the blocks, and have the receipts for it; I do not know the dates of the receipts; the receipt now produced is the last receipt I got for the rent from the Treasury on mineral leases No. 17,279 and 17,280—bears date 30th April, 1877—shows rent paid to 31st December, 1877; the receipt on No. 17,279 was from 1st January, 1875, to 31st December, 1877, and on mineral lease 17,280 was from 1st January, 1876, to 31st December, 1877; I do not know from my own knowledge whether the rents have been paid annually; from my own knowledge I am not aware whether the expenditure conditions in the mineral leases have been complied with; I believe the land has been worked by my manager, but I cannot speak of my own knowledge; I believe we have been continuously in occupation of the land by a representative and tributers, but I am not certain since the issue of the leases; to the best of my belief we have had two managers on the land—the first one was Mr. Blair, and the second and present one Mr. Carr; to the best of my belief £5 an acre has been spent on the land during the first three years of occupation; there are proper records kept of the expenditure, and they are kept in Sydney; I presume they keep a correct account of all the expenditure; the manager, Mr. Carr, let the land on tribute to a man named Clifford, from whom he received a receipt for tools and other appliances, and agreeing to pay a certain amount of tribute to the partners; this document was signed by Clifford, and witnessed by Swyny.

By the Warden: After this document was signed our manager left the ground; a few months ago our manager took possession of the land again.

By E. J. Swyny: I do not know the date of the document referred to, or how long it was in force.

JAMES M. BANKS.

And

And this deponent being sworn, deposed: My name is *Joseph Clifford*, and am a storekeeper, residing at the Gulf Creek; I know blocks 59 and 60, parish of Landsend, at the Gulf; since 30th July, 1873, and three years subsequently, I know of Gaffney working on block 59, but no work was done on block 60; I did not know Mr. Carr or any manager of the Gulf Stream Company to work on blocks 59 and 60; I held the Gulf Stream Company's land from March to 31st December, I believe in 1875, on royalty.

JOSEPH CLIFFORD.

And this deponent, being sworn, deposed: My name is *Roland Oliver Wheeler*; am a miner, residing on Vegetable Creek; I was on the blocks Nos. 59 and 60 on Gulf Creek yesterday, 27th June instant; I cannot swear positively that the sum of five pounds (£5) stg. per acre has not been spent on the blocks; I have not seen £5 per acre for work done expended on the land; I have been backwards and forwards on the Gulf for about three months—that was March, April, and May, 1873.

By the Warden: I never saw the tributers, Clifford, working on the land.

R. O. WHEELER.

And this deponent, being sworn, deposed: My name is *Frank M'Sorley*; am a miner, residing at Y. Waterholes; I have seen blocks 59 and 60 on the Gulf Creek; to the best of my knowledge, and from what work I have seen on the land, I do not think £5 per acre has been spent on the land.

By the Warden: From what work I have been shown on the land I do not think that sum per acre has been spent; I was taken as a valuator, on the 24th June instant, on the land by Mr. Swyny.

F. M'SORLEY.

And this deponent, being sworn, deposed: My name is *John Gaffney*; am a miner, residing at the Gulf Creek; I know blocks 59 and 60 on the Gulf; I know them since February, 1873; prior to the 16th June this year I can swear that the Gulf Stream Company did no work on that land.

By the Warden: Clifford or his men, not to my knowledge, did any work on that land; I know of no work done on that land but by me; I commenced working on block 59 in 1872, and worked there till December, 1873, for my own benefit.

By E. J. Swyny: I returned to the land in the beginning of June this year; I did not work there between December, 1873, and June, 1877.

By the Warden: I worked on the land for fifteen months, with an average of five men; I did not work continuously; I cannot swear that the average would be five men.

JOHN GAFFNEY.

And this deponent, being sworn, deposed: My name is *Donald Murray*; am a miner, residing on Vegetable Creek; I know blocks 59 and 60 on the Gulf Creek; I saw them yesterday, 27th June instant; from the work I saw done yesterday I do not think that the sum of £5 per acre had been spent on the land; I went round the survey marks of the blocks, but do not know the acreage of the blocks; to the best of my belief the work that I saw done on blocks 59 and 60 could have been done for £50.

DONALD MURRAY.

Joseph Clifford, recalled by the Warden: I held some of the Gulf Stream Company's land on tribute, but did not recognise Nos. 59 and 60, as they were always in dispute; I never worked on blocks 59 and 60.

JOSEPH CLIFFORD.

No. 114.

Messrs. Farquhar and Craig to The Secretary for Mines.

Sir,

Sydney, 29 June, 1877.

We have the honor to bring under your notice the following facts in reference to the case brought before the Legislative Assembly last night by Mr. Buchanan and Mr. McElhone.

The Gulf Stream Tin Mining Company was formed 1st August, 1872, and the leases for the ground were obtained about twelve months afterwards.

The Company worked the ground, and expended about £5,000 in working the mine.

They then let it out to tributers (the men who are now committed to trial for stealing tin), and these tributers worked till the whole of the company's plant was destroyed. They never paid a farthing of tribute money to the company, and when the company sent their manager up to take possession they refused to let him work the mine. The manager then applied to the Warden for an injunction, who granted him one. The case was tried at Vegetable Creek, and the Warden gave possession to the manager, who went up to take possession, but was resisted by the men, who defied him; and when the police were on the ground to protect the manager, the gang planted the constables' horses, so that they could not proceed with their duty.

Captain Banks is in possession of facts which prove that there is a gang of unprincipled men who rule the neighbourhood, and intimidate every one who is not in league with them.

When Captain Banks went to the mine he read the lease to the tin stealers, and warned them of the consequences of working the mine in opposition to his wish, but their leaders told the men to proceed with their work, and Captain Banks then gave them in charge.

These men have been several times before the Court, brought there in the endeavour to prevent them stealing the tin, and they have persistently resisted and set at defiance the Warden, his Court, the Magistrates, and police.

We have, &c.,

ALEX. B. FARQUHAR.
ROBERT CRAIG.

No. 115.

Mr. E. Swyny to The Secretary for Mines.

Sir,

Vegetable Creek, 3 July, 1877.

I have the honor to address you in reference to application No. 121, Vegetable Creek, made by myself and Mr. Benjamin Hart.

And as the case is one in which a considerable amount of public interest is centred, being a proceeding taken to obtain the forfeiture of this land on the grounds that although the leases were granted in July, 1873, the sum of (£5) five pounds per acre required by the Mineral Lands Act has not been expended thereon.

And also that the rent has not been paid annually, as required by section (5) five of that Act, which states that, "in default of such payment the lease shall be forfeited."

I have the honor to call your attention to the evidence taken on the 28th June, before the Warden, J. B. Graham, Esq., on the subject, and humbly request that if sufficient case has not been already made out to justify its immediate forfeiture, you will see fit to appoint some competent person to inspect the land and take evidence as to the value of work and by whom done.

As the present holders of the lease have since my application taken re-possession and are working the land, I have the honor to request that in view of the evidence given before the Warden, and in view of the fact that any work now done would tend to mislead any person appointed to inspect the land, you would see fit to issue an injunction for the cessation of work thereon until such time as your decision shall have been given in the matter.

I have further the honor to state that I am in a position to prove that neither the leaseholders or any person in their behalf have expended on this land one-fourth the amount required by the provisions of the Act.

I have, &c.,

E. J. SWYNY.

Inform of action taken in respect of application No. 121, and that the matter of complaint as to non-compliance with conditions of the leases of blocks 59 and 60 has been referred to Mr. Warden Graham for report. The clause in the Act under which the Minister has power to grant an injunction does not apply to such a case as this.—G.A.L., 13/7/77. Mr. Cohen, M.P., informed, 18 July, /77.

No. 116.

The Under Secretary for Mines to H. E. Cohen, Esq., M.P.

Sir,

Department of Mines, Sydney, 18 July, 1877.

Referring to the letter presented by you, on behalf of Messrs. E. J. Swyny and B. Hart, respecting their application (No. 121), for a mineral lease of portions 59 and 60, in the parish of Landsend, county of Gough, I have the honor to inform you that such application must be refused as the land is already held under lease.

2. With regard to the complaint made on the letter above-named, that the conditions of the leases of portions 59 and 60 aforesaid have not been complied with so far as the amount to be expended on the land and the payment of rent are concerned, I may state that the matter has been referred to Mr. Warden Graham for report.

3. Respecting the request made for an injunction to prevent any more work being done upon the land at present, permit me to point out that the clause in the Mining Act, under which the Minister has power to grant an injunction, does not apply to such a case as the one under notice.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 117.

Mr. J. Banks to The Secretary for Mines.

Sir,

Sydney, 9 July, 1877.

With reference to your two letters, bearing date respectively the 7th day of June last, one on the subject of mineral leases 12,862 and 12,863, addressed to Mr. Robert Craig, and the other with reference to leases 17,279 and 17,280, addressed to Messrs. Banks, Lester, & Co., I do myself the honor, on behalf of the Gulf Stream Tin Company, to inform you that soon after obtaining a right to the land described in leases abovementioned, the lessees formed themselves into a Company under the above title. There was at that time no law under which they could either amalgamate or transfer the leases, and being of opinion that the works of the Company, on any part of the land, would apply equally to the whole, in compliance with clause 79 of Regulations under Crown Lands Occupation Act, they commenced to mine for tin ore, and in the erection of works and mining expended within three years large sums of money, very far in excess of the requirements of the law under which the land is held. The question of forfeiture for non-performance of conditions has been raised by men, the greater number of whom have since been committed to take their trial for stealing tin-ore from the land.

On a recent examination of the land by one of the Company it was found that the greater part of the money, amounting to about £5,000, laid out on the four lots, has been expended on lots 59 and 60 (leases 17,279 and 17,280), those lots having been first worked, and lots 22 and 23 (leases 12,862 and 12,863) having been left until approached in the regular working of the land. There is, however, now employed on the last-mentioned lots a large number of men engaged in building stores, stables, and workmen's cottages, and erecting machinery for smelting tin ore.

And, in conclusion, I beg to say that the Company hope that what has been substantially more than a compliance with the law, so far as all the blocks are concerned, will not be treated as insufficient on account of anyone, and that it will not be considered right that they should be damned by reason of defective laws under which they acted.

I have, &c.,

J. M. BANKS.

Ask the Warden to inquire whether the lessees have expended £5 per acre, in terms of the Act, upon the blocks named herein.—G.A.L., 13/7/77. Mr. Warden Graham.—H.W., B.C., 14 July, 1877.

Vide C.L.O. Act
Amendment Act,
passed 25 April,
1873, sec. 3.
Expend at rate
£5 per acre.

No. 118.

Mr. Warden Graham to The Under Secretary for Mines.

Sir,

Warden's Office, Tenterfield, 3 August, 1877.

In reply to your memo. of the 14th ultimo, requesting me to inquire whether the lessees have expended £5 per acre on blocks 59 and 60, parish of Landsend, and blocks 22 and 23, parish of Muir, held under mineral leases Nos. 17,279, 17,280, 12,862, and 12,863, I do myself the honor to report that on the 27th ultimo I visited the land referred to, and from the information I could obtain I estimate the following expenditure has been made:—

On block 59, parish of Landsend, a gully called Track Gully has been worked for tin during the first three years of the tenure under the existing leases; the extent of the work is about 8 chains of the gully, from which I was informed by the manager on the ground was obtained twenty (20) tons of tin ore. The land was worked under tribute for the lessees, and the tin ore obtained was delivered to them at a cost averaging about £27 10s. per ton. From the want of water, steepness of gully, and other want of facilities, I consider the expenditure or tribute of £27 10s. per ton about a fair estimate for the work done. I have no hesitation in saying that on this block the necessary expenditure during the first three years of tenure has been considerably exceeded.

On block 60, parish of Landsend, I could find no satisfactory evidence on the land of the necessary expenditure being made during the first three years of the lease. There was a cutting, which would, I estimate, cost about £60, and a shaft sunk to the depth of 25 feet, at a cost of about £3 per foot. This work was done by Messrs. Lamont and Anderson during the latter part of last year, from which I am informed 26 tons of tin ore was obtained. Lamont and Anderson were, at the time this work was done, applicants for the land, in the belief it was open to lease. Considerable expenditure has since been made on this block. I cannot report, from the information that I have been able to obtain, that the necessary expenditure was made during the first three years of the lease.

On block No. 22, parish of Muir, the work done during the first three years of tenure, I should estimate, would entail an expenditure of about £20 only. During the present year a large excavation for water, dam, road, huts, and other improvements have been made, which I should estimate at over £100 expenditure.

The necessary expenditure during the first three years of tenure does not appear to me to have been made.

On block 23, parish of Muir, I could find no evidence of expenditure; no work appears to have been done on it.

I was informed by the manager on the ground, Mr. M. W. Carr, that the lessees had a manager on the blocks before-mentioned and other adjoining property held by them during the first two years and six months of tenure, at a salary of £5 per week.

The lessees have at present forty men engaged, and the expenditure now is about £200 per week. I am also informed that the lessees have applied for the land under mineral conditional purchases.

I have, &c.,

J. B. GRAHAM,

Warden.

Inform Mr. Warden Graham that inquiries into complaints of non-observance by lessees of the conditions of their leases should be conducted similarly to inquiries into objections to applications to lease, and the Warden's report should be based upon evidence. Request that he will take evidence herein, and report thereon, at his earliest convenience.—G.A.L., 13/8/77.

Mr. Warden Graham, B.C., 13 August, 1877.—H.W.

No. 119.

Telegram from Mr. Warden Graham to The Under Secretary for Mines.

Tenterfield.

MEN committed for stealing tin from Gulf Stream Tin Company's land. Were allowed and obtained bail immediately at close of case. Bail was refused on an adjournment for three days, for reasons considered good and sufficient by the Bench then sitting.

Seen.—G.A.L., 7/7/77.

No. 120.

Mr. Warden Graham to The Under Secretary for Mines.

Sir,

Warden's Office, Tenterfield, 5 July, 1877.

In reply to your B.C. of the 29th June ultimo, calling for my report in the case therein referred to, I do myself the honor to submit the following report:—

On the 29th September, 1876, Wm. Anderson and another made application for a mineral lease of 20 acres of land on Gulf Creek. (They, I believe, were the discoverers of the rich lode on blocks 59 and 60.) The surveyor reported that the land applied for embraced portions of blocks 59 and 60, parish of Landsend, held under mineral leases No. 17,279 and 17,280. Subsequently, on the 7th March last, Agnew and party, the present defendants, lodged an application for 40 acres, and described it as blocks 59 and 60, parish of Landsend, county of Clive. On lodging this application the applicants were distinctly informed by Mr. Warden's Clerk Gower that the original leases were not forfeited. (See his evidence in case before the Warden's Court on 31st May, herewith.) They insisted upon lodging the applications.

The previous applicants, Anderson and party, lodged an objection. The objection case was heard by me, at Vegetable Creek, on the 27th March last; it was then proved by the Warden's clerk, and by the production of a telegram from your department to him, dated 9th March, that the land in dispute between the contending parties was still held under unexpired mineral leases Nos. 17,279 and 17,280 by Messrs. Banks, Lester, and Farquhar. After all the evidence was taken I pointed out to the then litigants that it was evident that neither of them had any right to the land, and advised them not to again work or take possession of it until the original leases had been cancelled.

I

I beg to refer you to the evidence forwarded to you with my report on the above case, dated 25th April last. Agnew and party, disregarding my advice and the clear evidence before them that the land was not available, again took possession, and continued to work and take out the tin ore.

On the 2nd May last I received a telegram from R. P. Abbott, Esq., of Sydney, solicitor for Messrs. Banks, Lester, and Farquhar, requesting me to issue injunction to prevent Clifford, Agnew, and others from working and mining tin from mineral lands held by his clients under mineral leases Nos. 17,279 and 17,280, and informing me that Mark William Carr was then agent on the land. On the following day Mark William Carr came to me, produced the leases of the ground and receipts for rent to December, 1877, and on his representation I issued a special injunction for seven days. Mr. Carr at the same time took out summonses against Nevin Agnew, J. Agnew, and Thomas Richardson, seeking, as agent for Messrs. Banks, Lester, and Farquhar, to be put into possession of certain portions of land situated on Gulf Creek, Nos. 59 and 60, and held under unexpired mineral leases Nos. 17,279 and 17,280, and also to claim certain quantities of tin ore won from such lands. The case was heard by me at a Warden's Court held at Vegetable Creek on the 31st May last. The plaintiffs appeared by their agent and Mr. Solicitor Ferguson. The defendants appeared, and were defended by Mr. Solicitor Kearney. The plaintiffs then produced leases Nos. 17,279 and 17,280; proved that the conditions of the leases had been fulfilled, and that rents had been paid. The evidence of Senior-constable Travers and the Warden's clerk was also taken for the plaintiffs.

From the Warden's clerk's evidence it will be seen that the defendants were distinctly told by him that the land was not forfeited when they lodged their application. The defendants called no evidence, and, with the exception of their solicitor's speech, made no defence. I gave a verdict for plaintiffs, and ordered immediate possession "of blocks 59 and 60, held under mineral leases Nos. 17,279 and 17,280, to be given to Messrs. Banks and Company; the removal of the defendants from the ground; and that all tin ore raised and now on the ground should be delivered to plaintiffs." This verdict was entered by me in the register of complaints, and given in open Court in the presence and hearing of defendants. On that verdict the Warden's clerk drew out the order on the form laid down by the 11th Schedule of the Mining Act. In this order it is stated that the disputed lands are blocks 59 and 60, parish of Muir. As far as the parish is concerned this is an error, the land being in the parish of Landsend; but the error is that of Mr. M. W. Carr (and not of the Warden or Warden's clerk), as in his evidence he distinctly swears that the blocks he claims are situated in the parish of Muir, and on this evidence the order is drawn.

This error did not in any way deceive or mislead the defendants, as the land disputed was well known to them, and the mere error in the name of the parish could not mislead them. I may here state, in explanation of this error of Mr. M. W. Carr's, that the boundary between the two parishes—Muir and Landsend—forms one of the boundaries of the blocks in question, and divides these blocks from others held by Banks & Co., which are situated in the parish of Muir. The verdict given in open Court, before referred to, did not mention the parish, nor did the summonses, but stated them as blocks 59 and 60, Gulf Creek, held under mineral leases 17,279 and 17,280. Carr's evidence alone stated them to be in the parish of Muir. As a matter of fact it subsequently appeared that the land held under the leases named was in the parish of Landsend.

By the Government Gazette of the 29th May last the applications of Wm. Anderson and another, and of Nevin Agnew and others (Nos. 49 and 96), dated respectively 29th September, 1876, and 7th March, 1877, were refused. These are the applications before referred to, as reported on by me in the objection case. Notice of these refusals were sent by the Warden's clerk to the applicants on the 5th June. (See Mr. Gower's telegram of the 5th July attached.)

On the 6th June I received a telegram from Mr. Warden's Clerk Gower, informing me that my decision in case Banks and party v. Agnew and party was treated with contempt; that over a dozen men were at work on the lode, and refused possession to Carr. (Telegram attached.) I, at the same time, received a telegram from Mr. Carr, requesting enforcement of order. I immediately issued an order to Senior-constable Travers to assist in giving Mr. Carr possession. The police went on to the land pointed out to them by Mr. Carr, and gave Mr. Carr possession, at the same time arresting three persons—Conway, Gaffney, and Partridge—for resisting them in the execution of the order. The case was brought on before the Bench of Magistrates at Vegetable Creek, on the 16th June, at which I attended. I did not, under the circumstances, consider it my duty to sit on the Bench, but stayed in the Court to watch the proceedings. I did not prosecute as alleged; the police prosecuted; nor did I take any action in the matter excepting with the consent of the Bench asking constable Travers two questions, and afterwards pointing out to the Bench the discrepancy between Carr's previous evidence with reference to the parish (on which the order was granted) and that then given by him, in which he stated the land to be in the parish of Landsend. I have not a copy of the evidence taken in this case; but that given in the *Glen Innes Guardian* herewith is approximately correct. The Bench considering the discrepancy fatal dismissed the case.

This was the first time the error appeared, and it was fully made apparent to the defendants by the production of the leases and evidence given. That the land claimed and owned by Banks and Co. was blocks 59 and 60, parish of Landsend, and the particular land on which they were trespassing. Through this technical error of Carr's the defendants, instead of being wronged, escaped well merited punishment.

I have gone fully into an explanation of the error, as a great deal of sympathy for the defendants is wrongly based on that error, and in consequence of that being the only grounds for the remarks by the editor of the *Guardian* newspaper as to my "incompetency" and my "egregious and unpardonable blunders." These remarks I have as yet treated with contempt, as a one-sided and untruthful comment, and in no way borne out by the evidence reported. To further show the vindictiveness and bias of this publication I forward you the full issue of date 23rd June, and beg to draw your attention to the leading article.

On the same day the above case was heard, viz., 16th June, Joseph Clifford and several others were brought before the Bench on summons, charged with stealing tin ore from blocks 59 and 60, Gulf Creek, the property of Messrs. Banks and others. After the evidence was taken in Clifford's case, the Bench considered there was not a *prima facie* case made out by the prosecution, and dismissed it. The prosecutors then stated they had no further evidence against the others charged, and requested to be allowed not to go on with the prosecution; the defendants were discharged, and instead of taking it as a warning these men appear to have immediately gone out again on the ground, and to have forcibly taken possession of the mine from Carr and his men—they continued to get the tin ore out and cart it away.

Captain Banks, one of the owners, went on the land and read his leases to the defendants; plainly pointing out to them it was his land, and warned them to desist working; they defied him and persisted. The next day he obtained the assistance of the police, and eight men were arrested on the ground under warrant for tin ore stealing. The men were brought before the local Bench. The sitting magistrates considering the case of great importance telegraphed for my assistance, remanding the prisoners from Saturday the 21st June until the following Tuesday, to enable me to be there. I am informed the Bench refused bail during the remand, on good and sufficient reasons. On Tuesday, the 24th, the men were again brought up before myself, Alfred Cadell, and Hamilton Gordon, Esqs., J.P.'s; the prosecution was conducted by Mr. Solicitor Ferguson, and the accused were defended by Mr. Solicitor Kearney; the prisoners reserved their defence, and after very careful investigation the Bench committed seven of the prisoners to take their trial. They were immediately allowed bail, and released on bail.

This is the whole history of the case, as far as it has come under my notice.

The defendants are a lawless lot of men, who, on the flimsy excuse that they were applicants, take forcible possession of land held under lease by other parties, notwithstanding their knowledge of the existence of the leases and their application being refused; and in spite of continual warnings continue by force, in defiance of all law and order, to mine and take away tin ore, the property of other persons. If such proceedings were allowed there would be an end of all order. It must be remembered that these men were not the discoverers of the mine working. Anderson and party discovered it, and applied for it, believing it to be open to lease, and were hunted out by these men who have now held forcible possession for some time.

I am informed by reliable authority that during the illegal occupation of the mine by the defendants, they have obtained considerably over 50 tons of tin ore from it.

I have, &c.,
J. B. GRAHAM,
Warden.

No. 121.

Telegram from Mr. G. Gower to Mr. Warden Graham.

Vegetable Creek, 6 May, 1877.

In re Gulf Stream Company *versus* Agnew and party, your decision, favour of complainants, delivered in open Court, is treated with contempt. Over dozen men, so Carr informs me, are now at work on lode, and refuse to allow him to pitch his tent on the blocks 59 and 60. Please give me instructions at once, as this matter requires your most immediate attention, being such a very wilful case of contempt. Hart has also applied to-day for some blocks, and will take possession to-morrow, on his own account. Agnew's themselves not working, but on the ground. Mark Partridge, one of the applicants with Agnew's for blocks, acting as one of the ringleaders. If Carr gives me names of all the men, should I summons them separately or collectively, and under 7th schedule, claiming heavy damages, or what?

No. 122.

Telegram from Mr. M. Carr to Mr. Warden Graham.

Vegetable Creek, 4 June, 1877.

I HAVE not got possession of the land Nos. 59 and 60 B at Gulf Creek. They will not give up possession until I can produce an order from you. Can you forward it by telegraph?

No. 123.

Telegram from Mr. A. Cadell to Mr. Warden Graham.

Vegetable Creek, 13 June.

SEARCH warrants and summonses issued by Gordon; arrests almost certain. Order has not been enforced, but will be to-morrow, when summonses and warrants will be served. Travers has telegraphed Orridge for additional police, anticipating strong opposition. Consider your presence absolutely necessary. Travers wants know earliest date you can be here to arrange dates, return of summonses. Reply by telegram to Travers at once to-night. Police waiting. If you start to-morrow, arrange for reception of application for M.C.P. If you come this time, will let you off the usual monthly visit.

No. 124.

Telegram from Mr. W. Cadell to Mr. Warden Graham.

Vegetable Creek, 21 June.

In re Gulf land a large number of men arrested for stealing tin ore. I must necessarily hear and remain to-morrow on case unless you come also. Can you be here Tuesday? If so, will remand until that day. Your presence absolutely necessary. Cases will probably occupy Tuesday and Wednesday, and your regular work will commence Thursday. Pray come, and I will endeavour get full Bench. Matter of utmost importance—destroy a most lawless state of society at Gulf.

No. 125.

Telegram from Warden's Clerk to Mr. Warden Graham.

Vegetable Creek, 5 July.

ANDERSON and Lamont's application, dated 29th September, 1876, and numbered 49,—Nevin, Agnew, and party's application, dated 7th March, 1877, numbered 96,—refused, by Gazette 29th May, 1877; notified parties 5th June, 1877. No deposition of rent have been returned to either of the parties.

No. 126.

No. 126.

Minute by The Under Secretary for Mines.

It appears from the records in this office that the Messrs. Agnew and Mr. Partridge must have known that the blocks of land 59 and 60 were held under leases by Messrs. Banks and Co. In the first place they were so informed at the inquiry held by the Warden into their application to lease the said blocks, and they were subsequently informed, by notice in the Gazette and by letter from this office, that the land was not available to lease, and that therefore their application to lease was refused; and there does not appear to be any justification of their conduct in retaining possession after the Gazette of the 29th May last reached them. The Warden's clerk denies having informed Messrs. Agnew and party that the land was available; indeed he states in his evidence (Warden's Court, 1st June) that by his map the land appeared to be under lease.

It is quite possible he did not at that time speak very positively, because he had not then received the information from this office, and the surveyor had not then reported upon Messrs. Anderson and party's application. The error complained of as having been made by the warden appears to have been due to the evidence given by the agent for the lessees, in which the land in dispute was described as in the parish of Muir, instead of in the parish of Landsend. But inasmuch as the land was properly described in the summons, the defendants could not have been misled by the error complained of. Moreover, they secured a dismissal in consequence of this error, but for which they might perhaps have been punished for disobedience of the warden's order.

There is nothing to show Mr. Gower's conduct has been improper, or that it has been influenced by his occupying the position of an employé of a tin mining company.

H.W., 12/7/77.

Submitted. Mr. McElhone, M.P., may be so informed, and the receipt of Messrs. Farquhar and Craig's letter may be acknowledged.—G.A.L., 12/7/77. Mr. McElhone, M.P., and Messrs. Farquhar and Craig, 16 July, /77.

No. 127.

The Under Secretary for Mines to J. McElhone, Esq., M.P.

Sir,

Department of Mines, Sydney, 16 July, 1877.

Referring to the letter presented by you on behalf of Mr. Thomas Harrold, in which he complains of the action taken by this department in the matter of Messrs. Agnew and party's mineral lease applications at Vegetable Creek, I have the honor to inform you that it appears from the records of this office that the Messrs. Agnew and Mr. Partridge must have known that the blocks of land Nos. 59 and 60 were held under lease by Messrs. Banks and company. In the first place they were so informed at the inquiry held by the Warden into the matter of their application to lease the said land, and they were subsequently apprised by notice in the Gazette, and by letter from this office, that the land was not available for leasing, and that therefore their application was refused. Nor does there appear to be any justification of their conduct in retaining possession of the land after the Gazette of the 29th May reached them.

2nd. The Warden's clerk denies having informed Agnew and party that the land was available. In his evidence, given at the Wardens Court on the 1st June last, he states that by his map the land appeared to be held under lease. It may be that he did not at that time speak very positively, because he had not then received the information from this office, and the surveyor had not then reported upon Messrs. Anderson and party's application.

The error complained of as having been made by the Warden seems to have been due to the evidence given by Mr. Carr, agent for the lessees, in which the land in dispute was described as in the parish of Muir instead of in the parish of Landsend; but, inasmuch as the land was properly described in the summons, the defendants could not have been misled by the mistake complained of. Besides which they secured a dismissal in consequence of this mistake, but for which they might have been punished for disobeying the Warden's order.

3rd. In conclusion, permit me to state that there is nothing to show that the conduct of the Warden's clerk has been improper, or that, as suggested by Mr. Harrold, it has been influenced by his occupying the position of an employé of a tin mining company.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 128.

The Under Secretary for Mines to Messrs. Farquhar and Craig.

Gentlemen,

Department of Mines, Sydney, 16 July, 1877.

I have the honor, by direction of the Secretary for Mines, to acknowledge receipt of your letter of the 29th ultimo, furnishing certain particulars respecting the leases held by the Gulf Stream Tin Mining Company, Nos. 17,279 and 17,280.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 129.

Telegram from Warden's Clerk, Vegetable Creek, to Under Secretary for Mines.

PLEASE inform me if the interest of John Gaffney in mineral leases numbers 13,921 to 13,932 inclusive 12 blocks, 20 acres each, 6 in parish Muir and 6 in parish Landsend, county Gough, was transferred in September, 1873, to Thomas Reynolds, of Vegetable Creek.

It does not appear on the papers that any transfer has been made from Gaffney to Reynolds.—J.R.N., 10/7/77. Inform, no record of such transfer.—H.W., 13/7/77. Informed by telegram, 13 July, '77.

No. 130.

No. 130.

Telegram from Under Secretary for Mines to Warden's Clerk, Vegetable Creek.

Sydney, 13 July, 1877.

REFERRING to your telegram of the 9th instant, there is no record of any transfer of interest in the leases quoted from John Gaffney to Thomas Reynolds.

No. 131.

The Under Secretary for Finance and Trade to The Under Secretary for Lands.

Mineral Conditional Purchases.

Sir,

The Treasury, New South Wales, 12 July, 1877.

1877.
Name—Robert Craig.
District—Inverell.
Area—40 acres.
Selected—14 June, 1877.

£60 balance.

1 deed fee.

£61 total.

I have the honor to inform you that the balance of purchase money due on the mineral selection mentioned in the margin was credited to revenue this day.

I may add that the amount has been carried to the Consolidated Revenue Fund, subject to the declaration herewith being countersigned by the Minister for Lands, on the conditions of the Crown Lands Alienation Act of 1861 having been complied with.

I have, &c.,

G. EAGAR.

No. 132.

Declaration by Robert Craig.

[Alienation Act, 1861.]

I, ROBERT CRAIG, of Lime-street, Sydney, do solemnly and sincerely declare that I am the lawful owner, by conditional purchase, of the land hereunder described, and that an expenditure equal to £2 per acre for the area of the land has been made on mining operations other than gold mining on the land, and since the selection in Inverell on the 14th June, 1877; and I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the ninth year of the reign of Her present Majesty, intituled "*An Act for the more effectual abolition of oaths and affirmations taken and made in various departments of the Government of New South Wales, and to substitute declarations in lieu thereof, and for the suppression of voluntary and extra-judicial oaths and affidavits.*"

DESCRIPTION.

County of Gough, parish of Muir, 40 acres, on Gulph, being (part of) conditional mining leases Nos. 12,862 and 12,863, of 1872, in the district of Inverell.

ROBERT CRAIG.

Taken and declared at Sydney, this 12th day }
of July, 1877, before me,—

WILLIAM SPEER, J.P.

Certificate of Land Agent.

I HEREBY certify that, to the best of my knowledge and belief, the above declaration is in accordance with fact.

Land Agent for

District.

Balance and deed fee credited at Treasury, 12 July, 1877, £61.—V.C.
correct. Inform.—29th August, 1877.

Examined and found

No. 133.

Messrs. Griffiths & Co. to The Under Secretary for Mines.

Sir,

Sydney, 17 July, 1877.

We have the honor to request that we may be allowed to pay, on behalf of the lessees, all arrears of rent due on portions No. 13,925/8, situated in the parishes of Landsend and Muir, county of Gough, the same having not been paid when due through an alleged oversight.

We have, &c.,

GRIFFITHS & CO.

M.Ls., 13,925/8, returned from the Governor, 12/7/77; rent paid on 13,925/6 to 31 December, 1873, and on 13,927/8 to 31 December, 1874.—J.R.N., 18/7/77. Permission to pay arrears of rent granted.—G.A.L., 19/7/77. Griffiths and Co. informed, and Treasury.—21 July, 1877.

No. 134.

The Under Secretary for Mines to Messrs. Griffiths & Co.

Gentlemen,

Department of Mines, Sydney, 21 July, 1877.

I have the honor to acknowledge receipt of your letter of the 17th instant, in which you request permission on behalf of the lessees for the payment of all arrears of rent due on mineral leases Nos. 13,925/8, embracing land in the county of Gough, and I am directed to inform you that such permission is granted.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 135.

No. 135.

The Under Secretary for Mines to The Under Secretary for Finance and Trade.

Sir,

Department of Mines, Sydney, 21 July, 1877.

I have the honor to inform you that the Secretary for Mines has approved of the payment into the Treasury forthwith of the overdue rent on the mineral leases Nos. 13,925/8, standing in the names of Messrs. Griffiths and Gaffney.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

Date of Treasury receipt, 16th September, 1872.

No. 136.

Mr. J. Butchart to The Secretary for Mines.

Sir,

Mort's Chambers, Pitt-street, Sydney, 19 July, 1877.

I have the honor to represent to you that arising out of the disputes between Messrs. Banks and others and Messrs. Griffiths and Gaffney, respecting mineral leases, 17,279 and 17,280, the former gentlemen have obtained my permission to place their manager in charge of my mineral leases, 9,763 and 9,764, in consequence of Griffiths and Gaffney having placed a quantity of tin ore there, which ore is said to have been taken from the ground in dispute.

I am now informed, by a person interested in my ground, that such change is detrimental to my interest, inasmuch as the ore is mixed with a quantity belonging to me, and therefore that neither of the disputants should have possession.

I am desirous of pursuing such a course as will not compromise me with either party, and therefore solicit your authority to see the papers now in the Mines Department, and affecting the case, that I may form my own opinion and decide as to my future action.

I have had an interview with the Under Secretary for Mines, who can more fully explain the matter if necessary.

I have, &c.,

J. HAWKINS BUTCHART.

Mr. Butchart may see the applications of Banks and others and Gaffney and another to lease blocks 59 and 60.—G.A.L., 20/7/77.

No. 137.

Declaration by Mr. J. M. Banks.

[Alienation Act, 1861.]

I, JAMES MATHEW BANKS, of Pitt and Bridge streets, Sydney, for and on behalf of myself, John P. Lester, and Alex. Barclay Farquhar, do solemnly and sincerely declare that, along with Messrs. Lester and Farquhar, I am the lawful owner, by conditional purchase, of the land hereunder described, and that an expenditure equal to £2 per acre for the area of the land has been made on mining operations other than gold mining on the land, and since the selection in Inverell on the 14th June, 1877; and I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the ninth year of the reign of Her present Majesty, intituled "*An Act for the more effectual abolition of oaths and affirmations taken and made in various departments of the Government of New South Wales, and to substitute declarations in lieu thereof, and for the suppression of voluntary and extra-judicial oaths and affidavits.*"

DESCRIPTION.

County of Gough, parish of Landsend, being part of conditional mining leases Nos. 17,280 and 17,279 of 1872, in the district of Inverell.

Taken and declared at Sydney, this 24th day }
of July, 1877, before me,—

JAMES M. BANKS.

CHARLES T. GEDYE, J.P.

Certificate of Land Agent.

I HEREBY certify that, to the best of my knowledge and belief, the above declaration is in accordance with fact.

Land Agent for District.

Examined and found correct. Inform, 29th August, 1877.

No. 138.

Telegram to C.P.S., Vegetable Creek.

MR. GOWER, Warden's Clerk and C.P.S., Vegetable Creek, to ask to inspect conditional purchases of R. Craig & Co. Telegraph to inquire if he will undertake to inspect and report on expenditure on mining conditional purchases of Craig & Co. Telegram, 24/7/77.

Telegram to C.P.S., Vegetable Creek.

Department of Lands, 24 July, 1877.

WILL you undertake to inspect and report expenditure on mining conditional purchases of Messrs. Craig, Banks, Lester, and Farquhar?

No. 139.

No. 139.

Telegram from C.P.S., Vegetable Creek, to Chief Commissioner of Conditional Purchases.

Vegetable Creek.

I MYSELF cannot spare time to report upon land now, but strongly recommend you to communicate with Mr. Wesley, mining manager, Vegetable Creek, as only competent gentleman in this district, whose references are Messrs. Harrie Wood, Mining Department; Alfred Cadell, Union Club; W. J. Weston, 5, Spring-street, Sydney.

No. 140.

Telegram from C.P.S., Vegetable Creek, to Chief Commissioner for Crown Lands.

Vegetable Creek.

HAVE visited Banks, Lester, Farquhar, and Craig's conditional purchases. Am willing to report on expenditure, etc., on receipt of instructions or papers.

G. H. Gower to report, with copies of appns., 2 Aug., '77. End of month, 6/8/77. Senior-sergeant Travers to inspect selections, Vegetable Creek. Mr. Fosbery to be asked to instruct Robert Craig, two 20-acre blocks; Captain Banks and ors., two 20-acre blocks. Mineral C.P.'s recently declared upon.

No. 141.

Memo. to Mr. Hodgkinson.

Surveyor General's Office, C.P. Branch, 31 July, 1877.

PLEASE give me the Cat. Nos. of plans showing the undermentioned portions:—22, G. 815-1,761; 23, G. 815-1,761, parish Muir; 59, G. 736, 60, G. 736, parish Landsend,—and oblige,

A. P. D. HAMILTON.

Herewith.—P.C.H.

No. 142.

J. Leary, Esq., M.P., to The Under Secretary for Mines.

Re Gaffney and others.

Dear Sir,

108, King-street, Sydney, 13 August, 1877.

I have received information from Gaffney by telegram, informing me that the Warden, Mr. Graham, had refused an injunction to prevent Banks & Co. from removing the tin land, &c., and as this refusal may be a great injustice to Gaffney I should feel favoured by your obtaining from the Warden the grounds of his refusal, and that you will do what may be considered just in this matter.

Yours, &c.,

JOSEPH LEARY.

Ask Mr. Warden Graham by telegram whether he has refused an application made by Gaffney for an injunction; and, if so, why? Address to Armidale, and if he has left there to repeat to Tenterfield.—H.W., 13/8/77. Telegram, 13/8/77.

No. 143.

Telegram from Under Secretary for Mines to Mr. Warden Graham.

14 August, 1877.

HAVE you refused an application made by Gaffney for an injunction against Banks and others; if so, on what grounds?

No. 144.

Declaration of Mr. J. M. Banks.

[Alienation Act, 1861.]

I, JAMES MATHEW BANKS, of Sydney, do solemnly and sincerely declare that I am the lawful owner, in conjunction with John Lester and Alexander Barclay Farquhar, by conditional purchase, of the land hereunder described, and that an expenditure equal to £2 per acre for the area of the land has been made on mining operations other than gold mining on the land, and since the selection in Inverell on the 14th June, 1877; and I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the ninth year of the reign of Her present Majesty, intituled "*An Act for the more effectual abolition of oaths and affirmations taken and made in various departments of the Government of New South Wales and to substitute declarations in lieu thereof and for the suppression of voluntary and extra-judicial oaths and affidavits.*"

DESCRIPTION.

County of Gough, parish of Landsend, 40 acres, on Gulph Creek, being part of conditional mining leases Nos. 17,279 and 17,280, of 1872, in the district of Inverell.

Taken and declared, at Sydney, this 15th day }
of August, 1877, before me,—

JOHN BIRD, J.P.

JAMES M. BANKS.

Certificate of Land Agent.

I HEREBY certify to the best of my knowledge and belief the above declaration is in accordance with fact.

Land Agent

District.

Balance and deed fee credited at Treasury, £61.—V.C., Aug. 16, 1877.

No. 145.

No. 145.

The Under Secretary for Finance and Trade to The Under Secretary for Lands:

Conditional Purchases.—Mineral.

1877.
 Names—Banks, James M.;
 Lester, John; Farquhar,
 Alexander B.
 District—Inverell.
 Area—40 acres.
 Selected—14 June, 1877.
 Balance—£60.
 Deed fee—£1.
 Total—£61.

Sir,
 The Treasury, New South Wales, 16 August, 1877.
 I have the honor to inform you, that the balance of purchase money due on the selection mentioned in the margin, was credited to revenue on 16th instant. I may add that the amount has been carried to the Consolidated Revenue Fund subject to the declaration herewith being countersigned by the Minister for Lands on the conditions of the Crown Lands Alienation Act of 1861 having been complied with.

I have, &c.,
 G. EAGAR.

No. 146.

Telegram from Mr. Warden Graham to The Under Secretary for Mines.

Sydney, 16 August, 1877.

Mr. Gaffney applied to me for injunction against Banks and party in the street at Armidale; he produced nothing to support his application. I refused to grant special injunction and told him to make proper application, and give proper notice. I cannot ascertain what his claim is to the land, nor was anything produced by him in defending a criminal action for stealing tin ore off the land in question. One of his party has just been sentenced to eighteen months imprisonment for the offence. Gaffney was acquitted, but not in the evidence of any claim of right to the land. Before I issue injunction I must be satisfied that *bona fide* dispute exist, as Banks and party are leaseholders of the land.

J. B. GRAHAM,
 Warden.

Inform Mr. Leary that the reason assigned by the Warden for refusing to grant an injunction to Gaffney was, that Gaffney applied to him in the street. The Warden says he told Gaffney to make application in proper form.—G.A.L., 16/8/77.

Informed, 16 August, 1877.

No. 147.

The Under Secretary for Mines to J. Leary, Esq., M.P.

Sir,
 Department of Mines, Sydney, 16 August, 1877.
 Referring to your letter of the 13th instant, in which it is requested that the Warden may be asked to state the grounds of his refusal of Mr. Gaffney's application for an injunction against Messrs. Banks and others, I have the honor by direction of the Secretary for Mines to inform you that the reason assigned by Mr. Warden Graham, is that Gaffney applied to him in the street.

2. The Warden also states that he told Gaffney to make application in proper form.

I have, &c.,
 HARRIE WOOD,
 Under Secretary for Mines.

No. 148.

Mr. J. Butchart to The Secretary for Mines.

Sir,
 Mort's Chambers, Pitt-st., Sydney, 16 August, 1877.
 I have the honor to inform you that I have purchased one-half of the mineral selections at the Gulf, and known as 59/17,279, 60/17,280.

The right to these selections, as you are aware, is at present in dispute, and as the interest purchased by me is that of the original occupants, Messrs. Griffiths and Gaffney, I desire that this transaction be registered in the proper record, and in the event of your requiring a copy of the sale note, I will at once furnish it to you.

I have, &c.,
 J. HAWKINS BUTCHART.

M.Ls. 17,279/80, in the names of Banks, Lester, and Farquhar, delivered 15/8/73; rent paid 1877.—J.R.N., 17/8/77.

Inform that the leases named have been granted and issued to Messrs. Banks, Lester, and Farquhar, and that any transfer submitted in the prescribed form will receive due consideration, and if sanctioned can then be registered.—H.W., 20/8/77.

Informed, 21 August, 1877.

No. 149.

The Under Secretary for Mines to Mr. J. Butchart.

Sir,
 Department of Mines, Sydney, 21 August, 1877.
 In reference to your letter of the 16th instant, wherein a request is made for the registration of the interests stated to have been acquired by you in mineral leases Nos. 17,279 and 17,280, I have the honor to inform you that the said leases have been granted and issued to Messrs. Banks, Lester, and Farquhar, but any transfer in respect of the leases submitted in the prescribed form will receive due consideration, and if sanctioned will be registered in this office.

I have, &c.,
 HARRIE WOOD,
 Under Secretary for Mines.

No. 150.

No. 150.

The Clerk of Petty Sessions, Vegetable Creek, to The Commissioner of Conditional Purchases.

Sir,

Vegetable Creek, 18 August, 1877.

Referring to your request contained in letter of 2nd August instant, C.S. 77/26,403, C.P. 77/107 and '108, I do myself the honor to inform you that I personally visited the selections of Messrs. R. Craig and Messrs. Banks and others, and that the improvements on C.P. No. 77,107, measured portions Nos. 22 and 23, parish of Muir, county of Gough, consists of a large excavation for a dam or reservoir for water for mining purposes, and also a building substantially built for tables, both of which are fully worth over £100 sterling.

The improvements or expenditure on C.P. No. 77,108, measured portions Nos. 59 and 60, parish of Landsend, county of Gough, are very extensive mining operations, viz.:—workmen's huts, blacksmith's shop, all substantially erected. Mining shaft sunk to a depth of 33 feet through granite, and a tunnel along the course of the tin lode a distance of about 70 feet. Every foot of driving and sinking had to be blasted by powder, and I should not be exaggerating the expenditure at saying the sum of £600 sterling, had been *bonâ fide* spent in improvements and in mining operations on the abovementioned sections Nos. 59 and 60.

I have, &c.,

G. H. GOWER,

Acting C.P.S.

No. 151.

R. P. Abbott Esq., M.P., to The Secretary for Mines.

Sir,

115, King-street, Sydney, 21 August, 1877.

I do myself the honor to request that you postpone hearing of cases to be held by Warden at Vegetable Creek on the 13th instant, with reference to improvements on leases 17,279, 17,280, 12,862, and 12,863, from that day until the first convenient day after the 15th of next month.

My clients, the Gulf Stream Tin Company, owners of leases above-mentioned, only heard this morning by telegram that the 30th instant had been fixed for hearing, and as the course of post to Vegetable Creek will occupy nine or ten days it would be quite impossible for them to ascertain the nature of the proceedings taken, and to instruct their agent by letter as to proceedings on their behalf, and to forward proofs necessary in their interest for production at the hearing.

I have, &c.,

R. P. ABBOTT.

Ask Mr. Warden Graham if he can conveniently postpone the inquiry into the matter of M.L. 17,279 and '80 and 12,862 and '3 to some day after the 15th proximo, without serious injury or inconvenience to the persons who lodged the complaint.—H.W., 21/8/77.

Inquiry made by telegram, 22nd August, 1877. Inform the writer of the action taken.—H.W., 22/8/77. Informed, 23 August, /77.

No. 152.

Telegram from Under Secretary for Mines to Mr. Warden Graham.

22 August, 1877.

CAN you conveniently postpone the inquiry into the matter of mineral leases seventeen thousand two hundred and seventy-nine and eighty (17,279/80) and twelve thousand eight hundred and sixty-two and three (12,862/3) to some day after the 15th proximo, without serious injury or inconvenience to the persons who lodged the complaint?

No. 153.

The Under Secretary for Mines to R. P. Abbott, Esq., M.P.

Sir,

Department of Mines, Sydney, 23 August, 1877.

I have the honor to acknowledge receipt of your letter of the 21st instant, in which a request is made for the postponement of an inquiry to be held by the Warden at Vegetable Creek on the 30th instant, and to inform you that Mr. Warden Graham has been asked whether he can postpone the inquiry without serious injury or inconvenience to the persons who lodged the complaint in the cases referred to.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 154.

Telegram from Mr. Warden Graham to Under Secretary for Mines.

Tenterfield, 23 August, 1877.

CAN arrange to hold inquiries into expenditure on leases held to Banks and others on the 14th September.

Inform that the date named will suit, and request he will give timely notice to the persons complaining and the lessees.—H.W., 27/8/77. Informed by telegram, 27 August, /77.

41

No. 155.

Telegram from Under Secretary for Mines to Mr. Warden Graham.

27 August, 1877.

THE 14th proximo will suit for inquiry into expenditure on Banks and party's leases. See that timely notice be given to the lessees and complainants.

No. 156.

Mr. J. Butchart to The Secretary for Mines.

Sir,

Mort's Chambers, Pitt-street, Sydney, 23 August, 1877.

I am in receipt of your communication 77/5,478, by which I find you have misapprehended my letter to you of the 16th instant.

I have not purchased any interest in mineral leases 17,279-80, but I have purchased an interest in the land which they at present represent.

The validity of these leases as you are aware is disputed by Messrs. Griffiths & Gaffney, who assert a prior right to the ground over Messrs. Banks and party.

It is the half of Griffiths & Gaffney's interest which I have purchased, and which purchase I desire to be registered or noted in any way you may direct in your department.

I have, &c.,

J. HAWKINS BUTCHART.

Inform that his letters, stating that he claims an interest in Griffiths & Gaffney's interest in the land at present held under leases 17,279 and 17,280 by Messrs. Banks and others, are registered, as are all other letters, but no formal registration of an assignment of an interest can be made.—H.W., 24/8/77. Informed, 28 August, /77.

No. 157.

The Under Secretary for Mines to Mr. J. Butchart.

Sir,

Department of Mines, Sydney, 28 August, 1877.

Referring to your letter of the 23rd instant, further respecting your request for the registration in this office of an interest in Messrs. Griffiths and Gaffney's interest in the land held under mineral leases Nos. 17,279 and 17,280, I have the honor to inform you that your letters are registered as all other letters are, but no formal registration of an assignment of an interest can be made until the instrument has been submitted, and the transfer sanctioned.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 158.

Memorandum.

MR. BLACKMAN,—The enclosed report is very favourable. The total area of the purchase is 80 acres. Mr. Gower estimates the improvements at £600.—28 August, /77.

Declarations submitted for approval.—W.B., 28/8/77. Appd.—T.G., 28/8/77. S. M. Banks and R. Craigh informed, 28th August, 1877. Mr. CURRY,—Mr. Walters for preparation of deeds, C. P. 77/107, in name of Robert Craig; 77/108, in names of James Mathew Banks, John Lister, Alex. Barclay Farquhar.—29/8/77. Exd.—L.G.J.B., 5/9/77. Des. pred., 6/9/77.—R.U.

No. 159.

The Chief Commissioner of Conditional Purchases to Mr. J. Banks.

Sir,

Department of Lands, Conditional Sales Division, Sydney, 28 August, 1877.

With respect to the declaration made by you at Sydney on the 24th July, 1877, to the effect that you had duly complied with the conditions of residence and improvement on your conditional purchase, noted in the margin, I am directed to apprise you that Mr. Gower, to whom the statement therein made was transmitted for verification, has forwarded a report, which the Minister for Lands, taking the evidence therein supplied and all the circumstances of the case into account, considers satisfactory, and has therefore been pleased to accept your declaration.

40 acres selected at Inverell on the 14th June, 1877.

I am to add that should any transfer of the land have been made by you it will be dealt with immediately, and all parties concerned duly informed of the result.

I have, &c.,

A. O. MORIARTY,

Chief Commissioner.

No. 160.

The Chief Commissioner of Conditional Purchases to Mr. R. Craig.

Sir,

Department of Lands, Conditional Sales Division, Sydney, 28 August, 1877.

With respect to the declaration made by you at Sydney on the 12th July, 1877, to the effect that you had duly complied with the conditions of residence and improvement on your conditional purchase, noted in the margin, I am directed to apprise you that Mr. Gower, to whom the statement therein made was transmitted for verification, has forwarded a report, which the Minister for Lands, taking the

40 acres selected at Inverell on the 14th June, 1877.

evidence therein supplied and all the circumstances of the case into account, considers satisfactory, and has therefore been pleased to accept your declaration.

I am to add that should any transfer of the land have been made by you it will be dealt with immediately, and all parties concerned duly informed of the result.

I have, &c.,

A. O. MORIARTY,

Chief Commissioner.

No. 161.

Mr. W. Hezlett to The Secretary for Lands.

Dear sir,

30 August, 1877.

Mr. Francis Buckle is anxious to get a Ministerial order to hasten the issue of those tin freeholds as quick as possible to protect him from fossickers. Kindly do this for me, and I will feel very grateful to you.

W. HEZLETT.

Mr. Thurlow,—Do anything proper within your power to facilitate the issue of these deeds.—T.G., 31/8/77.

No. 162.

Conditional Purchase Application.

(C.P. No. 77/107.)

APPLICANT, Robert Craig; Police District, Inverell; date, 14th June, 1877; time, 10.55; area, 40 acres; section 19.

DESCRIPTION.

40 acres, county of Gough, parish of Muir, being measured portions 22 and 23.

Action taken.—Improvements are said to consist of an expenditure equal to £2 per acre, and to be worth £80. The purchase was transferred to on the Declaration was made on the 12th July, 1877, by Robert Craig, as to improvements.

No. 163.

Conditional Purchase Application.

(C.P. No. 77/108.)

APPLICANT—Jas. M. Banks, J. Lister, and A. B. Farquhar; Police District, Inverell; date, 14th June, 1877; area, 40 acres; section 19.

DESCRIPTION.

40 acres, county of Gough, parish of Landsend, being measured portions 59 and 60.

Action taken.—Improvements are said to consist of an expenditure equal to £2 per acre, and to be worth £80. The purchase was transferred to on the Declaration was made on the 24th July, 1877, by James M. Banks, as to improvements.

No. 164.

Conditional Purchase Application.

(C.P. No. 77/107.)

APPLICANT, Robert Craig; Police District, Inverell; date, 14 June, 1877; time, 10.55; area, 40 acres; section 19.

DESCRIPTION.

40 acres, county of Gough, parish of Muir, being measured portions 22 and 23.

No. 165.

Conditional Purchase Application.

(C.P. No. 77/108.)

APPLICANTS—Jas. M. Banks, J. Lister, and A. B. Farquhar; Police District, Inverell; date, 14 June, 1877; area, 40 acres; section 19.

DESCRIPTION.

40 acres, county of Gough, parish of Landsend, measured portions 59, 60.

No. 166.

Schedule of Applications.

Alienation number.	C.P. No.	Name.	Area.	District.	County.	Parish.
	77/107	Robert Craig	Acres.			
	„ 108	J. M. Banks, J. Lister, and A. B. Farquhar	40	Inverell.....	Gough	Muir.
			40	Do.	Do.	Landsend.

No. 167.

No. 167.

Description of R. Craig's M.C.P., 77/107.

40 acres, county Gough, parish of Muir, portions 22 and 23: Commencing at the southern corner of portion 21 of 20 acres; and bounded thence on the south-east by a road 1 chain wide, bearing south 30 degrees west 28 chains and 28 links; on the south-west by a line bearing west 30 degrees north 14 chains and 15 links; on the north-west by parts of the south-eastern boundaries of portions 24 and 20 of 20 acres each in all, bearing north 30 degrees east 28 chains 28 links; and on the north-east by the south-western boundary of portion 21 aforesaid, bearing east 30 degrees south 14 chains 15 links, to the point of commencement.

Examined.—R.U. Diagram prepared, 7/9/77.

No. 168.

Description of J. Banks, J. Lister, and A. Farquhar's M.C.P., 77/108.

40 acres, county of Gough, parish of Landsend, portions 59 and 60: Commencing at a point bearing west 40 degrees 30 minutes north and distant 1 chain from the northern corner of portion 22 of 20 acres; and bounded thence on the south-east by a road 1 chain wide and a line in all, bearing south 40 degrees 30 minutes west 34 chains and 11 links; on the south-west by a line bearing west 40 degrees 30 minutes north 8 chains and 57 links; on the north-west by a line and a road 1 chain wide in all, bearing north 30 degrees east 34 chains and 69 links; and on the north-east by a line bearing east 40 degrees 30 minutes south 14 chains and 89 links, to the point of commencement.

Examined.—R.U. Diagram prepared, 7th Sept., /77.

No. 169.

Telegram from Under Secretary for Mines to Warden Graham, Tenterfield.

Ask Mr. Warden Graham whether any injunction has been granted to Gaffney and party against Banks and party, or whether any such injunction has been applied for in terms of the Act.

Telegram, 31/8/77.

H.W., 31/8/77.

31 August, 1877.

Has any injunction been granted to Gaffney and others against Banks and party, or has any such injunction been applied for in terms of the Act?

HARRIE WOOD,

Under Secretary for Mines.

No. 170.

Telegram from Under Secretary for Mines to Warden Graham, Tenterfield.

PLEASE reply to telegram of the 31st ultimo, by telegram; if injunction refused state grounds of refusal
Telegram, 10/9/77.

H.W., 10/9/77.

10 September, 1877.

PLEASE reply by telegram to my telegram of the 31st ultimo, and if the injunction was refused to Gaffney, state grounds thereof.

HARRIE WOOD,

Under Secretary for Mines.

No. 171.

Telegram from Warden Graham, Tenterfield, to Under Secretary for Mines.

GAFFNEY applied for special injunction on the 1st instant. Application refused on the grounds that sufficient reason was not shown for granting it.

Vegetable Creek.

Seen.—H.W., 12/9/77. Crown grant of portions 22 and 23, in the parish of Muir, county of Gough, in favour of Robert Craig; and a Crown grant of portions 59 and 60, in the parish of Landsend, county of Gough, in favour of J. M. Banks, J. Lister, and A. B. Farquhar, was produced to me this day by Mr. Abbott.—H.W., 13/9/77.

No. 172.

Telegram from Warden Graham to Under Secretary for Mines.

I AM informed by telegram from Mr. Abbott that deeds have been issued for blocks 59 and 60, Landsend, and 22 and 23 parish of Muir; am I still to go on with inquiry into expenditure on leases of these blocks? Inquiry awaiting your reply.

Vegetable Creek.

J. B. GRAHAM,

Warden.

The Minister thinks the inquiry should proceed.—H.W., 14/9/77. Informed by telegram, 14 September, 1877.

No. 173.

No. 173.

Telegram from Under Secretary for Mines to Mr. Warden Graham.

14 September, 1877.

THE Minister thinks the inquiry should proceed.

No. 174.

Telegram from Mr. Warden Graham to Under Secretary for Mines.

AM waiting your reply to my telegram of this morning. Please reply at once. Over twelve witnesses waiting.

From inquiries made at the Telegraph Office it appears that communication between Sydney and Vegetable Creek was interrupted during part of the day yesterday, and that the message sent from this office and this message crossed.—H.W., 15/9/77.

No. 175.

Mr. Warden Graham to The Under Secretary for Mines.

Sir,

Warden's Office, Tenterfield, 20 September, 1877.

I do myself the honor to forward herewith the evidence given in the inquiry case held by me at Vegetable Creek, as to the expenditure on mineral leases 17,279, 17,280, 12,862, and 12,863.

I have, &c.,

J. B. GRAHAM,

Warden.

Submitted; vide note on 77-5,991.—H.W., 26/9/77. The purchase of the land having been completed, and the Crown grants issued, no action that this Department can take in respect to the leases, can affect the present title of the persons complained against.—E.A.B., 11/10/77. The Warden informed, 15 Oct., 1877. Hart and Swyny also informed, 18 Oct., 1877.

No. 176.

Depositions taken before Mr. Warden Graham.

Warden's Court, Vegetable Creek, 15 September, 1877.

Before His Worship J. B. Graham, Warden.

E. J. Swyny and Ben Hart v. The Gulf Stream Tin Mining Company (Limited).

Re expenditure of £5 per acre on blocks 59 and 60, parish of Landsend, and blocks 22 and 23, parish of Muir, county of Gough, for the first three years of issue of lease, 30th July, 1873.

Exhibit marked A.

Mark William Carr, on oath, says: I am manager for the Gulf Stream Company; I hand in a statement of the expenditure made by the company over the land held by them at the Gulf; the blocks 59 and 60, and 22 and 23, form a portion of the land on which the money has been expended of my own knowledge; I know of a large amount of money having been spent on these particulars now named; in mining I estimate there has been 20 tons of tin got from block 59 during the first three years of tenure; I know this of my own experience and knowledge; the average cost of obtaining per ton of tin was £25; I swear positively that the sum of £100 sterling has been spent on block 59; from my own knowledge I have not spent any money on block 60; I now hand in an explanatory letter from the Secretary of the Company, marked exhibit B, to accompany exhibit A; on block 22 a sum of £50 from my own knowledge has been spent; I do not know if any money has been spent on block 23; they are included in the general expense of the management of the Company; the total area of the land was 800 acres; I do not know anything about the Company; men were employed on block 59 when the water lasted, which was sometimes a period of five weeks; I had four or five men employed on block 22; one man was named George Hyndes; I don't remember the others; this was during the first three years of tenure; I prospected for stream tin; the dirt was not carted, but washed in boxes; I had possession of the ground during the first three years; I have no definite idea of the number of men employed on the ground.

Sworn before me, this 15th day }
of September, 1877,— }

M. W. CARR.

J. B. GRAHAM, Warden.

Joseph Bates, on oath, states: I am a miner, living at the Gulf; I know Track Gully; I worked there 13 months ago—last August 12 months; I raised 3 tons 9 cwt., and 3 tons 10 cwt.; I worked there under an understanding from Joseph Clifford; I have never seen a dozen men working in Track Gully; it might have been three or four men; there was no one working in Track Gully to my knowledge during 1873, 1874, and 1875.

Sworn before me, this 15th day }
of September, 1877,— }

J. B. GRAHAM, Warden.

his
JOSEPH × BATES.
mark.

Thomas

Thomas M'Guinness, on oath, says: Am a miner living at the Gulf; I know blocks 59 and 60, 22 and 23; some three years ago first; I and four more men were tributing for Mr. Carr in Track Gully; sometimes six men; this was three years last October; I think the tribute I was getting was £35 or £40 per ton; I might have raised 5 or 6 tons of tin at that rate of tribute; to the best of my belief I raised 5 tons of tin; there were other men working for Mr. Carr at Track Gully the same time; I am not quite certain how long I worked at Track Gully, but I think, to the best of my belief, for three months; it was not running water, but I had to barrow the dirt to the Gulf Creek; the Gulf is not very far from where I worked in Track Gully.

Sworn before me, this 15th day }
of September, 1877,— }

T. M'GUINNESS.

J. B. GRAHAM, Warden.

Joseph Clifford, on oath, says: Am a storekeeper, living at the Gulf; I know Track Gully; I never knew Mr. Carr to work inside the boundary of block 59, but always below; M'Guinness did not work on block 59; I never knew Track Gully in '59 to be worked more than three days at a time; I never knew Mr. Carr or his agents to do any work on blocks 59 and 60 before 1876; I was living close to Mr. Carr during the whole time of his being there; I have been over the ground once or twice a week; I know blocks 22 and 23; a man was prospecting for Mr. Carr; his name was Cook; he worked two days; the value of the work done was about £5; about 8 chains of Track Gully has been worked in block 59; it was first worked by Gaffney and party in '72; Gaffney worked 3 or 4 chains in '59; there was no other work done till eighteen months ago, and then it was worked by various people; the gully is 1 yard to 10 yards wide.

Sworn before me, this 15th day }
of September, 1877,— }

JOSEPH CLIFFORD.

J. B. GRAHAM, Warden.

David Bell Smyth, on oath, says: Am a miner, living at Vegetable Creek; I was on the Gulf during Mr. Carr's management; I know Track Gully; I have seen men at work for Mr. Carr in October, November, and December, 1873, inside of block 59; three or two men—never more than three at one time; they were only employed there occasionally when there was water; to my knowledge I never knew Mr. Carr to do any work on blocks 22 and 23; at that time I resided on the Gulf for eleven months, and was continually there; I was not there previous to Mr. Carr's residence on the Gulf; I went after he went there as manager.

Sworn before me, this 15th day }
of September, 1877,— }

D. B. SMYTH.

J. B. GRAHAM, Warden.

John Gaffney, on oath, states: I am a miner, residing at Vegetable Creek; I know blocks 59 and 60, and 22 and 23, claimed by Banks, Lister, and Farquhar; I know Track Gully in block 59; I never knew Mr. Carr to do any work there; I never knew Mr. Carr to work on blocks 22 and 23; I was there from August, 1872, until December, 1873; I am positive that during that time no work was done by Mr. Carr in Track Gully in block 59; I was working on my own behalf on block 59 during November, 1873; very little work has been done on the land since I left; I worked about 5 chains on the gully; there is some work done on the hill, but I don't know anything about it; I think Anderson and Lamont did it.

Sworn before me, this 15th day }
of September, 1877,— }

JOHN GAFFNEY.

J. B. GRAHAM, Warden.

Frank M'Sorley, on oath, says: Am a miner, living at Y. Waterholes; I know Track Gully in block 59; I saw it the early part of June last; I inspected the work done on it, for the purpose of valuing it; I estimate that an expenditure of £50 or £60 would cover the cost of doing the work I saw in the gully, then done; I believe the sum I have named would be a sufficient expenditure to properly mine that part of the gully in block 59; with the exception of some work done on the reef that was the whole of the work done on block 59; I did not go on block 60—only a part of it; I estimate the expenditure on block 22 at about £10.

Sworn before me, this 15th day }
of September, 1877,— }

F. M'SORLEY.

J. B. GRAHAM, Warden.

Roland Oliver Wheeler, on oath, says: Am a miner, living at Vegetable Creek; I have seen Track Gully, in block 59; I can estimate the cost of expenditure on work done some years ago, through my knowledge of the rates of wages and tribute; I saw the land in June last; I estimated the work done, by the ground removed or dug, at about £50 or £55; I cannot give an estimate of what the wash-dirt cost, or tin ore, or extraction of tin; my estimate is simply what the earth or ground now removed cost to remove; I cannot give a correct estimate of what tin would cost to extract from this gully; I estimate about 300 feet of Track Gully has been worked; the average width is about 7 to 9 feet, and about 3 feet deep.

Sworn before me, this 15th day }
of September, 1877,— }

R. O. WHEELER.

J. B. GRAHAM, Warden.

Theodore Wener, on oath, says: Am a licensed surveyor, residing at Glen Innes; I know blocks 59 and 60, at the Gulf, in 1873 and 1874; Mr. Carr did not work on the land when I was there; I saw Gaffney and his party working in Track Gully; I did not see any other work done on any part of the blocks to my knowledge; I know blocks 22 and 23; I know very little of them; to my knowledge I saw very little work done on them; about eight months during the two years 1873 and 1874 I had to pass through the land every day; I should have seen Mr. Carr if he had been working.

Taken and sworn at Vegetable Creek, this }
15th day of September, 1877,— }

TH. E. WENER.

J. B. GRAHAM, Warden.

The

[Exhibit marked B.]

Mr. W. Minchall to Mr. Carr.

Dear sir,

Sydney, 6 September, 1877.

I forward with this letter the statement of the expenditure of the Gulf Stream Mining Company, as information for you on the 14th instant.

As Mr. Blair was appointed manager of the mine at the formation of the company, you are aware that a large expenditure was incurred upon the mine before your arrival there; you will find the statement of the same in the accompanying sheet. In 1872, the present shareholders formed themselves into a company for the purpose of taking up tin land, and Mr. Blair was sent up for that purpose as manager. On his arrival at the Gulf the land was taken up and paid for by the company. Some time after the leases were granted when the land was taken up, the company started operations, and horses, carts, tools, and other necessary appliances were sent up from Sydney. Men were engaged and mining operations were commenced on the lower part of the company's ground, and heavy expenses were incurred without any remunerative return. Mr. Buckle, one of the partners went up and stopped at the mine for about four weeks when the Blind Gully was worked on block 59. Mr. Paul, in company with the manager, Mr. Blair, sunk several shafts on blocks 59 and 60, and they felt confident that a lode would be found on one of those blocks. Mr. Paul thinks that they also expended money on blocks 22 and 23; he is quite sure that money was expended on some other blocks, but he cannot state positively what blocks they were without examining the ground. I find that the company has expended the necessary amount of the whole of the blocks taken up by them, but it is impossible for any company to work the whole of the land at one time without incurring needless expense. Every mine must be started at some given point and although the company's land was taken up in the names of the different partners, still it was always understood that each particular selection was the common property of the company. Although the land was taken up by different partners, still the company's money was paid for each selection.

The share list in the company's book will show that all the land was taken up on behalf of the company, and not for each individual shareholder's sole benefit.

The Bank books of the Sydney and Glen Innes Banks will show that the company's cheques were used as payment for the land.

The amount expended on the whole of the blocks for the first three years shows that £5 per acre has been paid, and we are sure that on block 59 has been expended a sum sufficient to cover the blocks now in dispute.

You are aware that all, or the greater part of those men who are making the disturbance about our right to the land were working for us on weekly wages, and some of them worked the mine on tribute under an agreement with us.

We are not aware for certainty what amount they expended on block 59, but we feel assured they must have spent a considerable sum.

I am, &c.,

WILLIAM MINCHALL,

Secretary pro tem.

No. 177.

The Under Secretary for Mines to Mr. Warden Graham.

Sir,

Department of Mines, Sydney, 15 October, 1877.

I have the honor to acknowledge receipt of your letter of the 20th ultimo, transmitting the evidence taken in the matter of Messrs. E. J. Swyny and B. Hart, against the Gulf Stream Tin Mining Company as to the expenditure of money upon the land demised under mineral leases Nos. 17,279, 17,280, and Nos. 12,862/3, and in reference thereto I am directed to inform you that the Secretary for Mines is of opinion that as the purchase of the land has been completed and the Crown grant issued, no action that this department can take in respect of the aforesaid leases can affect the present title of the parties against whom the complaint was made.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 178.

The Under Secretary for Mines to Messrs. E. Swyny and B. Hart.

Gentlemen,

Department of Mines, Sydney, 18 October, 1877.

Referring to the inquiry recently held before Mr. Warden Graham, in consequence of your application for the forfeiture of the mineral leases numbered 17,279, 17,280, and 12,862/3 respectively, on the ground of the non-observance of the regulations as to the expenditure of money upon the lands demised thereunder, I am directed to inform you that the Secretary for Mines is of opinion that as the purchase of the land had been completed and the Crown grant issued, no action that this department can take in respect of the aforesaid leases can affect the present title of the parties against whom the complaint was made.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 179.

Telegram from R. P. Abbott, Esq., to Mr. Warden Graham.

Sydney Station, 5h. 40m., 13 September, 1877.

GRANTS have been issued of lots 59 and 60 and 22 and 23. I have them in my possession, and produced them to Under Secretary, Mines Department. I inform you, as I presume no inquiry can now be held as to those lots—they being freehold property of Gulf Tin Company.

Telegram to Under Secretary for Mines asking if, under circumstances, inquiry is to be held.

Telegram from Under Secretary for Mines to Mr. Warden Graham.

Sydney Station, 3h. 50m., 14/9/1877.

THE Minister thinks the inquiry should proceed.

No. 180.

Memo. from Mr. Warden Graham to The Under Secretary for Mines.

Warden's Office, Tenterfield, 20 September, 1877.

THE attached documents were handed to Mr. Warden Graham by Mr. Thomas Reynolds, of Vegetable Creek, with a request that they might be forwarded to the Mining Department.

Mr.

Mr. Reynolds states that the sale note made by Gaffney in his favour of 2,000 acres of land at the Gulf includes all land then claimed by him in that locality, and any right that he may have had to blocks 59 and 60.

J. B. GRAHAM,
Warden.

No. 181.

Documents referred to in above.

Vegetable Creek, July 1, 1873.

I HAVE this day sold to Thomas Reynolds the whole of my interest in 2,000 acres of mineral land, situated in county Gough and on the Gulf, Maidenhead and Wellington Vale Run, and have received the sum of £140 sterling from the said Thomas Reynolds in payment for my said interest in the above ground.

JOHN GAFFNEY.

Witness—JAMES HAMILTON.

THIS Indenture, made the tenth day of February, in the year of our Lord one thousand eight hundred and seventy-four, between Conrad Hobein, of the Gulf Tin Mines, in the Colony of New South Wales, tin-miner, of the one part, and James Jackson Rae Gibson, of Reedy Creek, in the Colony aforesaid, Esquire, and Thomas Reynolds, of Vegetable Creek, Esquire, of the other part: Whereas the said Conrad Hobein is interested in and entitled to a share and interest in the mineral lands hereinafter described, with the several persons respectively hereinafter named by virtue of permits to select lands for mineral purposes, issued under the authority of the Crown Lands Occupation Act, and hereinafter more particularly mentioned: And whereas the said Conrad Hobein has agreed to sell all his estate, right, title, and interest in the said lands to the said James Jackson Rae Gibson and Thomas Reynolds, for the sum of eighty pounds: Now, this indenture witnesseth, that in consideration of the sum of eighty pounds, paid by the said James Jackson Rae Gibson and Thomas Reynolds to the said Conrad Hobein, the receipt of which sum is hereby acknowledged, he, the said Conrad Hobein, doth hereby assign, transfer, and set over unto the said James Jackson Rae Gibson and Thomas Reynolds all the estate, right, title, and interest of him, the said Conrad Hobein, in and to all those pieces or parcels of mineral lands containing respectively twenty acres each, being numbers fifty-nine, one hundred and thirty-one, one hundred and thirty-two, situate on Gulf Creek, in the parish of Landsend, county of _____, and also number eighty-nine, situate on Gulf Creek aforesaid, parish of _____, and containing in all eighty acres, more or less, selected by Charles Griffiths, John Brown, John Gaffney, and the said Conrad Hobein, on the seventeenth day of September, one thousand eight hundred and seventy-two; also all the estate, right, title, and interest of him the said Conrad Hobein in and to all those pieces or parcels of mineral lands containing respectively twenty acres each, being numbers eighty-two, eighty-three, eighty-four, eighty-five, eighty-six, eighty-seven, eighty-eight, eighty-nine, ninety, ninety-one, containing in all two hundred acres, more or less, situate on Landsend Creek, in the parish of Landsend aforesaid, selected by the said James Jackson Rae Gibson, John Brown, John Gaffney, and the said Conrad Hobein, on the fourteenth day of October, one thousand eight hundred and seventy-two; also all the estate, right, title, and interest of him the said Conrad Hobein in and to all those pieces or parcels of mineral lands containing respectively twenty acres each, being numbers one hundred and twenty-five, one hundred and twenty-six, one hundred and twenty-seven, one hundred and twenty-eight, one hundred and twenty-nine, one hundred and thirty, one hundred and thirty-one, one hundred and thirty-two, one hundred and thirty-three, one hundred and thirty-four, containing in all two hundred acres more or less, situate on Landsend Creek, parish of Landsend aforesaid, and adjoining the above-mentioned two hundred acres selected by John Brown, John Gaffney, and the said Conrad Hobein, on the eighteenth day of October, one thousand eight hundred and seventy-two: And also all the estate, right, title, and interest of him the said Conrad Hobein in and to all those pieces or parcels of mineral lands containing respectively twenty acres each, being numbers ninety-one, one hundred and ten, situate on Gulf Creek aforesaid, and numbers one hundred and eleven, one hundred and twelve, one hundred and thirteen, one hundred and fourteen, one hundred and fifteen, one hundred and sixteen, one hundred and seventeen, one hundred and eighteen, situate on Landsend Creek, in the parish of Landsend aforesaid, and containing in all two hundred acres more or less, selected by Matthew McCabe, John Brown, John Gaffney, and the said Conrad Hobein, on the twenty-fourth day of October, one thousand eight hundred and seventy-two, to have and to hold unto the said James Jackson Rae Gibson and Thomas Reynolds, their and each of their executors, administrators, and assigns all the estate, right, title, interest, claim, and demand whatsoever of the said Conrad Hobein in, to, and upon the said several pieces or parcels of land and premises, and every part or parts thereof, for all the term and interest of the said Conrad Hobein therein and thereto at or under the rent reserved by and subject to the conditions in the said hereinbefore recited Act contained, and which henceforth, on the part of the said lessees, their and each of their executors, administrators, and assigns, ought to be observed and performed: And the said Conrad Hobein doth for himself, his heirs, executors, and administrators, covenant with the said James Jackson Rae Gibson and Thomas Reynolds, their and each of their executors, administrators, and assigns, that he the said Conrad Hobein now hath good right to assign and transfer all his estate, right, title, and interest aforesaid in and to the said pieces or parcels of mineral land and premises unto the said James Jackson Rae Gibson and Thomas Reynolds, their and each of their executors, administrators, and assigns in manner aforesaid: And that the said James Jackson Rae Gibson and Thomas Reynolds, their and each of their executors, administrators, and assigns shall and may at all times hereafter during the term and interest hereby assigned and transferred, peaceably and quietly possess and enjoy the said estate, right, title, and interest of the said Conrad Hobein in and to the said lands and premises, and receive the profits thereof without any lawful eviction, claim, or demand whatsoever from or by the said Conrad Hobein, his executors, or administrators, or any person or persons lawfully or equitably claiming from under or in trust for him, them, or any of them: And that free and clear from all encumbrances save and except the rent reserved and conditions referred to in the hereinbefore recited Act: And, further, that the said Conrad Hobein, his executors and administrators shall and will from time to time, and at all times hereafter during the term hereby assigned and transferred, at the request and costs of the said James Jackson Rae Gibson and Thomas Reynolds, their or either of their executors, administrators, and assigns, do and execute

execute, or cause to be done and executed, all such acts, deeds, and things whatsoever for further and more perfectly assuring his estate, right, title, and interest in and to the said land and premises unto the said James Jackson Rae Gibson and Thomas Reynolds, their and each of their executors, administrators, or assigns in manner aforesaid as shall or may be reasonably required.

In witness whereof the said parties to these presents have hereunto set their hands and seals the day and year first before written.

Signed, sealed, and delivered by the within-named }

Conrad Hobein, in the presence of,—

GEORGE MARTIN, J.P.

CONRAD HOBEIN.

Received, on the day and year first within written, of and from the within-named James Jackson Rae Gibson and Thomas Reynolds, the sum of £80 sterling, being the consideration money within expressed to have been paid by them to me.

CONRAD HOBEIN.

No. 182.

Mr. B. Hart to The Secretary for Mines.

Sir,

Vegetable Creek, 20 September, 1877.

I have the honor to address you in reference to the special Court of Enquiry held by the Warden, J. B. Graham, Esq., at Vegetable Creek, on the 14th instant, the subject matter of inquiry being as to whether the "labour conditions" had been complied with in respect to certain mineral leases, for the forfeiture of which I made application in my last.

I desire to call your attention to the unsatisfactory nature of the inquiry, inasmuch as that while the inquiry was as between the Mines Department and the holders of lease, the whole labour and expense of bringing witnesses to the Court was thrown on myself as a private individual, thus placing me in the position of a prosecutor in a Court in which I had no standing.

The inquiry was upon the complaint of Messrs. Hart and Swyny.

I have to point out that certain papers were received as exhibits in the case, while no evidence was taken to show in what way, or how far they related to the case under inquiry.

Exhibits were admitted for what they are worth.

And also that by a memorandum attached to the depositions by the Warden it will be seen that a number of other witnesses were prepared to give evidence as to the value of work done on the land. The warden, however, ruled that such evidence would be of no value, and that not only should the value of work on the land be considered, but that it would be necessary to take into consideration the cost of cleaning, drying, and bagging the tin, this being a matter known only to those who worked the land, entirely precluded any evidence as to the value of work, and is, I beg to suggest, beyond the intention of the clause referring to labour done on the land, as such interpretation would leave the Department entirely at the mercy of the leaseholders in any enquiry on this subject.

The Act says "Lessees shall expend at the rate of £6 sterling per acre on their lots within the first three years of the lease," but it does not say how he is to spend it.

I have therefore to refer you to my letter of the 3rd July last, and to repeat the request therein contained "that a competent person may be appointed to value the work done, and that evidence be taken if possible on the land as to by whom it was done, and its value."

The land having been purchased, and the Crown grants issued, further inquiry will not give the power to interfere with the title under which the land is now held.

I have further to suggest that it is unfair that the expense of the inquiry held on the 14th instant should be borne by a private individual, and have the honor to request that you will be good enough under the circumstances to order that the expenses of fourteen witnesses be allowed, two days for each witness during the adjournment of the case.

The Government would not have ordered the inquiry but that Messrs. Hart and Swyny asked for it.

I have, &c.,

B. HART,

(Per E. J. SWINY.)

The inquiry was held in consequence of a complaint and request made by the writer, and therefore he is not entitled to payment of expenses. The reception of exhibits would not prejudice the complainants unless they were supported by evidence connecting the statements contained in them with the subject of the inquiry. The Act simply requires that a certain sum per acre shall be expended, but does not specify in what way. The land in question having been converted into a freehold, the Crown grants having issued, it would be of no avail now to consider whether the conditions of the leases have been complied with.—E.A.B., 11/10/77.

Inform.—H.W., 11/10/77.

Mr. Cohen, M.P., informed, 17 Oct., /77.

No. 183.

The Under Secretary for Mines to H. E. Cohen, Esq., M.P.

Sir,

Department of Mines, Sydney, 17 October, 1877.

Referring to the letter presented by you on behalf of Mr. Benjamin Hart, in which he invites attention to the unsatisfactory nature of the inquiry recently held by Mr. Warden Graham as to the fulfilment of the labour conditions of certain mineral leases, I have the honor to point out that such inquiry was held in consequence of a complaint and request made by Mr. Hart, and he is consequently not entitled to payment of expenses, and that as regards the reception of certain exhibits without showing their connection with the case such reception would not prejudice the complainants, unless they were supported by evidence connecting the statements contained in them with the subject of the inquiry, and further, that the Act simply requires that a certain sum per acre shall be expended by lessees, but does not specify in what way it shall be spent.

2. In conclusion I may state that the land in question having been converted into a freehold, and the Crown grants having issued, it would be of no avail now to consider whether the conditions of the leases have been complied with.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 184.

Power of Attorney.

(Mineral Lease Regulations.—Schedule 12.)

Form of Power of Attorney.

Know all men by these presents, that we, Charles John Griffiths, of Wallangra, in the Colony of New South Wales, gentleman, and John Gaffney, of Vegetable Creek, in the said Colony, miner, do hereby make, nominate, constitute, and appoint, and in our place or stead put Frederick Close Griffiths, of Sydney, in the said Colony, merchant, to be our true and lawful attorney for us and in our names and as our act and deed, to sign, seal, and take delivery of the mineral leases for which we on the 16th day of September, 1872, made application (Nos. 13,925, 13,926, 13,927, and 13,928), under the provisions of the "Mining Act, 1874," and the regulations made thereunder, and which has been or shall be granted and issued by the Governor, and for us and in our names to enter into all such covenants and agreements as we shall be required to enter into in and by the said lease, and generally for us and in our names to do, execute, and perform all such other acts, deeds, and things as may be necessary or may be required to be done, executed, or performed in and about the application for and execution of such lease; and we do hereby ratify and confirm all and whatsoever the said Frederick Close Griffiths shall lawfully do or cause to be done in or about the premises, by virtue of this power.

In witness whereof we have hereunto set our hands and seals this 3rd day of October, 1877.

CHARLES J. GRIFFITHS. (L.S.)

JOHN GAFFNEY. (L.S.)

Signed, sealed, and delivered by the abovenamed Charles John }
Griffiths and John Gaffney, in the presence of— }

J. W. HALL, J.P.

No. 185.

Messrs. Griffiths and Co. to The Under Secretary for Mines.

Sir,

Sydney, 9 October, 1877.

We have the honor to request that we may be granted permission to pay on behalf of the lessees all arrears of rent due on portions Nos. 13,921/4 and 13,929/32, situated in the parishes of Landsend and Muir, county of Gough, the same not having been paid when due through an alleged oversight.

We have, &c.,

GRIFFITHS & CO.

Is there any reason why the rent should not be received? There does not appear to be any reason; rent paid to 31st December, 1873, on the leases referred to.—T.C.B., 12/10/77. Perhaps the chief draftsman will kindly state whether he is aware of any objection to the issue of these leases.—T.C.B., 12/10/77. I am not aware of any objection.—W.S.C., 12 October, /77. Permission to pay arrears of rent granted.—E. A. BAKER. Treasury and Griffiths and Co. informed, 18th October, '77.

No. 186.

The Under Secretary for Mines to Messrs. Griffiths and Co.

Gentlemen,

Department of Mines, Sydney, 18 October, 1877.

I have the honor to inform you that in compliance with the request contained in your letter of the 9th instant, the Secretary for Mines has approved of the payment into the Treasury forthwith of the rent overdue in respect of mineral leases Nos. 13,921/4 and 13,929/32.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 187.

The Under Secretary for Mines to The Under Secretary for Finance and Trade.

Sir,

Department of Mines, Sydney, 18 October, 1877.

I have the honor to inform you that the Secretary of Mines has approved of payment being made into the Treasury forthwith of the rent overdue, in respect of mineral leases Nos. 13,921/4 and 13,929/32, standing in the names of Griffiths and Gaffney.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

Treasury receipt,
16th September,
1872.

No. 188.

Power of Attorney.

(Mineral Lease Regulations.—Schedule 12.)

Form of Power of Attorney.

Know all men by these presents, that we, Charles John Griffiths, of Wallangra, in the Colony of New South Wales, gentleman, and John Gaffney, of Vegetable Creek, in the said Colony, miner, do hereby make, nominate, constitute, and appoint, and in our place or stead put Frederick Close Griffiths, of Sydney, merchant, to be our true and lawful attorney for us and in our names and as our act and deed, to sign, seal, and take delivery of the mineral lease for which we, on the 16th day of September, 1872, made application (Nos. 13,921/13,924, 13,929 and 13,932), under the provisions of the "Mining Act, 1874," and the Regulations made thereunder, and which has been or shall be granted and issued by the Governor, and for

for us and in our names to enter into all such covenants and agreements as we shall be required to enter into in and by the said lease and generally for us and in our names to do, execute, and perform all such other acts, deeds, and things as may be necessary or may be required to be done, executed, or performed in and about the application for and execution of such lease; and we do hereby ratify and confirm all and whatsoever the said Frederick Close Griffiths shall lawfully do or cause to be done in or about the premises, by virtue of this power.

In witness whereof we have hereunto set our hands and seals this twenty-third day of October, 1877.

CHARLES J. GRIFFITHS. (L.S.)

Signed, sealed, and delivered by the abovenamed Charles John Griffiths, in the presence of,—

J. R. GIBSON, J.P.

Signed, sealed, and delivered by the abovenamed John Gaffney, in the presence of,—

JOHN GAFFNEY. (L.S.)

ALFRED CADELL, J.P.

No. 189.

Mr. J. Butchart to The Secretary for Mines.

Sir,

Mineral Auction Rooms, Pitt-street, Sydney, 4 February, 1878.

Will you be good enough to inform me whether it is your intention to proceed farther in the investigation of matters in dispute between Griffiths and Gaffney and Banks, Lester, and others, respecting mineral selections 59 and 60?

I have, &c.,

J. HAWKINS BUTCHART.

Inform of decision on 77-6,334, and that there does not appear to be any reason to disturb it.—
H.W., 5/2/78. W.S., 6/2/78. Informed, 13 February, 1878.

No. 190.

The Under Secretary for Mines to Mr. J. Butchart.

Sir,

Department of Mines, Sydney, 13 February, 1878.

Referring to your letter of the 4th instant, inquiring whether it is the intention of this department to proceed further in the investigation of matters in dispute between Messrs. Griffiths and Gaffney, and Messrs. Banks, Lester, and others, respecting portions numbered 59 and 60, in the parish of Landsend, county of Gough, I have the honor to inform you that Mr. Secretary Baker decided that as the purchase of the land has been completed, and the Crown grant issued, no action that this department can take in respect of the leases of the land abovementioned can affect the present title of the parties against whom the complaint was made, and the Minister considers that no reason exists for disturbing that decision.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 191.

Mr. J. Butchart to The Secretary for Lands.

Sir,

Mort's Chambers, Pitt-street, Sydney, 8 March, 1878.

I beg to call your attention to the following case, the circumstances of which show that a grant of certain mineral land at the Waterfall of the Beardy Creek, Gulf District, has been obtained from the Crown in an illegal manner.

On the 16th September, 1872, my clients, Messrs. Griffiths and Gaffney, by mineral selections Nos. 13,917 to 13,932 took possession of 200 acres of land, in ten blocks of 20 acres each, adjoining and situated on the fall of the Beardy Creek, Wellington Vale, and on that day proceeded to erect the huts, &c., necessary for the accommodation of miners, under similar circumstances. These and the general camp were situated upon what is now known as block 59-17,279, and the work of mining for tin ore was at once commenced and carried on until January of the following year, when the local surveyor (Mr. Chard) went upon the ground, and, although warned by my clients that they held the ground under mineral selection, he surveyed it for Messrs. Craig and party, who, it appears, represented to him that their application had been lodged fourteen days prior to that of my clients.

I am prepared to show that every possible step was taken by my clients to maintain their right to the land represented by all their permits. They warned the local surveyor that they were the only occupants. They appealed to the surveyor in charge of the district (Mr. Greaves), against the action of his subordinate and they also represented their position to the Lands Department.

It will be seen on reference to the papers in the case that Mr. Greaves reported favorably to my clients, but that owing to the action of Craig and party, who averred that their selection was for vacant land and made on the 2nd of September, 1872, the Minister decided that "their claim shall be satisfied before that of Griffiths & Co." (*Vide* your letter to Captain Griffiths of 19th May, 1873, 73/3,003.)

I desire to bring forcibly under your notice the fact that the dispute with Craig and party was decided upon the representation that they were the first applicants. That they acquired prior right to three sections, viz., surveyed portions 21, 22, and 23; therefore so far as they were concerned their claim was satisfied by that decision, but it will be seen that after the lapse of years they again reproduce that decision and succeed in transferring it to other land now known as surveyed portions 59 and 60, representing them to be the land originally in dispute.

Such

Such representations is utterly at variance with the facts of the case, which may be briefly stated, thus—

On the 2nd September, 1872, Mr. Robert Craig obtained permits to select three sections each of 20 acres; these permits represent portions—

	21	22	23
Mineral leases—	12,862	12,863	12,864

On the 2nd September, 1872, Mr. John Paul obtained permits to select two sections each of 20 acres, these permits represent portions—

	25	26
Mineral leases—	12,865	12,866

These figures show that Messrs. Craig, Paul, and others (their partners) in the selections have had the whole of the selections of 2nd September, 1872, satisfied, but on the 14th of December of that year their partners Messrs. Banks, Lester, and others obtained permits to select two sections each of 20 acres. These permits represent portions—

59	60
----	----

and are a part of the land claimed by my clients

Mineral leases—	17,279	17,280
-----------------	--------	--------

under their permits, Nos. 13,917, 13,918, 13,919, 13,920, of date 16th September, 1872, and which are still unsatisfied.

For the present it is not intended to question the position of Messrs. Craig and others in relation to sections 21, 22, and 23, as that will form subject for a separate inquiry, but it is necessary to refer to them here, inasmuch as the decision of the Minister for Lands respecting these numbers has been transferred from them and applied to the sections 59 and 60 claimed by my clients.

I beg to refer you to Mr. Surveyor Greaves' report 73/70, and also to the plan accompanying it, showing the land to which, in his opinion my clients were and still are entitled.

The illegality to which I have referred consists in the misrepresentations made respecting the date of selection of sections 59 and 60 by Banks and others, and the application of the circumstances arising out of portions 21, 22, and 23 to portions 59 and 60.

My clients claim the right to portions 59 and 60, of which they have been in possession since September, 1872, until recently. They have expended much money and labor upon the ground; therefore they trust you will investigate the matter as now represented and afford them such relief as you may consider them entitled to.

Seen, 18 March.

I have, &c.,

J. HAWKINS BUTCHART.

No. 192.

Mr. J. Butchart to The Secretary for Lands.

Sir,

Pitt-street, Sydney, 20 March, 1878.

I have the honor to refer you to my communication of the 8th instant.

As the interests of my clients may be materially affected by any delay, I trust the matter will receive your early attention and that you will communicate with me at your earliest convenience.

I have, &c.,

J. HAWKINS BUTCHART.

Memorandum.

Department of Mines, Sydney, 21 March, 1878.

MINERAL Lease papers 77/1860, M.Ls. 17,279/80, Banks and party, were sent to the Lands Department on 27th February last. As these papers are urgently required the Under Secretary for Lands may be asked to return them as speedily as possible.—C.T.C.B.

Yes.—H.W., 22/3/78.

U.S. Lands asked, 26 March, 1878.

No. 193.

The Under Secretary for Mines to The Under Secretary for Lands.

Sir,

Department of Mines, Sydney, 26 March, 1878.

I have the honor to inform you that certain mineral lease papers, numbered 77-1,860, in connection with Messrs. Banks' and party's mineral leases Nos. 17,279-80, were forwarded to your department on the 27th ultimo, and, as they are urgently required, I beg the favour of your causing them to be returned to this office as speedily as possible.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 194.

Memo.

Griffiths and Gaffney v. Banks and party.

Mines, 23 March, 1878.

MR. Secretary Farnell's minute on 73-6,935 would appear to refer to a previous decision of his respecting portions 59 and 60. I have looked through the papers, but can discover no other decision than that on 73-3,003, in which these particular portions are not mentioned.

On reference to the Register of Leases prepared, I find that five leases were engrossed for Banks and party, portions 59 and 60 (mineral leases 17,279-80) being among the number, and the authority quoted is 73-3,003, which refers to the other three leases, but does not, I think, include 59 and 60.

The Executive minute (73-9,583) approving of the leases is now with the papers, as also 73-6,626, on the back of which is a memorandum by Mr. Lindsay Thompson, dated 15th August, 1873, stating that the leases may be delivered on production of Treasury receipt for fees.

T.C.B.

Place with papers.—H.W.

No. 195.

No. 195.

Memo. by Mr. J. Butchart to Mr. Johnson.

Pitt-street, Sydney, 27 March, 1878.

My letter referred to is a very long one to the Minister, respecting a dispute between Griffiths and Gaffney and Banks and others as to two mineral selections at the Gulf.

I trust the matter will be laid before the Minister without delay.

The letter in question was, I believe, sent to the Department of Mines by direction of the Minister for Lands, as being a matter to be dealt with in that department.—T.H.J.

Lands, Records, 27 Mch., '78. The Chief Clerk, Dept. of Mines.

No. 196.

Mr. J. Butchart to The Secretary for Lands.

Sir,

Mort's Chambers, Sydney, 28 March, 1878.

Arising out of the matter contained in my letter to you of the 8th instant, soliciting, on behalf of Messrs. Griffiths and Gaffney, an inquiry into the circumstances connected with the survey of certain mineral selections to Messrs. Banks, Paul, and others, instead of to my clients, I have now the honor to lay before you the facts respecting the survey to Messrs. Craig, Paul, and others of sections—

Surveyed portion...	21	22	23
Mineral selection...	12,864	12,863	12,862

from which it will at once be seen that the description given by these gentlemen in their applications to be allowed to select in no way corresponds with the surveyed portions, which are due east instead of south of Holliman and Smith's 40 acres.

I submit therefore that the grants issued to these gentlemen have been obtained from the Crown in an illegal manner.

The sketch* herewith shows the relative positions of the selections in the vicinity, and the coloured portions are those to which reference is made in the applications of Messrs. Craig and others. *Appendix H.

At the time of survey my clients were in possession of the ground, holding under their selections Nos. 13,917 to 13,932, of the 16th September, 1872. They protested to Surveyor Chard against his surveying to Craig and others, and finding such protest to be useless, they represented their case to the surveyor in charge of the Northern District, Mr. W. A. B. Greaves, to whose report on the subject (73/70) I beg leave to refer you.

The red lines on the sketch indicate the position of the ground to which Griffiths and Gaffney were entitled, according to Mr. Greaves' report, and I now most respectfully submit that the facts show clearly that my clients were entitled to be placed in possession in the first instance. I trust therefore that upon investigation of all the circumstances you will take the necessary measures to place my clients in possession of their several properties.

I hope to have the honor of hearing from you on the subject at your earliest convenience.

I have, &c.,

J. HAWKINS BUTCHART.

No. 197.

Mr. J. Butchart to The Secretary for Lands.

[Urgent.]

Sir,

Mort's Chambers, Sydney, 10 April, 1878.

I beg to refer you to my letters of the 8th, 20th, and 28th ultimo, and also to the interview with which you honored me on the 5th instant.

I need not urge upon you the importance of having the cases in question dealt with as speedily as possible, as delay might be attended with most serious results to my constituents.

Acting upon your suggestion, I have seen the Under Secretary for Mines and other officers in that department, and have been informed by them that all action there is impeded in consequence of their inability to obtain some necessary papers from the Lands Department. I am also informed that repeated application for these papers has been made by the proper officer in the Mines Department, to enable him to complete the case, before submitting it to the Minister, but that up to this date such papers, or any of them, are not forthcoming.

I complain with very great reluctance, but in this instance am compelled to solicit an inquiry into the cause of the delay which has arisen.

I have, &c.,

J. HAWKINS BUTCHART.

I cannot trace any other papers in connection with this case.—E.P., 11. Mr. Butchart refers to a letter of his of the 8th March. Surely it has been recorded.—L.G.T. (for U.S.), 2/5/78. Record Branch,—I have made a careful search, but cannot trace the letter referred to.—E.P., 10/5/78.

No. 198.

The Secretary for Mines to The Secretary for Lands.

Sir,

April 26, 1878.

In order that a decision may be arrived at in a case before this department, it is necessary that certain papers now lying in the Lands Office be referred to the Minister for Mines.

The

The papers are those in the case of Griffiths and Gaffney v. Banks and party, and against Craig and party.

Will my hon. colleague have the kindness to order the papers to be sent to me for perusal.

I have, &c.,

W. H. SUTTON.

The papers should be furnished to the Mines Department.—J.S.F., 26. Mr. Moriarty.—All papers herewith, except the original applications, which cannot be found. Copies of applon. herewith.—W.A., 30/4/78. For Mining Dept., 30/4/78.

No. 199.

Mr. J. Butchart to The Secretary for Lands.

Sir,

Mort's Chambers, Sydney, 30 April, 1878.

Referring to my letters to you of the 8th, 26th, and 28th ultimo, as well as the 10th instant, respecting the claims of Messrs. Griffiths and Gaffney to certain mineral lands situated in the Gulf district, I desire to add to the statements now before you, that on the 16th of September, 1872, Messrs. Griffiths and Gaffney were the only applicants for mineral selections within the area described by Mr. Surveyor Greaves in his letter to you, 73/70, as being within the red lines attached to that report.

The applications for selections 21, 22, and 23 were for land south of Holliman and Smith's. These sections are east of Craig and Paul's.

The portions 59 and 60 were applied for in December, 1872, while my clients were in possession of the ground, and after Gaffney had shown the richness of the claim.

I have, &c.,

J. HAWKINS BUTCHART.

Place this with 78/1,809.—O.R. Herewith, 10/5/78. To be forwarded to the Mines Department.—J.S.F., 10/5/78. Under Secretary for Mines, B.C., 10/5/78.—O.R. (for U.S.)

No. 200.

Mr. J. Butchart to The Secretary for Mines.

Sir,

Mort's Chambers, Sydney, 27 May, 1878.

Having informed my constituents, Messrs. Griffiths and Gaffney, that their position in reference to mineral leases at the Gulf is now under your consideration, they have requested me to apply to you to be allowed to be heard by their solicitor previous to your sending the case to the Lands Department. If you will sanction this proceeding, and will appoint a time for the interview, it will afford me much pleasure to make the necessary arrangements.

I have, &c.,

J. HAWKINS BUTCHART.

Submitted.—H.W., 27/5/78. The solicitor may attend on Thursday, 30th instant, at 11 o'clock a.m.—W.S., 28/5/78. Inform Mr. Butchart he may attend with solicitor on Thursday next, at 11 o'clock a.m.—H.W., 28/5/78. Informed.—28 May, /78.

No. 201.

The Under Secretary for Mines to Mr. J. Butchart.

Sir,

Department of Mines, Sydney, 28 May, 1878.

Referring to your letter of the 27th instant, requesting, on behalf of Messrs. Griffiths and Gaffney, that they may be heard by their solicitor, I have the honor to inform you that the Secretary for Mines has granted your request, and has appointed Thursday next, the 30th instant, at 11 a.m., for the interview.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 202.

Decision of The Secretary for Mines.

Department of Mines, Sydney.

I AM requested by the agent (Mr. Butchart) of Messrs. Griffiths and Gaffney to give an opinion upon the merits of the case between Messrs. Griffiths and Gaffney and Messrs. Craig and party, as applicants for mineral leases. It is asserted that Craig and party are in possession of land which should have been granted to Messrs. Griffiths and Gaffney.

Upon a perusal of the papers I find that a previous Ministerial decision has been given. That decision is most clear, and showing upon one principal point in dispute, viz., the survey of the land.

Mr. Farnell, in his decision, says:—"I am of opinion that Craig's selections of September 2nd, 1872, have been measured by Mr. Chard in their correct positions, as shown in his tracing, and are so placed in conformity with the description thereof. Under the circumstances in this case of the fact of these selections being fourteen days prior to Griffiths & Co., should assure their being satisfied before the subsequent selections of Griffiths and Gaffney." I can see no reason for arriving at a decision adverse in any way to that given by the Minister on the 7th May, 1873.

W.S., 5/6/78.

Mr. Butchart may be informed.—H.W., 6/6/78. Informed, 8 June, /78.

No. 203.

The Under Secretary for Mines to Mr. J. Butchart.

Sir,

Department of Mines, Sydney, 8 June, 1878.

In further reference to the matter of the conflicting claims of Messrs. Craig and party and Messrs. Griffiths and Gaffney respectively to the mineral leases of portions Nos. 59 and 60, at Gulf Creek, I have the honor to inform you that, after careful consideration of the case as set forth in the papers relating thereto, the Secretary for Mines sees no reason for arriving at a decision adverse to that given on the 7th of May, 1873, by Mr. Farnell, when Minister for Lands, which was as follows:—

"I am of opinion that Craig's selections of the 2nd September, 1872, have been measured by Mr. Chard in their correct positions as shown on his tracing, and are so placed in conformity with the descriptions thereof."

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 204.

Mr. J. Butchart to The Secretary for Mines.

Sir,

Mort's Chambers, Pitt-street, Sydney, 10 June, 1878.

I have the honor to acknowledge receipt of your letter of the 8th instant (78/3,178); having reference to sections 59 and 60, at Gulf Creek, and informing me that, after careful consideration, you see no reason for arriving at a decision adverse to that given by Mr. Farnell in 1873, viz., "that Craig's selections of 2nd September, 1872, were measured correctly by Mr. Surveyor Chard."

There is, I submit, a grave error in importing Messrs. Craig and party's names and the survey of their selections into the disputed title by my clients, Messrs. Griffiths and Gaffney, against Banks and party, who hold sections 59 and 60.

My clients claim a prior right to Banks and party—not Craig and party, who are totally unknown to your department so far as sections 59 and 60 are concerned.

I have, &c.,

J. HAWKINS BUTCHART.

My decision was given in reference to Nos. 21, 22, 23, and not in reference to 59 and 60. I am unable to give a decision in these last cases, as I have not the papers referring to them before me.—W.S., 12/6/78. Inform the writer.—H.W., 12/6/78. Informed, 14 June, /78.

No. 205.

The Under Secretary for Mines to Mr. J. Butchart.

Sir,

Department of Mines, Sydney, 14 June, 1878.

I have the honor to acknowledge receipt of your letter of the 10th instant to the effect that your clients, Messrs. Griffiths and Gaffney, claim to be entitled to the leases of portions 59 and 60, at Gulf Creek, as against Messrs. Banks and party, and in reference thereto I am directed by the Secretary for Mines to inform you that he is unable to give a decision respecting such portions of land, as the papers in the case are not before him.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 206.

Mr. J. Butchart to The Secretary for Lands.

Sir,

Mort's Chambers, Pitt-street, Sydney, 20 June, 1878.

Respecting the matter in dispute between Messrs. Griffiths and Gaffney and Messrs. Banks, Craig, Paul, and others as to leases, &c., of portions 21, 22, and 23, also 59 and 60, at Gulf Creek, I am in receipt of a communication from the Minister for Mines informing me that he cannot decide respecting 59 and 60, as the papers in the case are not before him. It appears these papers have been mislaid in your department, causing the loss of much valuable time and jeopardizing the interests of my clients, Messrs. Griffiths and Gaffney, who are prevented from moving in the matter outside the Departments of Lands and Mines until the decisions of the Ministers have been obtained. I have therefore the honor to request that you will cause such steps to be taken as will enable me to have the whole cases re-opened in your department.

I have, &c.,

J. HAWKINS BUTCHART.

Will the Under Secretary for Mines be good enough to return the papers above quoted to this department.—B.C., June, '78. The papers are now herewith.—28/6/78.

No. 207.

Mr. J. Butchart to The Secretary for Mines.

Sir,

Mort's Chambers, Pitt-street, Sydney, 20 June, 1878.

I have the honor to acknowledge receipt of your communication of the 14th instant (78/3,828), respecting portions 21, 22, 23, 59, and 60, at Gulf Creek.

I trust no time will be lost in transmitting the papers to the Department of Lands.

I have, &c.,

J. HAWKINS BUTCHART.

The

The papers may now be transmitted to the Lands Department.—W.S., 24/6/78. The Under Secretary for Lands.—H.W., B.C., 25 June, 1878. 78/3,033 herewith.—O.R., 28. This is a disputed mineral conditional purchase case between Messrs. Griffiths and Gaffney and Messrs. Craig, Banks, Paul, and others, which should be dealt with in Conditional Sales Branch.—29. The Chief Commissioner.—1.

Mr. Butchart, as Griffiths and Gaffney, claim to be entitled to portions 59 and 60, parish of Landsend, county of Gough, in virtue of a selection thereof by mineral lease prior to that of Banks & Co., the present possessors. Whatever may have been the original merits of this claim it is for purposes of present inquiry sufficient to state that a lease was granted to Messrs. Banks & Co. in 1873, that the land was thereafter conditionally purchased by them in June, 1877, and the balance paid and a grant of the land issued in September, 1877. It is therefore obvious that no action that the Government can take can now affect the title to the land.—A.O.M., 5/8/78.

No. 208.

Mr. J. Gaffney to The Under Secretary for Mines.

Sir,

Gulf Creek, 17 July, 1878.

Having left my case in the hands of our agent when I was in Sydney last year, and he informs us from time to time that our case is going on, but it seems a long time, so I just write to you hoping you will inform me if it is the intention of the Government to investigate our case; I don't send you any facts of the case, as you are well aware of them.

I remain, &c.,

JOHN GAFFNEY,

(On behalf of C. J. GRIFFITHS and J. GAFFNEY).

Inform the writer that the Minister for Mines has decided that he has no power to disturb the decision arrived at by the Minister for Lands, and the papers have been sent to the Lands Department.—H.W., 25/7/78. Informed, 5 Aug., /78.

No. 209.

The Under Secretary for Mines to Mr. J. Gaffney.

Sir,

Department of Mines, Sydney, 5 August, 1878.

Referring to your letter of the 17th ultimo, respecting the intention of the Government as to investigating your case, I have the honor to inform you that the Secretary for Mines has decided that he has no power to disturb the decision arrived at by the Minister for Lands, and the papers have been sent to the Lands Department.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 210.

Mr. J. Gaffney to The Secretary for Lands.

Sir,

Gulf Creek, 19 July, 1878.

Having had two blocks of mineral land, now known as blocks 59 and 60, in dispute since the 8th of June, 1873, which has caused me a great deal of expense and time, I need not send you the facts of my case, as our agent says he has done so. I had a good deal of correspondence with you in 1872-3 about the same case, between C. Griffiths, J. Gaffney, and Banks, Lester, & Co. I shall not go into the case here, only I write these few lines asking if you would be so kind as to let me know if it is the intention of the Government to investigate our case. Hoping you will inform me,

I remain, &c.,

JOHN GAFFNEY,

(On behalf of C. J. GRIFFITHS and J. GAFFNEY.)

No. 211.

Mr. J. Butchart to The Secretary for Lands.

Sir,

Sydney, 2 August, 1878.

I am still without any communication from your department respecting Griffiths and Gaffney's mining selections.

I regret this continued delay, which certainly is most detrimental to the interests of my clients. If the department cannot move in the matter without further information to be obtained through me, I trust no time will be wasted by keeping me in ignorance of the nature of the required information.

I have, &c.,

J. HAWKINS BUTCHART.

No. 212.

Mr. J. Butchart to The Secretary for Lands.

Sir,

Sydney, 20 August, 1878.

I have the honor to transmit herewith for your information, copy of a letter received from the Minister for Mines, dated the 14th instant, by which it will be seen that the papers referring to portions 59 and 60 at Gulf Creek are wanting, and that he was therefore "unable to give a decision respecting such portions."

It

It appears that while the case was under consideration by the Minister for Mines application was repeatedly made to your department for the missing documents necessary to the proper investigation of the conflicting claims of Messrs. Griffiths and Gaffney, and Banks and others, but that up to the date when the case was transferred to your department, these missing papers could not be found.

I most respectfully submit that upon production of the various official documents, beginning with the permit to select, and ending with the grant to Messrs. Banks and others, it will at once be seen that the decision in favor of these gentlemen (*vide* your letter 73/3,003 of 19th May, 1873) did not refer to portions 59 and 60, but had special reference to portions 21, 22, and 23.

My clients, Griffiths and Gaffney, selected portions 59 and 60 on the 16th September, 1872.

Banks and party obtained the Crown grant to portions 59 and 60, by virtue of their selection of 14th December, 1872; consequently no decision based upon prior selections to that of my clients could have reference to the case.

My clients claim portions 59 and 60, and aver that on the 16th of September, 1872, they were the only applicants for these blocks.

For full particulars of the position I beg to refer you to my letters to you of the 8th, 20th, and 28th March, and the 10th and 30th April last.

I trust you will cause an immediate search to be made, as my client's interest is seriously affected by the continued delay in having their interest properly represented to you.

I have, &c.,

[Urgent.]

J. HAWKINS BUTCHART.

The papers referring to 59-60 should be obtained as soon as possible, to enable me to deal with the matter.—J.S.F., 20/8/78.

The papers appear to have been sent to Chief Commissioner Conditional Sales on the 2nd July last.—W.W.S., 24 August.

Copy of letter referred to.

The Under Secretary for Mines to Mr. J. Butchart.

Sir,

Department of Mines, Sydney, 14 June, 1878.

I have the honor to acknowledge receipt of your letter of the 10th instant, to the effect that your clients Messrs. Griffiths and Gaffney claim to be entitled to the leases of portions 59 and 60 at Gulf Creek as against Messrs. Banks and party, and in reference thereto I am directed by the Secretary for Mines to inform you that he is unable to give a decision respecting such portions of land, as the papers in the case are not before him.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

The parties herein had an interview with the Minister, and have been requested to indicate officially what steps they propose that the Government should take in the case as at present stands.—A.O.M., 29.

The only papers not with the accompanying are certain applications of Blair's dated 14th December, 1872. The case is complete without them—even if it be assumed that they were the applications for 59 and 60 under which the leases of these portions were adjudged and issued to Banks and party.

As to the merits it is certain that the decision of Mr. Farnell, dated 7th April, 1873, was written upon a letter from Mr. Jasper Blair (leases 3,003), in which he specially claims portions 59 and 60, and alleges that these portions were neither claimed nor occupied by Griffiths and Gaffney until after Mr. Chard's survey. Whatever the allegation may have been worth, it shows that this part of the claim was then prominently under notice, and the decision, though not naming 59 and 60 in the earlier part, directly expresses approval of Mr. Chard's survey, which showed 59 and 60 as measured for Craig & Co. To make the matter clearer, in the enclosed memo., written by the Minister while the case was fresh in his mind, viz., on the 29th August, 1873, he states that the decision was against Griffiths and Gaffney for portions 59 and 60. If therefore a re-consideration of the case could now lead to any practical result, sufficient has been stated to show that that re-consideration must be of the merits of a question decided by the Minister on its merits five years ago. But it has been already pointed out that the leases having been granted pursuant to that decision, and the land having subsequently been conditionally purchased and the grant issued, whatever might be the result of an appeal to the Supreme Court or its Equity Jurisdiction as between the parties, the present application to the Government for reconsideration of the case is an idle one which can have no practical result.

At the interview which the Minister had with Mr. Butchart upon the case it was suggested that it should be indicated what action the Government was asked now to take in the case. This has not been done, and I can only repeat the suggestion with the view of bringing the matter to its practical bearings.—A.O.M., 27/8/78. Mr. Butchart, 5th September, 1878.

No. 213.

The Chief Commissioner of Conditional Purchases to Mr. J. Butchart.

Sir,

Department of Lands, Conditional Sales Branch, 5 September, 1878.

Referring to your letter of the 20th ultimo, respecting the conflicting claims of Griffiths and Gaffney, and Banks and party, to portions 59 and 60, parish of Landsend, county of Gough, I am to point out that at your recent interview with the Secretary for Lands it was suggested that as the land in dispute had been leased to Banks and party in 1873, and subsequently converted by them into a mineral conditional purchase, the conditions of which have been fulfilled and the deed of grant thereof issued, you should indicate the particular action the Government is asked to take, or that is open to be taken in the case, even assuming that the merits could now be reconsidered; and I am to request that you will be good enough to comply with this suggestion.

I have, &c.,

A. O. MORIARTY,

Chief Commissioner.

Inverell,
C.P., 77/108.
40 acres.
June 14, 1877.
J. M. Banks.
J. Lister.
A. B. Farquhar.

No. 214.

Mr. J. Butchart to The Secretary for Lands.

Sir,

Mort's Chambers, Pitt-street, Sydney, 12 September, 1878.

In reply to your letter 78/4,249 of the 5th instant, I have to state that being fully impressed with the conviction that an injustice has been done Messrs. Griffiths and Gaffney in regard to sections 59 and 60, parish of Landsend, county of Gough, I am desirous that the merits of the case should be reconsidered by the Secretary for Lands (all the papers in any way relating to the matter being before him), and on my being informed of his decision after such reconsideration, I will then be in a position to indicate the particular action, if any, I wish the Government to take in the case.

I have, &c.,

J. HAWKINS BUTCHART.

It has been already pointed out that the case has long passed beyond the stage at which its reconsideration could lead to any practical result, and as the applicant is not prepared to indicate, as he was invited to do, what action, if any, he considers to be open, I can only submit that the matter should not be re-opened.—A.O.M., 11/10/78. Appd.—J.S.F., 11/10/78.

No. 215.

Mr. R. Craig's Mineral Lease.

(No. 12,862.)

LEASE FOR MINING PURPOSES.

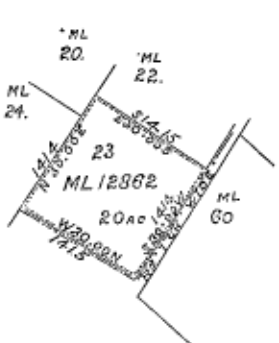
Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth.

To all to whom these presents shall come, greeting :

WHEREAS Robert Craig, in our Colony of New South Wales, hereinafter called the lessee, became under and by virtue of the "Crown Lands Occupation Act of 1871," and the Regulations made thereunder, entitled on the second day of September, in the year of our Lord one thousand eight hundred and seventy-two, to a lease of the lands hereinafter described, at the yearly rent hereinafter reserved, and subject to the terms, conditions, exceptions, and provisos hereinafter mentioned, for the term of thirteen years and one hundred and twenty-one days from that date; for the purpose of mining thereon for any metal or mineral excepting gold, and hath duly paid into the office of the Colonial Treasury in the said Colony, all rent due in respect of the said lands to the thirty-first day of December next, and the Governor of our said Colony, with the advice of the Executive Council thereof, hath therefore consented to grant to the lessee a lease of the said lands for the residue yet to come of the said term: Now know ye, that in consideration of the premises, of the rent so paid as aforesaid, and of the yearly rent, covenants, provisos, and agreements hereinafter reserved and contained on the part of the lessee, his executors, administrators, and assigns to be paid, observed, and performed, we do hereby for us, our heirs, and successors, demise and lease unto the lessee, his executors, administrators, and assigns, all that parcel of land containing by admeasurement twenty acres, be the same more or less, which is particularly described in the Schedule hereinafter written, with free liberty for the lessee, his executors, administrators, and assigns, to dig, sink, drive, make, and use all such pits, shafts, levels, watercourses, and other works which may be necessary for obtaining all ores and minerals therein contained, except gold, and to use the said land or any part thereof either under ground or on the surface in such manner as may be proper and requisite for making search for and obtaining the said ores and minerals: Saving and reserving always unto us, our heirs and successors, and unto the Governor or Officer for the time being administering the Government of our said Colony, the right and power of taking without compensation to the lessee, his executors, administrators, or assigns, such parts of the said land hereby demised as may be required for the sites of churches, schools, parsonages, or any public buildings, or for the establishment and construction of high roads, railways or railway stations, and tramways, and all necessary approaches thereto: And also saving and reserving unto us, our heirs and successors, and to the Minister for Lands for the time being of our said Colony, and any person or persons authorized by him, the right to enter upon the said land or any part thereof without compensation to the lessee, his executors, administrators, or assigns, and to cut, dig, and remove all timber, stone, gravel, earth, or other material in or upon the said land which shall be required for any public purpose; and also reserving unto us, our heirs, and successors, and unto the Secretary for Lands of our said Colony, and to any and every person or persons hereafter appointed by him in that behalf, free liberty at all times during the continuance of this demise to enter into and upon the land hereby demised, and all mines and works therein or thereon, in order to view and examine the condition thereof: To have and to hold the said lands and mines, and all and singular other the premises hereinbefore mentioned and hereby demised, with the appurtenances, unto the lessee, his executors, administrators, and assigns, from the date hereof for and during the full term of twelve years and one hundred and fifty-five days from thence next ensuing, and fully to be complete and ended, subject to the reservations, conditions, exceptions, and provisos herein mentioned: yielding and paying therefor unto us, our heirs, and successors, yearly and every year hereafter, during the continuance of this lease, the clear rent or sum of five pounds sterling, by yearly payments thereof in advance, during the month of September in each and every year, into the hands of our Colonial Treasurer for the time being, at the Treasury in Sydney, in our said Colony; the first of such payments, after the issue of these presents, to be made on or before the thirtieth day of September now next ensuing, being the payment in advance of the rent for the year ending the thirty-first day of December, in the year of our Lord one thousand eight hundred and seventy-four: Provided always, and these presents are upon the conditions following (that is to say):—Upon condition that the lessee, his executors, administrators, or assigns, shall well and truly pay or cause to be paid unto us, our heirs, and successors, the rent hereby reserved when the same shall become payable in the manner hereafter appointed for that purpose, and do and shall within three years from the said second day

day of September, in the year of our Lord one thousand eight hundred and seventy-two, expend upon the said land hereby demised in and about mining thereon, a sum or sums of money amounting on the whole to not less than five pounds sterling money per acre of the lands hereby demised: And that the lessee, his executors, administrators, or assigns shall not remove, dig, sink for gold in or upon, or otherwise endeavour to obtain gold, from the lands hereby demised, or any part thereof: And that if default shall be made by the lessee, his executors, administrators, or assigns, in payment of the rent hereby reserved, or of any part thereof, and the same shall be in arrear and unpaid after the thirtieth day of September in any year during the continuance of this demise, or if the lessee, his executors, administrators, or assigns shall at any time or times make, do, cause, permit, or suffer any breach of the conditions, provisoes, or agreements herein contained, and on the part of the lessee, his executors, administrators, or assigns, to be observed or performed, it shall be lawful for us, our heirs, and successors, or for the Governor or Officer for the time being administering the Government of our said Colony, or any person authorized by him or them in that behalf, to enter upon the lands hereby demised, or any part thereof, and therefrom to remove the lessee, his executors, administrators, or assigns, and all occupiers thereof, and the demise hereby made and all rights of the lessee, his executors, administrators, or assigns, hereunder, shall upon such entry cease and be void: Provided also, and it is hereby declared and agreed, that it shall be lawful for the lessee, his executors, administrators, or assigns, at any time to determine this present demise by giving to the Minister for Lands for the time being of our said Colony three months' notice in writing of his intention so to do, but that in case this demise shall be so terminated by the lessee, his executors, administrators, or assigns, no portion of the rent which shall have been paid in advance in respect of the said lands shall be repaid to the lessee, his executors, administrators, or assigns: Provided also, and it is hereby further declared, that upon application in writing to the Minister for Lands for the time being of our said Colony, by the lessee, his executors, administrators, or assigns, during the thirteenth year of the term mentioned in this lease, the lessee, his executors, administrators, or assigns, shall be entitled to a renewal of the same for a further period not exceeding fourteen years, upon payment of a fine or premium for or in respect of such renewal, of not less than two pounds ten shillings per acre of the lands hereby demised, and that the amount to be paid for such fine or premium for renewal shall be determined by appraisalment as provided in and by the said Act, upon which appraisalment full and particular information in every respect of the working of, and return obtained from, the mine or mines upon the said lands hereby demised, shall be afforded to the appraisers by the lessee, his executors, administrators, or assigns, under the penalty of forfeiting all right or claim to renewal; it being hereby expressly declared that if the lessee, his executors, administrators, or assigns, shall fail to give such information to the appraisers upon the said appraisalment, or shall give untrue or inaccurate information with respect to the matters aforesaid, no renewal of the lease of the said lands or of any part thereof shall be granted to the lessee, his executors, administrators, or assigns: Provided also, and it is hereby further declared and agreed, that if the demise hereby made shall be terminated by forfeiture, or shall not be renewed after the expiration of the term hereby granted, the lessee, his executors, administrators, or assigns, shall be at liberty, within six months from the termination of this lease, to remove or otherwise dispose of all machinery and movable improvements upon the lands hereby demised, and also all the minerals brought to the surface during the term of this lease.

Schedule of Land.

Diagram.	Description.
 <p>Ph. of Landsend.</p>	<p>20 acres, county of Gough, parish of Muir, mineral lease, portion 23: Commencing on the north-western side of a road 1 chain wide at the southern corner of mineral lease portion 22; and bounded thence on the south-east by that road dividing it from part of mineral lease portion 60 in the parish of Landsend, bearing south 30 degrees west 14 chains 14 links; on the south-west by a line bearing west 30 degrees north 14 chains 15 links; on the north-west by parts of the south-eastern boundaries of mineral lease portions 24 and 20, being in all a line bearing north 30 degrees east 14 chains 14 links; and on the north-east by the south-western boundary-line of portion 22 aforesaid, bearing east 30 degrees south 14 chains 15 links, to the point of commencement.</p> <p>Mineral lease, No. 12,862.</p>

In testimony whereof we have caused this our lease to be sealed with the seal of our said Colony.

Witness, His Excellency Sir Hercules George Robert Robinson, Knight, Commander of the Most Distinguished Order of Saint Michael and Saint George, our Governor and Commander-in-Chief of our said Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this thirtieth day of July, in the year of our Lord one thousand eight hundred and seventy-three.

(L.S.) HERCULES ROBINSON.

No. 216.

Mr. R. Craig's Mineral Lease.

(No. 12,863.)

LEASE FOR MINING PURPOSES.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth.

To all to whom these presents shall come, greeting:

WHEREAS Robert Craig, in our Colony of New South Wales, hereinafter called the lessee, became under and by virtue of the "Crown Lands Occupation Act of 1861," and the Regulations made thereunder, entitled on the second day of September, in the year of our Lord one thousand eight hundred and seventy-two, to a lease of the lands hereinafter described, at the yearly rent hereinafter reserved, and subject to the terms, conditions, exceptions, and provisoes hereinafter mentioned, for the term of thirteen years and one hundred and twenty-one days from that date, for the purpose of mining thereon for any metal or mineral excepting gold, and hath duly paid into the office of the Colonial Treasury in the said Colony, all rent due in respect of the said lands to the thirty-first day of December next. And the Governor of our said Colony, with the advice of the Executive Council thereof, hath therefore consented to grant to the lessee a lease of the said lands for the residue yet to come of the said term: Now know ye, that in consideration of the premises, of the rent so paid as aforesaid, and of the yearly rent, covenants, provisoes, and agreements hereinafter reserved and contained on the part of the lessee, his executors, administrators, and assigns, to be paid, observed, and performed, we do hereby for us, our heirs and successors, demise and lease unto the lessee, his executors, administrators, and assigns: All that parcel of land containing by admeasurement twenty acres, be the same more or less, which is particularly described in the schedule hereinafter written, with free liberty for the lessee, his executors, administrators, and assigns, to dig, sink, drive, make, and use all such pits, shafts, levels, watercourses, and other works which may be necessary for obtaining all ores and minerals therein contained, except gold, and to use the said land or any part thereof either underground or on the surface in such manner as may be proper and requisite for making search for and obtaining the said ores and minerals: Saving and reserving always unto us, our heirs and successors, and unto the Governor or officer for the time being administering the Government of our said Colony, the right and power of taking, without compensation to the lessee, his executors, administrators, or assigns, such parts of the said land hereby demised as may be required for the sites of Churches, schools, parsonages, or any public buildings, or for the establishment and construction of highroads, railways, or railway stations, and tramways, and all necessary approaches thereto: And also saving and reserving unto us, our heirs and successors, and to the Minister for Lands for the time being of our said Colony, and any person or persons authorized by him, the right to enter upon the said land or any part thereof without compensation to the lessee, his executors, administrators, or assigns, and to cut, dig, and remove all timber, stone, gravel, earth, or other material in or upon the said land which shall be required for any public purpose; and also reserving unto us, our heirs, and successors, and unto the Secretary for Lands of our said Colony, and to any and every person or persons hereafter appointed by him in that behalf, free liberty at all times during the continuance of this demise to enter into and upon the land hereby demised, and all mines and works therein or thereon, in order to view and examine the condition thereof: To have and to hold the said lands and mines, and all and singular other the premises hereinbefore mentioned and hereby demised, with the appurtenances, unto the lessee, his executors, administrators, and assigns, from the date hereof, for and during the full term of twelve years and one hundred and fifty-five days from thence next ensuing, and fully to be complete and ended, subject to the reservations, conditions, exceptions, and provisoes herein mentioned: Yielding and paying therefor unto us, our heirs, and successors, yearly and every year hereafter, during the continuance of this lease, the clear rent or sum of five pounds sterling, by yearly payments thereof in advance, during the month of September in each and every year, into the hands of our Colonial Treasurer for the time being, at the Treasury in Sydney, in our said Colony; the first of such payments, after the issue of these presents, to be made on or before the thirtieth day of September now next ensuing, being the payment in advance of the rent for the year ending the thirty-first day of December, in the year of our Lord one thousand eight hundred and seventy-four: Provided always, and these presents are upon the conditions following (that is to say), upon condition that the lessee, his executors, administrators, or assigns, shall well and truly pay or cause to be paid unto us, our heirs and successors, the rent hereby reserved when the same shall become payable in the manner hereafter appointed for that purpose, and do and shall within three years from the said second day of September, in the year of our Lord one thousand eight hundred and seventy-two, expend upon the said land hereby demised, in and about mining thereon, a sum or sums of money amounting on the whole to not less than five pounds sterling money per acre of the lands hereby demised: And that the lessee, his executors, administrators, or assigns, shall not remove, dig, sink for gold in or upon, or otherwise endeavour to obtain gold, from the lands hereby demised, or any part thereof: And that if default shall be made by the lessee, his executors, administrators, or assigns, in payment of the rent hereby reserved, or of any part thereof, and the same shall be in arrear and unpaid after the thirtieth day of September in any year during the continuance of this demise, or if the lessee, his executors, administrators, or assigns, shall at any time or times make, do, cause, permit, or suffer any breach of the conditions, provisoes, or agreements, herein contained, and on the part of the lessee, his executors, administrators, or assigns, to be observed or performed, it shall be lawful for us, our heirs and successors, or for the Governor or officer for the time being administering the Government of our said Colony, or any person authorized by him or them in that behalf, to enter upon the lands hereby demised, or any part thereof, and therefrom to remove the lessee, his executors, administrators, or assigns, and all occupiers thereof, and the demise hereby made, and all rights of the lessee, his executors, administrators, or assigns, hereunder shall, upon such entry, cease and be void: Provided also, and it is hereby declared and agreed, that it shall be lawful for the lessee, his executors, administrators, or assigns, at any time to determine this present demise by giving to the Minister for Lands for the time being of our said Colony, three months notice in writing of his intention so to do, but in that case this demise shall be so terminated by the lessee, his executors, administrators, or assigns, no portion of the rent which shall have been paid in advance in respect of the said lands shall be repaid to the lessee, his executors, administrators, or assigns: Provided also, and it is hereby further declared, that upon application in writing to the Minister for Lands for

for the time being of our said Colony, by the lessee, his executors, administrators, or assigns, during the thirteenth year of the term mentioned in this lease, the lessee, his executors, administrators, or assigns, shall be entitled to a renewal of the same for a further period not exceeding fourteen years, upon payment of a fine or premium for or in respect of such renewal, of not less than two pounds ten shillings per acre of the lands hereby demised, and that the amount to be paid for such fine or premium for renewal shall be determined by appraisal, as provided in and by the said Act, upon which appraisal full and particular information in every respect of the working of, and return obtained from, the mine or mines upon the said lands hereby demised, shall be afforded to the appraisers by the lessee, his executors, administrators, or assigns, under the penalty of forfeiting all right or claim to renewal; it being hereby expressly declared that if the lessee, his executors, administrators, or assigns, shall fail to give such information to the appraisers upon the said appraisal, or shall give untrue or inaccurate information with respect to the matters aforesaid, no renewal of the lease of the said lands or of any part thereof shall be granted to the lessee, his executors, administrators, or assigns: Provided also, and it is hereby further declared and agreed, that if the demise hereby made shall be terminated by forfeiture, or shall not be renewed after the expiration of the term hereby granted, the lessee, his executors, administrators, or assigns, shall be at liberty, within six months from the termination of this lease, to remove or otherwise dispose of all machinery and movable improvements upon the lands hereby demised, and also all the minerals brought to the surface during the term of this lease.

Schedule of Land.

Diagram.	Description.
	<p>20 acres. County of Gough, parish of Muir, mineral lease portion 22: Commencing on the north-western side of a road 1 chain wide, at the southern corner of mineral lease portion 21; and bounded thence on the south-east by that road, dividing it from parts of mineral lease portions 59 and 60, in the parish of Landsend, bearing south 30 degrees west 14 chains 14 links; on the south-west by the north-eastern boundary-line of mineral lease portion 23, bearing west 30 degrees north 14 chains 15 links; on the north-west by part of the south-eastern boundary of mineral lease portion 20, bearing north 30 degrees east 14 chains 14 links; and on the north-east by the south-western boundary-line of mineral lease portion 21 aforesaid, bearing east 30 degrees south 14 chains 15 links, to the point of commencement.</p> <p>Mineral lease No. 12,863.</p>

In testimony whereof we have caused this our lease to be sealed with the seal of our said Colony.

Witness, His Excellency Sir Hercules George Robert Robinson, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, our Governor and Commander-in-Chief of our said Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this thirtieth day of July, in the year of our Lord one thousand eight hundred and seventy-three.

(L.S.) HERCULES ROBINSON.

No. 217.

Mr. R. Craig's Mineral Lease.

(No. 12,864.)

LEASE FOR MINING PURPOSES.


Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth.

To all to whom these presents shall come, greeting:

WHEREAS Robert Craig, in our Colony of New South Wales, hereinafter called the lessee, became under and by virtue of the "Crown Lands Occupation Act of 1861," and the Regulations made thereunder, entitled on the second day of September, in the year of our Lord one thousand eight hundred and seventy-two, to a lease of the lands hereinafter described, at the yearly rent hereinafter reserved, and subject to the terms, conditions, exceptions, and provisos hereinafter mentioned, for the term of thirteen years and one hundred and twenty-one days from that date, for the purpose of mining thereon for any metal or mineral excepting gold, and hath duly paid into the office of the Colonial Treasury in the said Colony, all rent due in respect of the said lands to the thirty-first day of December next, and the Governor of our said Colony, with the advice of the Executive Council thereof, hath therefore consented to grant to the lessee a lease of the said lands for the residue yet to come of the said term: Now know ye, that in consideration of the premises, of the rent so paid as aforesaid, and of the yearly rent, covenants, provisos, and agreements hereinafter reserved and contained on the part of the lessee, his executors, administrators, and assigns, to be paid, observed, and performed, we do hereby for us, our heirs and successors, demise and lease unto the lessee, his executors, administrators, and assigns, all that parcel of land containing by admeasurement twenty acres, be the same more or less, which is particularly described in the Schedule hereinafter

hereinafter written, with free liberty for the lessee, his executors, administrators, and assigns, to dig, sink, drive, make, and use all such pits, shafts, levels, watercourses, and other works which may be necessary for obtaining all ores and minerals therein contained except gold, and to use the said land or any part thereof, either under ground or on the surface, in such manner as may be proper and requisite for making search for and obtaining the said ores and minerals: Saving and reserving always unto us, our heirs and successors, and unto the Governor or officer for the time being administering the Government of our said Colony, the right and power of taking without compensation to the lessee, his executors, administrators, or assigns, such parts of the said land hereby demised as may be required for the sites of Churches, schools, parsonages, or any public buildings, or for the establishment and construction of high roads, railways or railway stations, and tramways, and all necessary approaches thereto: And also saving and reserving unto us, our heirs and successors, and to the Minister for Lands for the time being of our said Colony, and any person or persons authorized by him, the right to enter upon the said land or any part thereof without compensation to the lessee, his executors, administrators, or assigns, and to cut, dig, and remove all timber, stone, gravel, earth, or other material in or upon the said land which shall be required for any public purpose; and also reserving unto us, our heirs and successors, and unto the Secretary for Lands of our said Colony, and to any and every person or persons hereafter appointed by him in that behalf, free liberty at all times during the continuance of this demise to enter into and upon the land hereby demised, and all mines and works therein or thereon, in order to view and examine the condition thereof: To have and to hold the said lands and mines, and all and singular other the premises hereinbefore mentioned and hereby demised, with the appurtenances, unto the lessee, his executors, administrators, and assigns, from the date hereof for and during the full term of twelve years and one hundred and fifty-five days from thence next ensuing, and fully to be complete and ended, subject to the reservations, conditions, exceptions, and provisoes herein mentioned: Yielding and paying therefor unto us, our heirs and executors, yearly, and every year hereafter during the continuance of this lease, the clear rent or sum of five pounds sterling, by yearly payments thereof in advance, during the month of September in each and every year, into the hands of our Colonial Treasurer for the time being, at the Treasury in Sydney, in our said Colony; the first of such payments, after the issue of these presents, to be made on or before the thirtieth day of September now next ensuing, being the payment in advance of the rent for the year ending the thirty-first day of December, in the year of our Lord one thousand eight hundred and seventy-four: Provided always, and these presents are upon the conditions following (that is to say), upon condition that the lessee, his executors, administrators, or assigns, shall well and truly pay or cause to be paid unto us, our heirs and successors, the rent hereby reserved when the same shall become payable in the manner hereafter appointed for that purpose, and do and shall within three years from the said second day of September, in the year of our Lord one thousand eight hundred and seventy-two, expend upon the said land hereby demised in and about mining thereon a sum or sums of money amounting on the whole to not less than five pounds sterling money per acre of the lands hereby demised: And that the lessee, his executors, administrators, or assigns shall not remove, dig, sink for gold in or upon, or otherwise endeavour to obtain gold, from the lands hereby demised, or any part thereof: And that if default shall be made by the lessee, his executors, administrators, or assigns, in payment of the rent hereby reserved, or of any part thereof, and the same shall be in arrear and unpaid after the thirtieth day of September in any year during the continuance of this demise, or if the lessee, his executors, administrators, or assigns, shall at any time or times make, do, cause, permit, or suffer any breach of the conditions, provisoes, or agreements herein contained, and on the part of the lessee, his executors, administrators, or assigns, to be observed or performed, it shall be lawful for us, our heirs and successors, or for the Governor or officer for the time being administering the Government of our said Colony, or any person authorized by him or them in that behalf, to enter upon the lands hereby demised, or any part thereof, and therefrom to remove the lessee, his executors, administrators, or assigns, and all occupiers thereof, and the demise hereby made and all rights of the lessees, his executors, administrators, or assigns, hereunder shall, upon such entry, cease and be void: Provided also, and it is hereby declared and agreed, that it shall be lawful for the lessee, his executors, administrators, or assigns, at any time to determine this present demise by giving to the Minister for Lands for the time being of our said Colony three months' notice in writing of his intention so to do, but that in case this demise shall be so terminated by the lessee, his executors, administrators, or assigns, no portion of the rent which shall have been paid in advance in respect of the said lands shall be repaid to the lessee, his executors, administrators, or assigns: Provided also, and it is hereby further declared, that upon application in writing to the Minister for Lands for the time being of our said Colony by the lessee, his executors, administrators, or assigns, during the thirteenth year of the term mentioned in this lease, the lessee, his executors, administrators, or assigns, shall be entitled to renewal of the same for a further period not exceeding fourteen years, upon payment of a fine or premium for or in respect of such renewal of not less than two pounds ten shillings per acre of the lands hereby demised, and that the amount to be paid for such fine or premium for renewal shall be determined by appraisement as provided in and by the said Act, upon which appraisement full and particular information in every respect of the working of, and return obtained from, the mine or mines upon the said lands hereby demised, shall be afforded to the appraisers by the lessee, his executors, administrators, or assigns, under the penalty of forfeiting all right or claim to renewal; it being hereby expressly declared that if the lessee, his executors, administrators, or assigns, shall fail to give such information to the appraisers upon the said appraisement, or shall give untrue or inaccurate information with respect to the matters aforesaid, no renewal of the lease of the said lands or of any part thereof shall be granted to the lessee, his executors, administrators, or assigns: Provided also, and it is hereby further declared and agreed, that if the demise hereby made shall be terminated by forfeiture, or shall not be renewed after the expiration of the term hereby granted, the lessee, his executors, administrators, or assigns, shall be at liberty, within six months from the termination of this lease, to remove or otherwise dispose of all machinery and movable improvements upon the lands hereby demised, and also all the minerals brought to the surface during the term of this lease.

Schedule of Land.

Diagram...	Description..
 <p>Ph. of Landsend.</p>	<p>20 acres. County of Gough, parish of Muir, mineral lease portion 21: Commencing at the eastern corner of mineral lease portion 20; and bounded thence on the north-west by part of the south-eastern boundary-line of that portion bearing south 30 degrees west 13 chains 59 links; on the south-west by the north-eastern boundary-line of mineral lease, portion 22, bearing east 30 degrees south 14 chains 15 links; on the south-east by a road 1 chain wide, dividing it partly from part of mineral lease, portion 59, in the parish of Landsend, and a line in all bearing north 30 degrees east 14 chains 51 links; and on the north-east by another road 1 chain wide bearing west 30 degrees north 3 chains 75 links, west 25 degrees 30 minutes north 5 chains 3 links, west 18 degrees 8 minutes north 2 chains 56 links, and thence west 30 degrees north 2 chains 87 links, to the point of commencement..</p> <p>Mineral lease No. 12,864.</p>

In testimony whereof, we have caused this our lease to be sealed with the seal of our said Colony.

Witness, His Excellency Sir Hercules George Robert Robinson, Knight Commander of the Most Distinguished order of Saint Michael and Saint George, our Governor and Commander-in-Chief of our said Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this thirtieth day of July, in the year of our Lord one thousand eight hundred and seventy-three.

(L.S.) HERCULES ROBINSON.

N^o. 218.

Messrs. Griffiths and Gaffney's Mineral Lease.

(No. 13,921.)

LEASE FOR MINING PURPOSES.

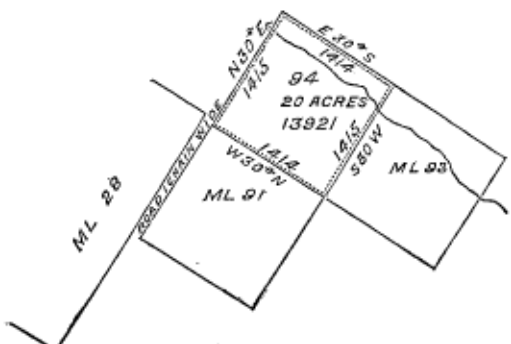
Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth.

To all to whom these presents shall come, greeting :

WHEREAS Charles John Griffiths and John Gaffney, in our Colony of New South Wales, hereinafter called the lessees, became under and by virtue of the "Crown Lands Occupation Act of 1861," and the Regulations made thereunder, entitled on the sixteenth day of September, in the year of our Lord one thousand eight hundred and seventy-two, to a lease of the lands hereinafter described, at the yearly rent hereinafter reserved, and subject to the terms, conditions, exceptions, and provisos hereinafter mentioned, for the term of thirteen years and one hundred and seven days from that date, for the purpose of mining thereon for any metal or mineral excepting gold, and hath duly paid into the office of the Colonial Treasury in the said Colony, all rent due in respect of the said lands to the thirty-first day of December next, and the Governor of our said Colony, with the advice of the Executive Council thereof, hath therefore consented to grant to the lessees a lease of the said lands for the residue yet to come of the said term: Now know ye, that in consideration of the premises, of the rent so paid as aforesaid, and of the yearly rent, covenants, provisos, and agreements hereinafter reserved, and contained on the part of the lessees, their executors, administrators, and assigns to be paid, observed, and performed, we do hereby for us, our heirs and successors, demise and lease unto the lessees, their executors, administrators, and assigns, all that parcel of land containing by admeasurement twenty acres, be the same more or less, which is particularly described in the schedule hereinafter written, with free liberty for the lessees, their executors, administrators, and assigns, to dig, sink, drive, make, and use all such pits, shafts, levels, watercourses, and other works which may be necessary for obtaining all ores and minerals therein contained, except gold, and to use the said land or any part thereof, either underground or on the surface, in such manner as may be proper and requisite for making search for and obtaining the said ores and minerals: Saving and reserving always unto us, our heirs and successors, and unto the Governor or officer for the time being administering the Government of our said Colony, the right and power of taking, without compensation to the lessees, their executors, administrators, or assigns, such parts of the said land hereby demised as may be required for the sites of churches, schools, parsonages, or any public buildings, or for the establishment and construction of high roads, railways, or railway stations, and tramways, and all necessary approaches thereto: And also saving and reserving unto us, our heirs and successors, and to the Minister for Lands for the time being of our said Colony, and any person or persons authorized by him, the right to enter upon the said land or any part thereof without compensation to the lessees, their executors, administrators, or assigns, and to cut, dig, and remove all timber, stone, gravel, earth, or other material in or upon the said land which shall be required for any public purpose; and also reserving unto us, our heirs and successors, and unto the Secretary for Lands of our said Colony, and to any and every person or persons hereafter appointed by him in that behalf, free liberty at all times during the continuance of this demise to enter into and upon the land hereby demised, and all mines and works therein or thereon, in order to view and examine the condition thereof: To have and to hold the said lands and mines, and all and singular other the premises hereinbefore mentioned and hereby demised, with the appurtenances, unto the lessees, their executors, administrators, and assigns, from the date hereof, for and during the full term of eight years and one hundred and seventy-five days from thence next ensuing,

ensuing, and fully to be complete and ended, subject to the reservations, conditions, exceptions, and provisos herein mentioned: Yielding and paying therefore unto us, our heirs and successors, yearly and every year hereafter, during the continuance of this lease, the clear rent or sum of five pounds sterling, by yearly payments thereof in advance, during the month of September in each and every year, into the hands of our Colonial Treasurer for the time being, at the Treasury in Sydney, in our said Colony; the first of such payments, after the issue of these presents, to be made on or before the thirtieth day of September now next ensuing, being the payment in advance of the rent for the year ending the thirty-first day of December, in the year of our Lord one thousand eight hundred and seventy-eight: Provided always, and these presents are upon the conditions following (that is to say),—upon condition that the lessees, their executors, administrators, or assigns, shall well and truly pay or cause to be paid unto us, our heirs and successors, the rent hereby reserved when the same shall become payable in the manner hereafter appointed for that purpose, and do and shall within three years from the said sixteenth day of September, in the year of our Lord one thousand eight hundred and seventy-two, expend upon the said land hereby demised in and about mining thereon, a sum or sums of money amounting on the whole to not less than five pounds sterling money per acre of the lands hereby demised: And that the lessees, their executors, administrators, or assigns, shall not remove, dig, sink for gold in or upon, or otherwise endeavour to obtain gold from the lands hereby demised, or any part thereof: And that if default shall be made by the lessees, their executors, administrators, or assigns, in payment of the rent hereby reserved, or of any part thereof, and the same shall be in arrear and unpaid after the thirtieth day of September in any year during the continuance of this demise, or if the lessees, their executors, administrators, or assigns, shall at any time or times make, do, cause, permit, or suffer any breach of the conditions, provisos, or agreements herein contained, and on the part of the lessees, their executors, administrators, or assigns, to be observed or performed, it shall be lawful for us, our heirs and successors, or for the Governor or officer for the time being administering the Government of our said Colony, or any person authorized by him or them in that behalf, to enter upon the lands hereby demised, or any part thereof, and therefrom to remove the lessees, their executors, administrators or assigns, and all occupiers thereof, and the demise hereby made and all rights of the lessees, their executors, administrators, or assigns, hereunder shall, upon such entry, cease and be void: Provided also, and it is hereby declared and agreed, that it shall be lawful for the lessees, their executors, administrators, or assigns, at any time to determine this present demise by giving to the Minister for Lands for the time being of our said Colony three months' notice in writing of his intention so to do, but that in case this demise shall be so terminated by the lessees, their executors, administrators, or assigns, no portion of the rent which shall have been paid in advance in respect of the said lands shall be repaid to the lessees, their executors, administrators, or assigns: Provided also, and it is hereby further declared, that upon application in writing to the Minister for Lands for the time being of our said Colony, by the lessees, their executors, administrators, or assigns, during the thirteenth year of the term mentioned in this lease, the lessees, their executors, administrators, or assigns, shall be entitled to a renewal of the same for a further period not exceeding fourteen years, upon payment of a fine or premium for or in respect of such renewal, of not less than two pounds ten shillings per acre of the lands hereby demised, and that the amount to be paid for such fine or premium for renewal shall be determined by appraisement as provided in and by the said Act, upon which appraisement full and particular information in every respect of the working of, and return obtained from, the mine or mines upon the said lands hereby demised, shall be afforded to the appraisers by the lessees, their executors, administrators, or assigns, under the penalty of forfeiting all right or claim to renewal; it being hereby expressly declared that if the lessees, their executors, administrators, or assigns, shall fail to give such information to the appraisers upon the said appraisement, or shall give untrue or inaccurate information with respect to the matters aforesaid, no renewal of the lease of the said lands or of any part thereof shall be granted to the lessees, their executors, administrators, or assigns: Provided also, and it is hereby further declared and agreed, that if the demise hereby made shall be terminated by forfeiture, or shall not be renewed after the expiration of the term hereby granted, the lessees, their executors, administrators, or assigns, shall be at liberty, within six months from the termination of this lease, to remove or otherwise dispose of all machinery and movable improvements upon the lands hereby demised, and also all the minerals brought to the surface during the term of this lease.

Schedule of Land.

Diagram.	Description.
	<p>20 acres. County of Gough, parish of Muir, mineral lease portion 94: Commencing at the northern corner of mineral lease portion 93; and bounded thence on the south-east by the north-western boundary of that portion bearing south 30 degrees west 14 chains and 15 links; on the south-west by the north-eastern boundary of mineral lease portion 91 bearing west 30 degrees north 14 chains and 14 links; on the north-west by a line bearing north 30 degrees east 14 chains and 15 links; and on the north-east by a line bearing east 30 degrees south 14 chains and 14 links, to the point of commencement.</p> <p>Mineral Lease No. 13,921.</p>

In testimony whereof, we have caused this our lease to be sealed with the seal of our said Colony.
Witness, His Excellency Sir Hercules George Robert Robinson, Knight Grand Cross of the Most Distinguished Order of Saint Michael and St. George, our Governor and Commander-in-Chief of our said Colony of New South Wales and its dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this tenth day of July, in the year of our Lord one thousand eight hundred and seventy-seven.

GEO. A. LLOYD.

(L.S.) HERCULES ROBINSON.

Recorded and enrolled in the Department of Mines, at Sydney, this twentieth day of November, A.D. 1877, at 10 o'clock A.M.

T. C. BINNY,
Registrar.

We hereby accept the within lease subject to the terms, conditions, exceptions, reservations, and provisos therein contained, and also subject to the provisions of the regulations made or to be made by His Excellency the Governor, with the advice of the Executive Council, and which may now or shall hereafter during the term created by the within lease be in force relating to leases of mineral lands. And we hereby covenant with Her Majesty, her heirs and successors, that we will, during the term created as aforesaid, well and truly pay the rents reserved under the within leases at such times and places as are therein specified and appointed, will at all times during the said term observe and perform all and singular the covenants, conditions, stipulations, and provisos therein contained.

In witness whereof we have hereunto set our hands and seals this twentieth day of November, 1877.

C. J. GRIFFITHS,
By his Attorney,—F. C. GRIFFITHS.
JOHN GAFFNEY,
By his Attorney,—F. C. GRIFFITHS.

Signed, sealed, and delivered by the within-named
C. J. Griffiths, by his Attorney,—F. C. GRIFFITHS.
John Gaffney, by his Attorney,—F. C. GRIFFITHS.
In the presence of T. C. BINNY.

No. 219.
Messrs. Griffiths and Gaffney's Mineral Lease.

(No. 13,922.) LEASE FOR MINING PURPOSES.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth.

To all to whom these presents shall come, greeting :

WHEREAS Charles John Griffiths and John Gaffney, in our Colony of New South Wales, hereinafter called the lessees, became under and by virtue of the "Crown Lands Occupation Act of 1861," and the Regulations made thereunder, entitled on the sixteenth day of September, in the year of our Lord one thousand eight hundred and seventy-two, to a lease of the lands hereinafter described, at the yearly rent hereinafter reserved, and subject to the terms, conditions, exceptions, and provisos hereinafter mentioned, for the term of thirteen years and one hundred and seven days from that date, for the purpose of mining thereon for any metal or mineral excepting gold, and hath duly paid into the office of the Colonial Treasurer in the said Colony, all rent due in respect of the said lands to the thirty-first day of December next, and the Governor of our said Colony, with the advice of the Executive Council thereof, hath therefore consented to grant to the lessees a lease of the said lands for the residue yet to come of the said term : Now know ye, that in consideration of the premises, of the rent so paid as aforesaid, and of the yearly rent, covenants, provisos, and agreements hereinafter reserved and contained on the part of the lessees, their executors, administrators, and assigns, to be paid, observed, and performed, we do hereby for us, our heirs and successors, demise and lease unto the lessees, their executors, administrators, and assigns, all that parcel of land containing by admeasurement twenty acres, be the same more or less, which is particularly described in the Schedule hereinafter written, with free liberty for the lessees, their executors, administrators, and assigns, to dig, sink, drive, make, and use all such pits, shafts, levels, watercourses, and other works which may be necessary for obtaining all ores and minerals therein contained except gold, and to use the said land or any part thereof either under ground or on the surface in such manner as may be proper and requisite for making search for and obtaining the said ores and minerals : Saving and reserving always unto us, our heirs and successors, and unto the Governor or officer for the time being administering the Government of our said Colony, the right and power of taking without compensation to the lessees, their executors, administrators, or assigns, such parts of the said land hereby demised as may be required for the sites of churches, schools, parsonages, or any public building, or for the establishment and construction of high roads, railways or railway stations, and all necessary approaches thereto : And also saving and reserving unto us, our heirs and successors, and to the Minister for Lands for the time being of our said Colony, and any person or persons authorized by him, the right to enter upon the said land or any part thereof without compensation to the lessees, their executors, administrators, or assigns, and to cut, dig, and remove all timber, stone, gravel, earth, or other material in or upon the said land which shall be required for any public purpose ; and also reserving unto us, our heirs, and successors, and unto the Secretary for Lands of our said Colony, and to any and every person or persons hereafter appointed by him in that behalf, free liberty at all times during the continuance of this demise to enter into and upon the land hereby demised, and all mines and works therein or thereon, in order to view and examine the condition thereof : To have and to hold the said lands and mines, and all and singular other the premises hereinbefore mentioned and hereby demised, with the appurtenances, unto the lessees, their executors, administrators, and assigns, from the date hereof for and during the full term of eight years and one hundred and seventy-five days from thence next ensuing, and fully to be complete and ended, subject to the reservations, conditions, exceptions, and provisos herein mentioned : Yielding and paying therefor unto us,

454—I

us, our heirs and successors, yearly and every year hereafter, during the continuance of this lease, the clear rent or sum of five pounds sterling, by yearly payments thereof in advance, during the month of September in each and every year, into the hands of our Colonial Treasurer for the time being, at the Treasury in Sydney, in our said Colony: the first of such payments, after the issue of these presents, to be made on or before the thirtieth day of September now next ensuing, being the payment in advance of the rent for the year ending the thirty-first day of December, in the year of our Lord one thousand eight hundred and seventy-eight: Provided always, that these presents are upon the conditions following (that is to say),—upon condition that the lessees, their executors, administrators, and assigns, shall well and truly pay or cause to be paid unto us, our heirs and successors, the rent hereby reserved when the same shall become payable in the manner hereafter appointed for that purpose, and do and shall within three years from the said sixteenth day of September, in the year of our Lord one thousand eight hundred and seventy-two, expend upon the said land hereby demised in and about mining thereon, a sum or sums of money amounting on the whole to not less than five pounds sterling money per acre of the lands hereby demised: And that the lessees, their executors, administrators, or assigns, shall not remove, dig, sink for gold in or upon, or otherwise endeavour to obtain gold, from the lands hereby demised, or any part thereof: And that if default shall be made by the lessees, their executors, administrators, or assigns, in payment of the rent hereby reserved, or of any part thereof, and the same shall be in arrear and unpaid after the thirtieth day of September in any year during the continuance of this demise, or if the lessees, their executors, administrators, or assigns, shall at any time or times make, do, cause, permit, or suffer any breach of the conditions, provisoes, or agreements herein contained, and on the part of the lessees, their executors, administrators, or assigns, to be observed or performed, it shall be lawful for us, our heirs and successors, or for the Governor or officer for the time being administering the Government of our said Colony, or any person authorized by him or them in that behalf, to enter upon the lands hereby demised, or any part thereof, and therefrom to remove the lessees, their executors, administrators, or assigns, and all occupiers thereof, and the demise hereby made and all rights of the lessees, their executors, administrators, or assigns hereunder shall, upon such entry, cease and be void: Provided also, and it is hereby declared and agreed, that it shall be lawful for the lessees, their executors, administrators, or assigns, at any time to determine this present demise by giving to the Minister for Lands for the time being of our said Colony three months' notice in writing of his intention so to do, but that in case this demise shall be so terminated by the lessees, their executors, administrators, or assigns, no portion of the rent which shall have been paid in advance in respect of the said lands shall be repaid to the lessees, their executors, administrators, or assigns: Provided also, and it is hereby further declared, that upon application in writing to the Minister for Lands for the time being of our said Colony, by the lessees, their executors, administrators, or assigns, during the thirteenth year of the term mentioned in this lease, the lessees, their executors, administrators, or assigns, shall be entitled to a renewal of the same for a further period not exceeding fourteen years, upon payment of a fine or premium for or in respect of such renewal, of not less than two pounds ten shillings per acre of the lands hereby demised, and that the amount to be paid for such fine or premium for renewal shall be determined by appraisement as provided in and by the said Act, upon which appraisement full and particular information in every respect of the working of, and return obtained from, the mine or mines upon the said lands hereby demised, shall be afforded to the appraisers by the lessees, their executors, administrators, or assigns, under the penalty of forfeiting all right or claim to renewal; it being hereby expressly declared that if the lessees, their executors, administrators, or assigns, shall fail to give such information to the appraisers upon the said appraisement, or shall give untrue or inaccurate information with respect to the matters aforesaid, no renewal of the lease of the said lands or of any part thereof shall be granted to the lessees, their executors, administrators, or assigns: Provided also, and it is hereby further declared and agreed, that if the demise hereby made shall be terminated by forfeiture, or shall not be renewed after the expiration of the term hereby granted, the lessees, their executors, administrators, or assigns, shall be at liberty, within six months from the termination of this lease, to remove or otherwise dispose of all machinery and movable improvements upon the lands hereby demised, and also all the minerals brought to the surface during the term of this lease.

Schedule of Land.

Diagram.	Description.
	<p>20 acres. County of Gough, parish of Muir, mineral lease portion 93: Commencing on the north-western side of a road 1 chain wide at the eastern corner of mineral lease portion 92, and bounded thence on the south-east by that road dividing it from parts of mineral lease portions 134 and 135, parish of Landsend, bearing north 30 degrees, east 14 chains and 15 links; on the north-east by a line bearing west 30 degrees, north 14 chains and 14 links; on the north-west by the south-eastern boundary of mineral lease portion 94, bearing south 30 degrees west 14 chains and 15 links; and on the south-west by the north-eastern boundary of mineral lease portion 92 aforesaid, bearing east 30 degrees south 14 chains and 14 links, to the point of commencement.</p> <p>Mineral lease No. 13,922.</p>

In testimony whereof, we have caused this our lease to be sealed with the seal of our said Colony.

Witness, His Excellency Sir Hercules George Robert Robinson, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, our Governor and Commander-in-Chief of our said Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this tenth day of July, in the year of our Lord one thousand eight hundred and seventy-seven.

(L.S.)

HERCULES ROBINSON.

GEO. A. LLOYD.

Recorded

Recorded and enrolled in the Department of Mines, at Sydney, this twentieth day of November, A.D. 1877, at 10 o'clock A.M.

T. C. BINNY,
Registrar.

We hereby accept the within lease subject to the terms, conditions, exceptions, reservations, and provisoes therein contained, and also subject to the provisions of the regulations made or to be made by His Excellency the Governor, with the advice of the Executive Council, and which may now or shall hereafter during the term created by the within lease be in force relating to leases of mineral lands. And we hereby covenant with Her Majesty, her heirs and successors, that we will during the term created as aforesaid, well and truly pay the rents reserved under the within lease at such time and places as are therein specified and appointed, will at all times during the said term observe and perform all and singular the covenants, conditions, stipulations, and provisoes therein contained.

In witness whereof we have hereunto set our hands and seals this twentieth day of November, 1877.

C. J. GRIFFITHS,
By his Attorney,—F. C. GRIFFITHS.
JOHN GAFFNEY,
By his Attorney,—F. C. GRIFFITHS.

Signed, sealed, and delivered by the within-named
C. J. Griffiths, by his Attorney,—F. C. GRIFFITHS.
John Gaffney, by his Attorney,—F. C. GRIFFITHS.

In the presence of T. C. BINNY.

No. 220.

Messrs. Griffiths and Gaffney's Mineral Lease.

(No. 13,923.)

LEASE FOR MINING PURPOSES.

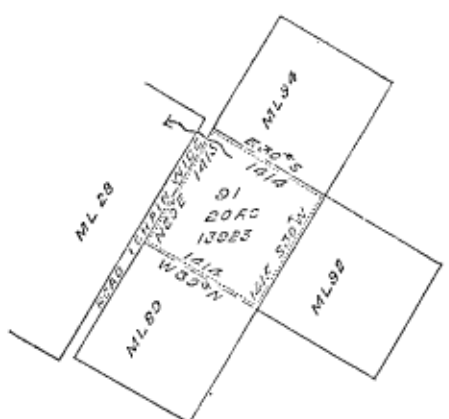
Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth.

To all to whom these presents shall come, greeting :

WHEREAS Charles John Griffiths and John Gaffney, in our Colony of New South Wales, hereinafter called the lessees, became, under and by virtue of the "Crown Lands Occupation Act of 1861," and the Regulations made thereunder, entitled on the sixteenth day of September, in the year of our Lord one thousand eight hundred and seventy-two, to a lease of the lands hereinafter described, at the yearly rent hereinafter reserved, and subject to the terms, conditions, exceptions, and provisoes hereinafter mentioned, for the term of thirteen years and one hundred and seven days from that date, for the purpose of mining thereon for any metal or mineral excepting gold, and hath duly paid into the office of the Colonial Treasury in the said Colony, all rent due in respect of the said lands to the thirty-first day of December next, and the Governor of our said Colony, with the advice of the Executive Council thereof, hath therefore consented to grant to the lessees a lease of the said lands for the residue yet to come of the said term: Now know ye, that in consideration of the premises, of the rent so paid as aforesaid, and of the yearly rent, covenants, provisoes, and agreements hereinafter reserved and contained on the part of the lessees, their executors, administrators, and assigns to be paid, observed, and performed, we do hereby for us, our heirs and successors, demise and lease unto the lessees, their executors, administrators, and assigns, all that parcel of land containing by admeasurement twenty acres, be the same more or less, which is particularly described in the Schedule hereinafter written, with free liberty for the lessees, their executors, administrators, and assigns, to dig, sink, drive, make, and use all such pits, shafts, levels, water-courses, and other works which may be necessary for obtaining all ores and minerals therein contained except gold, and to use the said land or any part thereof, either under ground or on the surface, in such manner as may be proper and requisite for making search for and obtaining the said ores and minerals; saving and reserving always unto us, our heirs and successors, and unto the Governor or officer for the time being administering the Government of our said Colony, the right and power of taking without compensation to the lessees, their executors, administrators, or assigns, such parts of the said land hereby demised as may be required for the sites of churches, schools, parsonages, or any public buildings, or for the establishment and construction of high roads, railways, or railway stations, and tramways, and all necessary approaches thereto: And also saving and reserving unto us, our heirs and successors, and to the Minister for Lands for the time being of our said Colony, and any person or persons authorized by him, the right to enter upon the said land or any part thereof without compensation to the lessees, their executors, administrators, or assigns, and to cut, dig, and remove all timber, stone, gravel, earth, or other material in or upon the said land which shall be required for any public purpose; and also reserving unto us, our heirs and successors, and unto the Secretary for Lands of our said Colony, and to any and every person or persons hereinafter appointed by him in that behalf, free liberty at all times during the continuance of this demise to enter into and upon the land hereby demised, and all mines and works therein or thereon, in order to view and examine the condition thereof: To have and to hold the said lands and mines, and all and singular other the premises hereinbefore mentioned and hereby demised, with the appurtenances, unto the lessees, their executors, administrators, and assigns, from the date hereof, for and during the full term of eight years and one hundred and seventy-five days from thence next ensuing, and fully to be complete and ended, subject to the reservations, conditions, exceptions, and provisoes herein mentioned: Yielding and paying therefor unto us, our heirs and successors, yearly, and every year hereafter, during the continuance of this lease, the clear rent or sum of five pounds sterling, by yearly payments thereof in advance, during the month of September in each and every year, into the hands of our Colonial Treasurer for the time being, at the Treasury in Sydney, in our said Colony; the first of such payments, after the issue of these presents, to be made on or before the thirtieth day of September now next ensuing, being the payment in advance of the rent for the year ending the thirty-first day of December, in the year of our Lord one thousand eight hundred and seventy-eight: Provided always, and these presents are upon the conditions following (that is to say),—upon condition that the lessees, their executors, administrators, or assigns, shall well and truly pay or cause to be paid unto us, our heirs and successors,

successors, the rent hereby reserved when the same shall become payable in the manner hereafter appointed for that purpose, and do and shall within three years from the said sixteenth day of September, in the year of our Lord one thousand eight hundred and seventy-two, expend upon the said land hereby demised in and about mining thereon, a sum or sums of money amounting on the whole to not less than five pounds sterling money per acre of the lands hereby demised: And that the lessees, their executors, administrators, or assigns, shall not remove, dig, sink for gold in or upon, or otherwise endeavour to obtain gold, from the lands hereby demised, or any part thereof: And that if default shall be made by the lessees, their executors, administrators, or assigns, in payment of the rent hereby reserved, or of any part thereof, and the same shall be in arrear and unpaid after the thirtieth day of September in any year during the continuance of this demise, or if the lessees, their executors, administrators, or assigns, shall at any time or times make, do, cause, permit, or suffer any breach of the conditions, provisoes, or agreements herein contained, and on the part of the lessees, their executors, administrators, or assigns, to be observed or performed, it shall be lawful for us, our heirs and successors, or for the Governor or officer for the time being administering the Government of our said Colony, or any person authorized by him or them in that behalf, to enter upon the lands hereby demised, or any part thereof, and therefrom to remove the lessees, their executors, administrators, or assigns, and all occupiers thereof, and the demise hereby made, and all rights of the lessees, their executors, administrators, or assigns, hereunder shall, upon such entry, cease and be void: Provided also, and it is hereby declared and agreed, that it shall be lawful for the lessees, their executors, administrators, or assigns, at any time to determine this present demise by giving to the Minister for Lands for the time being of our said Colony three months notice in writing of his intention so to do, but that in case this demise shall be so terminated by the lessees, their executors, administrators, or assigns, no portion of the rent which shall have been paid in advance in respect of the said lands shall be repaid to the lessees, their executors, administrators, or assigns: Provided also, and it is hereby further declared, that upon application in writing to the Minister for Lands for the time being of our said Colony, by the lessees, their executors, administrators, or assigns, during the thirteenth year of the term mentioned in this lease, the lessees, their executors, administrators, or assigns, shall be entitled to a renewal of the same for a further period not exceeding fourteen years, upon payment of a fine or premium for or in respect of such renewal, of not less than two pounds ten shillings per acre of the lands hereby demised, and that the amount to be paid for such fine or premium for renewal shall be determined by appraisement as provided in and by the said Act, upon which appraisement full and particular information in every respect of the working of, and return obtained from, the mine or mines upon the said lands hereby demised, shall be afforded to the appraisers by the lessees, their executors, administrators, or assigns, under the penalty of forfeiting all right or claim to renewal; it being hereby expressly declared that if the lessees, their executors, administrators, or assigns, shall fail to give such information to the appraisers upon the said appraisement, or shall give untrue or inaccurate information with respect to the matters aforesaid, no renewal of the lease of the said lands or of any part thereof shall be granted to the lessees, their executors, administrators, or assigns: Provided also, and it is hereby further declared and agreed, that if the demise hereby made shall be terminated by forfeiture, or shall not be renewed after the expiration of the term hereby granted, the lessees, their executors, administrators, or assigns, shall be at liberty, within six months from the termination of this lease, to remove or otherwise dispose of all machinery and movable improvements upon the lands hereby demised, and also all the minerals brought to the surface during the term of this lease.

Schedule of Land.

Diagram.	Description.
	<p>20 acres. County of Gough, parish of Muir, mineral lease portion 91: Commencing on the south-eastern side of a road 1 chain wide at the northern corner of mineral lease portion 89; and bounded thence on the north-west by that road, dividing it from part of mineral lease portion 28, bearing north 30 degrees east 14 chains and 15 links; on the north-east by the south-western boundary of mineral lease portion 94, bearing east 30 degrees south 14 chains and 14 links; on the south-east by the north-western boundary of mineral lease portion 92, bearing south 30 degrees west 14 chains and 15 links; and on the south-west by the north-eastern boundary of portion 89 aforesaid, bearing west 30 degrees north 14 chains and 14 links, to the point of commencement.</p> <p>Mineral Lease, No. 13,923.</p>

In testimony whereof, we have caused this our lease to be sealed with the seal of our said Colony.

Witness, His Excellency Sir Hercules George Robert Robinson, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, our Governor and Commander-in-Chief of our said Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this tenth day of July, in the year of our Lord one thousand eight hundred and seventy-seven.

(L.S.)

HERCULES ROBINSON.

GEO. A. LLOYD.

Recorded and enrolled in the Department of Mines, at Sydney, this twentieth day of November, A.D. 1877, at 10 o'clock a.m.

T. C. BINNY,
Registrar.

We

We hereby accept the within lease subject to the terms, conditions, exceptions, reservations, and provisoes therein contained, and also subject to the provisions of the Regulations made or to be made by His Excellency the Governor, with the advice of the Executive Council, and which may now or shall hereafter during the term created by the within lease be in force relating to leases of mineral lands. And we hereby covenant with Her Majesty, her heirs and successors, that we will, during the term created as aforesaid, well and truly pay the rents reserved under the within lease at such times and places as are therein specified and appointed, will at all times during the said term observe and perform all and singular the covenants, conditions, stipulations, and provisoes therein contained.

In witness whereof we have hereunto set our hands and seals this twentieth day of November, 1877.

C. J. GRIFFITHS,

By his attorney,—F. C. GRIFFITHS.

JOHN GAFFNEY,

By his attorney,—F. C. GRIFFITHS.

Signed, sealed, and delivered by the within named—

C. J. Griffiths, by his attorney,—F. C. GRIFFITHS.

John Gaffney, by his attorney,—F. C. GRIFFITHS.

In the presence of T. C. BINNY.

No. 221.

Messrs. Griffiths and Gaffney's Mineral Lease.

(No. 13,924.)

LEASE FOR MINING PURPOSES.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth.

To all to whom these presents shall come, greeting:

WHEREAS Charles John Griffiths and John Gaffney, in our Colony of New South Wales, hereinafter called the lessees, became under and by virtue of the "Crown Lands Occupation Act of 1861," and the Regulations made thereunder, entitled on the sixteenth day of September, in the year of our Lord one thousand eight hundred and seventy-two, to a lease of the lands hereinafter described, at the yearly rent hereinafter reserved, and subject to the terms, conditions, exceptions, and provisoes hereinafter mentioned, for the term of thirteen years and one hundred and seven days from that date, for the purpose of mining thereon for any metal or mineral excepting gold, and hath duly paid into the office of the Colonial Treasury in the said Colony, all rent due in respect of the said lands to the thirty-first day of December next, and the Governor of our said Colony, with the advice of the Executive Council thereof, hath therefore consented to grant to the lessees a lease of the said lands for the residue yet to come of the said term: Now know ye, that in consideration of the premises, of the rent so paid as aforesaid, and of the yearly rent, covenants, provisoes, and agreements hereinafter reserved and contained on the part of the lessees, their executors, administrators, and assigns, to be paid, observed, and performed, we do hereby for us, our heirs and successors, demise and lease unto the lessees, their executors, administrators, and assigns, all that parcel of land containing by measurement twenty acres, be the same more or less, which is particularly described in the Schedule hereinafter written, with free liberty for the lessees, their executors, administrators, and assigns, to dig, sink, drive, make, and use all such pits, shafts, levels, water-courses, and other works which may be necessary for obtaining all ores and minerals therein contained except gold, and to use the said land or any part thereof either under ground or on the surface in such manner as may be proper and requisite for making search for and obtaining the said ores and minerals: Saving and reserving always unto us, our heirs and successors, and unto the Governor or officer for the time being administering the Government of our said Colony, the right and power of taking without compensation to the lessees, their executors, administrators, or assigns, such parts of the said land hereby demised as may be required for the sites of churches, schools, parsonages, or any public buildings, or for the establishment and construction of high roads, railways, or railway stations, and tramways, and all necessary approaches thereto: And also saving and reserving unto us, our heirs and successors, and to the Minister for Lands for the time being of our said Colony, and any person or persons authorized by him, the right to enter upon the said land or any part thereof without compensation to the lessees, their executors, administrators, or assigns, and to cut, dig, and remove all timber, stone, gravel, earth, or other material in or upon the said land which shall be required for any public purpose; and also reserving unto us, our heirs and successors, and unto the Secretary for Lands of our said Colony, and to any and every person or persons hereafter appointed by him in that behalf, free liberty at all times during the continuance of this demise to enter into and upon the land hereby demised, and all mines and works therein or thereon, in order to view and examine the condition thereof: To have and to hold the said lands and mines, and all and singular other the premises hereinbefore mentioned and hereby demised, with the appurtenances, unto the lessees, their executors, administrators, and assigns, from the date hereof for and during the full term of eight years and one hundred and seventy-five days from thence next ensuing, and fully to be complete and ended, subject to the reservations, conditions, exceptions, and provisoes herein mentioned: Yielding and paying therefore unto us, our heirs and successors, yearly and every year hereafter, during the continuance of this lease, the clear rent or sum of five pounds sterling, by yearly payments thereof in advance, during the month of September in each and every year, into the hands of our Colonial Treasurer for the time being, at the Treasury in Sydney, in our said Colony; the first of such payments, after the issue of these presents, to be made on or before the thirtieth day of September now next ensuing, being the payment in advance of the rent for the year ending the thirty-first day of December, in the year of our Lord one thousand eight hundred and seventy-eight: Provided always, and these presents are upon the conditions following (that is to say),—upon condition that the lessees, their executors, administrators, or assigns, shall well and truly pay or cause to be paid unto us, our heirs and successors, the rent hereby reserved when the same shall become payable in the manner hereafter appointed for that purpose, and do and shall within three years from the said sixteenth day of September, in the year of our Lord one thousand eight hundred and seventy-two, expend upon the said land hereby demised

demised in and about mining thereon, a sum or sums of money amounting on the whole to not less than five pounds sterling money per acre of the lands hereby demised: And that the lessees, their executors, administrators, or assigns, shall not remove, dig, sink for gold in or upon, or otherwise endeavour to obtain gold, from the lands hereby demised, or any part thereof: And that if default shall be made by the lessees, their executors, administrators, or assigns, in payment of the rent hereby reserved, or of any part thereof, and the same shall be in arrear, and unpaid after the thirtieth day of September in any year during the continuance of this demise, or if the lessees, their executors, administrators, or assigns, shall at any time or times make, do, cause, permit, or suffer any breach of the conditions, provisoes, or agreements herein contained, and on the part of the lessees, their executors, administrators, or assigns, to be observed or performed, it shall be lawful for us, our heirs and successors, or for the Governor or officer for the time being administering the Government of our said Colony, or any person authorized by him or them in that behalf, to enter upon the lands hereby demised, or any part thereof, and therefrom to remove the lessees, their executors, administrators, or assigns, and all occupiers thereof, and the demise hereby made and all rights of the lessees, their executors, administrators, or assigns, hereunder shall, upon such entry, cease and be void: Provided also, and it is hereby declared and agreed, that it shall be lawful for the lessees, their executors, administrators, or assigns, at any time to determine this present demise by giving to the Minister for Lands for the time being of our said Colony three months' notice in writing of his intention so to do, but that in case this demise shall be so terminated by the lessees, their executors, administrators, or assigns, no portion of the rent which shall have been paid in advance in respect of the said lands shall be repaid to the lessees, their executors, administrators, or assigns: Provided also, and it is hereby further declared, that upon application in writing to the Minister for Lands for the time being of our said Colony, by the lessees, their executors, administrators, or assigns, during the thirteenth year of the term mentioned in this lease, the lessees, their executors, administrators, or assigns, shall be entitled to a renewal of the same for a further period not exceeding fourteen years, upon payment of a fine or premium for or in respect of such renewal, of not less than two pounds ten shillings per acre of the lands hereby demised, and that the amount to be paid for such fine or premium for renewal shall be determined by appraisement as provided in and by the said Act, upon which appraisement full and particular information in every respect of the working of, and return obtained from, the mine or mines upon the said lands hereby demised, shall be afforded to the appraisers by the lessees, their executors, administrators, or assigns, under the penalty of forfeiting all right or claim to renewal; it being hereby expressly declared that if the lessees, their executors, administrators, or assigns, shall fail to give such information to the appraisers upon the said appraisement, or shall give untrue or inaccurate information with respect to the matters aforesaid, no renewal of the lease of the said lands or of any part thereof shall be granted to the lessees, their executors, administrators, or assigns: Provided also, and it is hereby further declared and agreed, that if the demise hereby made shall be terminated by forfeiture, or shall not be renewed after the expiration of the term hereby granted, the lessees, their executors, administrators, or assigns, shall be at liberty, within six months from the termination of this lease, to remove or otherwise dispose of all machinery and movable improvements upon the lands hereby demised, and also all the minerals brought to the surface during the term of this lease.

Schedule of Land.

Diagram.	Description.
	<p>20 acres. County of Gough, parish of Muir, mineral lease portion 92: Commencing on the north-western side of a road 1 chain wide, at the eastern corner of mineral lease portion 90; and bounded thence on the south-east by that road, dividing it from part of mineral lease portion 132 from mineral lease portion 133, and from part of mineral lease portion 134, parish of Landsend, bearing north 30 degrees east 14 chains and 15 links; on the north-east by the south-western boundary of mineral lease portion 93, bearing west 30 degrees north 14 chains and 14 links; on the north-west by the south-eastern boundary of mineral lease portion 91, bearing south 30 degrees west 14 chains and 15 links; and on the south-west by the north-eastern boundary of portion 90 aforesaid, bearing east 30 degrees south 14 chains and 14 links, to the point of commencement.</p> <p>Mineral Lease, No. 13,924.</p>

In testimony whereof we have caused this our lease to be sealed with the seal of our said Colony.
 Witness, His Excellency Sir Hercules George Robert Robinson, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, our Governor and Commander-in-Chief of our said Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this tenth day of July, in the year of our Lord one thousand eight hundred and seventy-seven.

GEO. A. LLOYD.

(L.S.)

HERCULES ROBINSON.

Recorded and enrolled in the Department of Mines, at Sydney, this twentieth day of November, A.D. 1877, at 10 o'clock a.m.

T. C. BINNY,
 Registrar.

We

We hereby accept the within lease subject to the terms, conditions, exceptions, reservations, and provisos therein contained, and also subject to the provisions of the Regulations made or to be made by His Excellency the Governor, with the advice of the Executive Council, and which may now or shall hereafter during the term created by the within lease be in force relating to leases of mineral lands. And we hereby covenant with Her Majesty, her heirs and successors, that we will during the term created as aforesaid, well and truly pay the rents reserved under the within lease at such times and places as are therein specified and appointed, will at all times during the said term observe and perform all and singular the covenants, conditions, stipulations, and provisos therein contained.

In witness whereof, we have hereunto set our hands and seals this twentieth day of November, 1877.

C. J. GRIFFITHS,
By his attorney,—F. C. GRIFFITHS.
JOHN GAFFNEY,
By his attorney,—F. C. GRIFFITHS.

Signed, sealed, and delivered by the within named
C. J. Griffiths, by his attorney,—F. C. GRIFFITHS.
John Gaffney, by his attorney,—F. C. GRIFFITHS.

In the presence of T. C. BINNY.

No. 222.

Messrs. Griffiths and Gaffney's Mineral Lease.

(No. 13,925.)

LEASE FOR MINING PURPOSES.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth.

To all to whom these presents shall come, greeting :

WHEREAS Charles John Griffiths and John Gaffney, in our Colony of New South Wales, hereinafter called the lessees, became under and by virtue of the "Crown Lands Occupation Act of 1861," and the Regulations made thereunder, entitled on the sixteenth day of September, in the year of our Lord one thousand eight hundred and seventy-two, to a lease of the lands hereinafter described, at the yearly rent hereinafter reserved, and subject to the terms, conditions, exceptions, and provisos hereinafter mentioned, for the term of thirteen years and one hundred and seven days from that date, for the purpose of mining thereon for any metal or mineral excepting gold, and hath duly paid into the office of the Colonial Treasury in the said Colony, all rent due in respect of the said lands to the thirty-first day of December next, and the Governor of our said Colony, with the advice of the Executive Council thereof, hath therefore consented to grant to the lessees a lease of the said lands for the residue yet to come of the said term : Now know ye, that in consideration of the premises, of the rent so paid as aforesaid, and of the yearly rent, covenants, provisos, and agreements hereinafter reserved and contained on the part of the lessees, their executors, administrators, and assigns to be paid, observed, and performed, we do hereby for us, our heirs, and successors, demise and lease unto the lessees, their executors, administrators, and assigns, all that parcel of land containing by admeasurement twenty acres, be the same more or less, which is particularly described in the Schedule hereinafter written, with free liberty for the lessees, their executors, administrators, and assigns, to dig, sink, drive, make, and use all such pits, shafts, levels, watercourses, and other works which may be necessary for obtaining all ores and minerals therein contained, except gold, and to use the said land or any part thereof either under ground or on the surface in such manner as may be proper and requisite for making search for and obtaining the said ores and minerals : Saving and reserving always unto us, our heirs and successors, and unto the Governor or officer for the time being administering the Government of our said Colony, the right and power of taking without compensation to the lessees, their executors, administrators, or assigns, such parts of the said land hereby demised as may be required for the sites of churches, schools, parsonages, or any public buildings, or for the establishment and construction of high roads, railways or railway stations, and tramways, and all necessary approaches thereto : And also saving and reserving unto us, our heirs and successors, and to the Minister for Lands for the time being of our said Colony, and any person or persons authorized by him, the right to enter upon the said land or any part thereof without compensation to the lessees, their executors, administrators, or assigns, and to cut, dig, and remove all timber, stone, gravel, earth, or other material in or upon the said land which shall be required for any public purpose ; and also reserving unto us, our heirs, and successors, and unto the Secretary for Lands of our said Colony, and to any and every person or persons hereafter appointed by him in that behalf, free liberty at all times during the continuance of this demise to enter into and upon the land hereby demised, and all mines and works therein or thereon, in order to view and examine the condition thereof : To have and to hold the said lands and mines, and all and singular other the premises hereinbefore mentioned and hereby demised, with the appurtenances, unto the lessees, their executors, administrators, and assigns, from the date hereof for and during the full term of eight years and one hundred and seventy-four days from thence next ensuing, and fully to be complete and ended, subject to the reservations, conditions, exceptions, and provisos herein mentioned : yielding and paying therefor unto us, our heirs, and successors, yearly and every year hereafter, during the continuance of this lease, the clear rent or sum of five pounds sterling, by yearly payments thereof in advance, during the month of September in each and every year, into the hands of our Colonial Treasurer for the time being, at the Treasury in Sydney, in our said Colony ; the first of such payments, after the issue of these presents, to be made on or before the thirtieth day of September now next ensuing, being the payment in advance of the rent for the year ending the thirty-first day of December, in the year of our Lord one thousand eight hundred and seventy-eight : Provided always, and these presents are upon the conditions following (that is to say) :— Upon condition that the lessees, their executors, administrators, or assigns, shall well and truly pay or cause to be paid unto us, our heirs, and successors, the rent hereby reserved when the same shall become payable in the manner hereafter appointed for that purpose, and do and shall within three years from the said sixteenth day

day of September, in the year of our Lord one thousand eight hundred and seventy-two, expend upon the said land hereby demised in and about mining thereon, a sum or sums of money amounting on the whole to not less than five pounds sterling money per acre of the lands hereby demised: And that the lessees, their executors, administrators, or assigns shall not remove, dig, sink for gold in or upon, or otherwise endeavour to obtain gold, from the lands hereby demised, or any part thereof: And that if default shall be made by the lessees, their executors, administrators, or assigns, in payment of the rent hereby reserved, or of any part thereof, and the same shall be in arrear and unpaid after the thirtieth day of September in any year during the continuance of this demise, or if the lessees, their executors, administrators, or assigns shall at any time or times make, do, cause, permit, or suffer any breach of the conditions, provisoes, or agreements herein contained, and on the part of the lessees, their executors, administrators, or assigns, to be observed or performed, it shall be lawful for us, our heirs, and successors, or for the Governor or Officer for the time being administering the Government of our said Colony, or any person authorized by him or them in that behalf, to enter upon the lands hereby demised, or any part thereof, and therefrom to remove the lessees, their executors, administrators, or assigns, and all occupiers thereof, and the demise hereby made and all rights of the lessees, their executors, administrators, or assigns, hereunder, shall upon such entry cease and be void: Provided also, and it is hereby declared and agreed, that it shall be lawful for the lessees, their executors, administrators, or assigns, at any time to determine this present demise by giving to the Minister for Lands for the time being of our said Colony three months' notice in writing of his intention so to do, but that in case this demise shall be so terminated by the lessees, their executors, administrators, or assigns, no portion of the rent which shall have been paid in advance in respect of the said lands shall be repaid to the lessees, their executors, administrators, or assigns: Provided also, and it is hereby further declared, that upon application in writing to the Minister for Lands for the time being of our said Colony, by the lessees, their executors, administrators, or assigns, during the thirteenth year of the term mentioned in this lease, the lessees, their executors, administrators, or assigns, shall be entitled to a renewal of the same for a further period not exceeding fourteen years, upon payment of a fine or premium for or in respect of such renewal, of not less than two pounds ten shillings per acre of the lands hereby demised, and that the amount to be paid for such fine or premium for renewal shall be determined by appraisal as provided in and by the said Act, upon which appraisal full and particular information in every respect of the working of, and return obtained from, the mine or mines upon the said lands hereby demised, shall be afforded to the appraisers by the lessees, their executors, administrators, or assigns, under the penalty of forfeiting all right or claim to renewal; it being hereby expressly declared that if the lessees, their executors, administrators, or assigns, shall fail to give such information to the appraisers upon the said appraisal, or shall give untrue or inaccurate information with respect to the matters aforesaid, no renewal of the lease of the said lands or of any part thereof shall be granted to the lessees, their executors, administrators, or assigns: Provided also, and it is hereby further declared and agreed, that if the demise hereby made shall be terminated by forfeiture, or shall not be renewed after the expiration of the term hereby granted, the lessees, their executors, administrators, or assigns, shall be at liberty, within six months from the termination of this lease, to remove or otherwise dispose of all machinery and movable improvements upon the lands hereby demised, and also all the minerals brought to the surface during the term of this lease.

Schedule of Land.

Diagram.	Description.
	<p>20 acres, county of Gough, parish of Muir, mineral lease, portion 90: Commencing on the north-western side of a road 1 chain wide at the southern corner of mineral lease portion 92; and bounded thence on the south-east by that road dividing it from parts of mineral lease portions 132 and 131, parish of Landsend, bearing south 30 degrees west 14 chains and 15 links; on the south-west by a road 1 chain wide dividing it from parts of the latter portion and portion 21, parish of Muir, bearing west 30 degrees north 14 chains and 14 links; on the north-west by the south-eastern boundary of mineral lease, portion 89, bearing north 30 degrees east 14 chains and 15 links; and on the north-east by the south-western boundary of portion 92 aforesaid, bearing east 30 degrees south 14 chains and 14 links, to the point of commencement.</p> <p>Mineral lease, No. 13,925.</p>

In testimony whereof we have caused this our lease to be sealed with the seal of our said Colony.

Witness, His Excellency Sir Hercules George Robert Robinson, Knight, Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, our Governor and Commander-in-Chief of our said Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this tenth day of July, in the year of our Lord one thousand eight hundred and seventy-seven.

(L.S.) HERCULES ROBINSON.

GEO. A. LLOYD.

Recorded and enrolled in the Department of Mines, at Sydney, this eighteenth day of October A.D. 1877, at 10 o'clock A.M.

T. C. BINNY,
Registrar.
We

We hereby accept the within lease subject to the terms, conditions, exceptions, reservations, and provisoes therein contained, and also subject to the provisions of the Regulations made or to be made by His Excellency the Governor, with the advice of the Executive Council, and which may now or shall hereafter during the term created by the within lease be in force relating to leases of Mineral Lands. And we hereby covenant with Her Majesty, her heirs and successors, that we will during the term created as aforesaid, well and truly pay the rents reserved under the within lease at such times and places as are therein specified and appointed, will at all times during the said term observe and perform all and singular the covenants, conditions, stipulations, and provisoes therein contained.

In witness whereof, we have hereunto set our hands and seals this eighteenth day of October, 1877.

C. J. GRIFFITHS,
By his attorney,—F. C. GRIFFITHS.
JOHN GAFFNEY,
By his attorney,—F. C. GRIFFITHS.

Signed, sealed, and by the within named
C. J. Griffiths, by his attorney,—F. C. GRIFFITHS.
John Gaffney, by his attorney,—F. C. GRIFFITHS.

In the presence of T. C. BINNY.

No. 223.

Messrs. Griffiths and Gaffney's Mineral Lease.

(No. 13,926.)

LEASE FOR MINING PURPOSES.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth.

To all to whom these presents shall come, greeting :

WHEREAS Charles John Griffiths and John Gaffney, in our Colony of New South Wales, hereinafter called the lessees, became under and by virtue of the "Crown Lands Occupation Act of 1861," and the Regulations made thereunder, entitled on the sixteenth day of September, in the year of our Lord one thousand eight hundred and seven to a lease of the lands hereinafter described, at the yearly rent hereinafter reserved, and subject to the terms, conditions, exceptions, and provisoes hereinafter mentioned, for the term of thirteen years and one hundred and seven days from that date, for the purpose of mining thereon for any metal or mineral excepting gold, and hath duly paid into the office of the Colonial Treasury in the said Colony, all rent due in respect of the said lands to the thirty-first day of December next. And the Governor of our said Colony, with the advice of the Executive Council thereof, hath therefore consented to grant to the lessees a lease of the said lands for the residue yet to come of the said term: Now know ye, that in consideration of the premises, of the rent so paid as aforesaid, and of the yearly rent, covenants, provisoes, and agreements hereinafter reserved and contained on the part of the lessees, their executors, administrators, and assigns, to be paid, observed, and performed, we do hereby for us, our heirs and successors, demise and lease unto the lessees, their executors, administrators, and assigns: All that parcel of land containing by admeasurement twenty acres, be the same more or less, which is particularly described in the schedule hereinafter written, with free liberty for the lessees, their executors, administrators, and assigns, to dig, sink, drive, make, and use all such pits, shafts, levels, watercourses, and other works which may be necessary for obtaining all ores and minerals therein contained, except gold, and to use the said land or any part thereof either underground or on the surface in such manner as may be proper and requisite for making search for and obtaining the said ores and minerals: Saving and reserving always unto us, our heirs and successors, and unto the Governor or officer for the time being administering the Government of our said Colony, the right and power of taking, without compensation to the lessees, their executors, administrators, or assigns, such parts of the said land hereby demised as may be required for the sites of Churches, schools, parsonages, or any public buildings, or for the establishment and construction of highroads, railways, or railway stations, and tramways, and all necessary approaches thereto: And also saving and reserving unto us, our heirs and successors, and to the Minister for Lands for the time being of our said Colony, and any person or persons authorized by him, the right to enter upon the said land or any part thereof without compensation to the lessees, their executors, administrators, or assigns, and to cut, dig, and remove all timber, stone, gravel, earth, or other material in or upon the said land which shall be required for any public purpose; and also reserving unto us, our heirs, and successors, and unto the Secretary for Lands of our said Colony, and to any and every person or persons hereafter appointed by him in that behalf, free liberty at all times during the continuance of this demise to enter into and upon the land hereby demised, and all mines and works therein or thereon, in order to view and examine the condition thereof: To have and to hold the said lands and mines, and all and singular other the premises hereinbefore mentioned and hereby demised, with the appurtenances, unto the lessees, their executors, administrators, and assigns, from the date hereof, for and during the full term of eight years and one hundred and seventy-four days from thence next ensuing, and fully to be complete and ended, subject to the reservations, conditions, exceptions, and provisoes herein mentioned: Yielding and paying therefor unto us, our heirs, and successors, yearly and every year hereafter, during the continuance of this lease, the clear rent or sum of five pounds sterling, by yearly payments thereof in advance, during the month of September in each and every year, into the hands of our Colonial Treasurer for the time being, at the Treasury in Sydney, in our said Colony; the first of such payments, after the issue of these presents, to be made on or before the thirtieth day of September now next ensuing, being the payment in advance of the rent for the year ending the thirty-first day of December, in the year of our Lord one thousand eight hundred and seventy-eight: Provided always, and these presents are upon the conditions following (that is to say), upon condition that the lessees, their executors, administrators, or assigns, shall well and truly pay or cause to be paid unto us, our heirs and successors, the rent hereby reserved when the same shall become payable in the manner hereafter appointed for that purpose, and do and shall within three years from the said sixteenth day of September, in the year of our Lord one thousand eight hundred and seventy-two, expend upon the said land hereby demised, in and about mining thereon, a sum or sums of money

amounting on the whole to not less than five pounds sterling money per acre of the lands hereby demised : And that the lessees, their executors, administrators, or assigns, shall not remove, dig, sink for gold in or upon, or otherwise endeavour to obtain gold from the lands hereby demised, or any part thereof : And that if default shall be made by the lessees, their executors, administrators, or assigns, in payment of the rent hereby reserved, or of any part thereof, and the same shall be in arrear and unpaid after the thirtieth day of September in any year during the continuance of this demise, or if the lessees, their executors, administrators, or assigns, shall at any time or times make, do, cause, permit, or suffer any breach of the conditions, provisoes, or agreements, herein contained, and on the part of the lessees, their executors, administrators, or assigns, to be observed or performed, it shall be lawful for us, our heirs and successors, or for the Governor or officer for the time being administering the Government of our said Colony, or any person authorized by him or them in that behalf, to enter upon the lands hereby demised, or any part thereof, and therefrom to remove the lessees, their executors, administrators, or assigns, and all occupiers thereof, and the demise hereby made, and all rights of the lessees, their executors, administrators, or assigns, hereunder shall, upon such entry, cease and be void : Provided also, and it is hereby declared and agreed, that it shall be lawful for the lessees, their executors, administrators, or assigns, at any time to determine this present demise by giving to the Minister for Lands for the time being of our said Colony, three months notice in writing of his intention so to do, but in that case this demise shall be so terminated by the lessees, their executors, administrators, or assigns, no portion of the rent which shall have been paid in advance in respect of the said lands shall be repaid to the lessees, their executors, administrators, or assigns : Provided also, and it is hereby further declared, that upon application in writing to the Minister for Lands for the time being of our said Colony, by the lessees, their executors, administrators, or assigns, during the thirteenth year of the term mentioned in this lease, the lessees, their executors, administrators, or assigns, shall be entitled to a renewal of the same for a further period not exceeding fourteen years, upon payment of a fine or premium for or in respect of such renewal, of not less than two pounds ten shillings per acre of the lands hereby demised, and that the amount to be paid for such fine or premium for renewal shall be determined by appraisement, as provided in and by the said Act, upon which appraisement full and particular information in every respect of the working of, and return obtained from, the mine or mines upon the said lands hereby demised, shall be afforded to the appraisers by the lessees, their executors, administrators, or assigns, under the penalty of forfeiting all right or claim to renewal ; it being hereby expressly declared that if the lessees, their executors, administrators, or assigns, shall fail to give such information to the appraisers upon the said appraisement, or shall give untrue or inaccurate information with respect to the matters aforesaid, no renewal of the lease of the said lands or of any part thereof shall be granted to the lessees, their executors, administrators, or assigns : Provided also, and it is hereby further declared and agreed, that if the demise hereby made shall be terminated by forfeiture, or shall not be renewed after the expiration of the term hereby granted, the lessees, their executors, administrators, or assigns, shall be at liberty, within six months from the termination of this lease, to remove or otherwise dispose of all machinery and movable improvements upon the lands hereby demised, and also all the minerals brought to the surface during the term of this lease.

Schedule of Land.

Diagram.	Description.
	<p>20 acres. County of Gough, parish of Muir, mineral lease portion 89 : Commencing on the south-eastern side of a road 1 chain wide, at the western corner of mineral lease portion 91 ; and bounded thence on the north-west by that road, dividing it from mineral lease portion 28 bearing south 30 degrees west 14 chains and 15 links ; on the south-west by a line bearing east 30 degrees south 14 chains and 14 links ; on the south-east by the north-western boundary of mineral lease portion 90, bearing north 30 degrees east 14 chains and 15 links ; and on the north-east by the south-western boundary of portion 91 aforesaid, bearing west 30 degrees north 14 chains and 14 links, to the point of commencement. Mineral lease No. 13,926.</p>

In testimony whereof we have caused this our lease to be sealed with the seal of our said Colony.

Witness, His Excellency Sir Hercules George Robert Robinson, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, our Governor and Commander-in-Chief of our said Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this tenth day of July, in the year of our Lord one thousand eight hundred and seventy-seven.

(L.S.) HERCULES ROBINSON.

GEO. A. LLOYD.

Recorded and enrolled in the Department of Mines, at Sydney, this eighteenth day of October, A.D. 1877, at 10 o'clock A.M.

T. C. BINNY,
Registrar.

We hereby accept the within lease subject to the terms, conditions, exceptions, reservations, and provisoes therein contained, and also subject to the provisions of the regulations made or to be made by His Excellency the Governor, with the advice of the Executive Council, and which may now or shall hereafter

hereafter during the term created by the within lease be in force relating to leases of mineral lands. And we hereby covenant with Her Majesty, her heirs and successors, that we will, during the term created as aforesaid, well and truly pay the rents reserved under the within lease at such times and places as are therein specified and appointed, will at all times during the said term observe and perform all and singular the covenants, conditions, stipulations, and provisos therein contained.

In witness whereof we have hereunto set our hands and seals this eighteenth day of October, 1877.

C. J. GRIFFITHS,
By his Attorney,—F. C. GRIFFITHS.
JOHN GAFFNEY,
By his Attorney,—F. C. GRIFFITHS.

Signed, sealed, and delivered by the within-named
C. J. Griffiths, by his Attorney,—F. C. GRIFFITHS.
John Gaffney, by his Attorney,—F. C. GRIFFITHS.
In the presence of T. C. BINNY.

No. 224.

Messrs. Griffiths and Gaffney's Mineral Lease.

(No. 13,927.)

LEASE FOR MINING PURPOSES.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth.

To all to whom these presents shall come, greeting :

WHEREAS Charles John Griffiths and John Gaffney, in our Colony of New South Wales, hereinafter called the lessees, became under and by virtue of the "Crown Lands Occupation Act of 1861," and the Regulations made thereunder, entitled on the sixteenth day of September, in the year of our Lord one thousand eight hundred and seventy-two, to a lease of the lands hereinafter described, at the yearly rent hereinafter reserved, and subject to the terms, conditions, exceptions, and provisos hereinafter mentioned, for the term of thirteen years and one hundred and seven days from that date, for the purpose of mining thereon for any metal or mineral excepting gold, and hath duly paid into the office of the Colonial Treasury in the said Colony, all rent due in respect of the said lands to the thirty-first day of December next, and the Governor of our said Colony, with the advice of the Executive Council thereof, hath therefore consented to grant to the lessees a lease of the said lands for the residue yet to come of the said term : Now know ye, that in consideration of the premises, of the rent so paid as aforesaid, and of the yearly rent, covenants, provisos, and agreements hereinafter reserved and contained on the part of the lessees, their executors, administrators and assigns, to be paid, observed, and performed, we do hereby for us, our heirs and successors, demise and lease unto the lessees, their executors, administrators, and assigns, all that parcel of land containing by admeasurement twenty acres, be the same more or less, which is particularly described in the Schedule hereinafter written, with free liberty for the lessees, their executors, administrators, and assigns, to dig, sink, drive, make, and use all such pits, shafts, levels, watercourses, and other works which may be necessary for obtaining all ores and minerals therein contained except gold, and to use the said land or any part thereof, either under ground or on the surface, in such manner as may be proper and requisite for making search for and obtaining the said ores and minerals : Saving and reserving always unto us, our heirs and successors, and unto the Governor or officer for the time being administering the Government of our said Colony, the right and power of taking without compensation to the lessees, their executors, administrators, or assigns, such parts of the said land hereby demised as may be required for the sites of Churches, schools, parsonages, or any public buildings, or for the establishment and construction of high roads, railways or railway stations, and tramways, and all necessary approaches thereto : And also saving and reserving unto us, our heirs and successors, and to the Minister for Lands for the time being of our said Colony, and any person or persons authorized by him, the right to enter upon the said land or any part thereof without compensation to the lessees, their executors, administrators, or assigns, and to cut, dig, and remove all timber, stone, gravel, earth, or other material in or upon the said land which shall be required for any public purpose ; and also reserving unto us, our heirs and successors, and unto the Secretary for Lands of our said Colony, and to any and every person or persons hereafter appointed by him in that behalf, free liberty at all times during the continuance of this demise to enter into and upon the land hereby demised, and all mines and works therein or thereon, in order to view and examine the condition thereof : To have and to hold the said lands and mines, and all and singular other the premises hereinbefore mentioned and hereby demised, with the appurtenances, unto the lessees, their executors, administrators, and assigns, from the date hereof for and during the full term of eight years and one hundred and seventy-four days from thence next ensuing, and fully to be complete and ended, subject to the reservations, conditions, exceptions, and provisos herein mentioned : Yielding and paying therefor unto us, our heirs and successors, yearly, and every year hereafter during the continuance of this lease, the clear rent or sum of five pounds sterling, by yearly payments thereof in advance, during the month of September in each and every year, into the hands of our Colonial Treasurer for the time being, at the Treasury in Sydney, in our said Colony ; the first of such payments, after the issue of these presents, to be made on or before the thirtieth day of September now next ensuing, being the payment in advance of the rent for the year ending the thirty-first day of December, in the year of our Lord one thousand eight hundred and seventy-eight : Provided always, and these presents are upon the conditions following (that is to say), upon condition that the lessees, their executors, administrators, or assigns, shall well and truly pay or cause to be paid unto us, our heirs and successors, the rent hereby reserved when the same shall become payable in the manner hereafter appointed for that purpose, and do and shall within three years from the said sixteenth day of September, in the year of our Lord one thousand eight hundred and seventy-two, expend upon the said land hereby demised in and about mining thereon a sum or sums of money amounting on the whole to not less than five pounds sterling money per acre of the lands hereby demised : And that the

lessees,

lessees, their executors, administrators, or assigns shall not remove, dig, sink for gold in or upon, or otherwise endeavour to obtain gold, from the lands hereby demised, or any part thereof: And that if default shall be made by the lessees, their executors, administrators, or assigns, in payment of the rent hereby reserved, or of any part thereof, and the same shall be in arrear and unpaid after the thirtieth day of September in any year during the continuance of this demise, or if the lessees, their executors, administrators, or assigns, shall at any time or times make, do, cause, permit, or suffer any breach of the conditions, provisoes, or agreements herein contained, and on the part of the lessees, their executors, administrators, or assigns, to be observed or performed, it shall be lawful for us, our heirs and successors, or for the Governor or officer for the time being administering the Government of our said Colony, or any person authorized by him or them in that behalf, to enter upon the lands hereby demised, or any part thereof, and therefrom to remove the lessees, their executors, administrators, or assigns, and all occupiers thereof, and the demise hereby made and all rights of the lessees, their executors, administrators, or assigns hereunder, shall, upon such entry, cease and be void: Provided also, and it is hereby declared and agreed, that it shall be lawful for the lessees, their executors, administrators, or assigns, at any time to determine this present demise by giving to the Minister for Lands for the time being of our said Colony three months' notice in writing of his intention so to do, but that in case this demise shall be so terminated by the lessees, their executors, administrators, or assigns, no portion of the rent which shall have been paid in advance in respect of the said lands shall be repaid to the lessees, their executors, administrators, or assigns: Provided also, and it is hereby further declared, that upon application in writing to the Minister for Lands for the time being of our said Colony by the lessees, their executors, administrators, or assigns, during the thirteenth year of the term mentioned in this lease, the lessees, their executors, administrators, or assigns, shall be entitled to a renewal of the same for a further period not exceeding fourteen years, upon payment of a fine or premium for or in respect of such renewal of not less than two pounds ten shillings per acre of the lands hereby demised, and that the amount to be paid for such fine or premium for renewal shall be determined by appraisal as provided in and by the said Act, upon which appraisal full and particular information in every respect of the working of, and return obtained from, the mine or mines upon the said lands hereby demised, shall be afforded to the appraisers by the lessees, their executors, administrators, or assigns, under the penalty of forfeiting all right or claim to renewal; it being hereby expressly declared that if the lessees, their executors, administrators, or assigns, shall fail to give such information to the appraisers upon the said appraisal, or shall give untrue or inaccurate information with respect to the matters aforesaid, no renewal of the lease of the said lands or of any part thereof shall be granted to the lessees, their executors, administrators, or assigns: Provided also, and it is hereby further declared and agreed, that if the demise hereby made shall be terminated by forfeiture, or shall not be renewed after the expiration of the term hereby granted, the lessees, their executors, administrators, or assigns, shall be at liberty, within six months from the termination of this lease, to remove or otherwise dispose of all machinery and movable improvements upon the lands hereby demised, and also all the minerals brought to the surface during the term of this lease.

Schedule of Land.

Diagram.	Description.
	<p>20 acres. County of Gough, parish of Landsend, mineral lease portion 131: Commencing on the north-western side of a road 1 chain wide at the southern corner of mineral lease portion 132; and bounded thence on the south-east by that road, dividing it partly from part of mineral lease, portion 23, bearing south 50 degrees 30 minutes, west 6 chains 24 links, and thence south 45 degrees 14 minutes, west 8 chains and 67 links; on the south-west by the north-eastern boundary of mineral lease portion 59, bearing west 40 degrees 30 minutes, north 15 chains; on the north-west by a road 1 chain wide, dividing it from part of mineral lease portion 21, parish of Muir, bearing north 30 degrees, east 9 chains 62 links; on the north-east by a road 1 chain wide, dividing it partly from part of mineral lease portion 90, parish of Muir, bearing east 30 degrees, south 8 chains 47 links; again on the north-west by a road 1 chain wide, dividing it from part of the latter portion, bearing north 30 degrees, east 1 chain 66 links; and again on the north-east by the south-western boundary of portion 132 aforesaid, bearing east 30 degrees, south 10 chains and 57 links, to the point of commencement.</p> <p>Mineral lease No. 13,927.</p>

In testimony whereof we have caused this our lease to be sealed with the seal of our said Colony.

Witness, His Excellency Sir Hercules George Robert Robinson, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, our Governor and Commander-in-Chief of our said Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this tenth day of July, in the year of our Lord one thousand eight hundred and seventy-seven.

(L.S.) HERCULES ROBINSON.

GEO. A. LLOYD.

Recorded and enrolled in the Department of Mines, at Sydney, this eighteenth day of October, A.D. 1877, at 10 o'clock a.m.

T. C. BINNY,

Registrar.

We

We hereby accept the within lease subject to the terms, conditions, exceptions, reservations, and provisos therein contained, and also subject to the provisions of the Regulations made or to be made by His Excellency the Governor, with the advice of the Executive Council, and which may now or shall hereafter during the term created by the within lease be in force relating to leases of mineral lands. And we hereby covenant with Her Majesty, her heirs and successors, that we will, during the term created as aforesaid, well and truly pay the rents reserved under the within lease at such times and places as are therein specified and appointed, will at all times during the said term observe and perform all and singular the covenants, conditions, stipulations, and provisos therein contained.

In witness whereof we have hereunto set our hands and seals this eighteenth day of October, 1877.

C. J. GRIFFITHS,
By his attorney,—F. C. GRIFFITHS.
JOHN GAFFNEY,
By his attorney,—F. C. GRIFFITHS.

Signed, sealed, and delivered by the within named—

C. J. Griffiths, by his attorney,—F. C. GRIFFITHS.
John Gaffney, by his attorney,—F. C. GRIFFITHS.

In the presence of T. C. BINNY.

No. 225.

Messrs. Griffiths and Gaffney's Mineral Lease.

(No. 13,928.)

LEASE FOR MINING PURPOSES.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth.

To all to whom these presents shall come, greeting :

WHEREAS Charles John Griffiths and John Gaffney, in our Colony of New South Wales, hereinafter called the lessees, became under and by virtue of the "Crown Lands Occupation Act of 1861," and the Regulations made thereunder, entitled on the sixteenth day of September, in the year of our Lord one thousand eight hundred and seventy-two, to a lease of the lands hereinafter described, at the yearly rent hereinafter reserved, and subject to the terms, conditions, exceptions, and provisos hereinafter mentioned, for the term of thirteen years and one hundred and seven days from that date, for the purpose of mining thereon for any metal or mineral excepting gold, and hath duly paid into the office of the Colonial Treasury in the said Colony, all rent due in respect of the said lands to the thirty-first day of December next, and the Governor of our said Colony, with the advice of the Executive Council thereof, hath therefore consented to grant to the lessees a lease of the said lands for the residue yet to come of the said term: Now know ye, that in consideration of the premises, of the rent so paid as aforesaid, and of the yearly rent, covenants, provisos, and agreements hereinafter reserved and contained on the part of the lessees, their executors, administrators, and assigns to be paid, observed, and performed, we do hereby for us, our heirs and successors, demise and lease unto the lessees, their executors, administrators, and assigns, all that parcel of land containing by admeasurement twenty acres, be the same more or less, which is particularly described in the schedule hereinafter written, with free liberty for the lessees, their executors, administrators, and assigns, to dig, sink, drive, make, and use all such pits, shafts, levels, watercourses, and other works which may be necessary for obtaining all ores and minerals therein contained, except gold, and to use the said land or any part thereof, either underground or on the surface, in such manner as may be proper and requisite for making search for and obtaining the said ores and minerals: Saving and reserving always unto us, our heirs and successors, and unto the Governor or officer for the time being administering the Government of our said Colony, the right and power of taking without compensation to the lessees, their executors, administrators, or assigns, such parts of the said land hereby demised as may be required for the sites of churches, schools, parsonages, or any public buildings, or for the establishment and construction of high roads, railways, or railway stations, and tramways, and all necessary approaches thereto: And also saving and reserving unto us, our heirs and successors, and to the Minister for Lands for the time being of our said Colony, and any person or persons authorized by him, the right to enter upon the said land or any part thereof without compensation to the lessees, their executors, administrators, or assigns, and to cut, dig, and remove all timber, stone, gravel, earth, or other material in or upon the said land which shall be required for any public purpose; and also reserving unto us, our heirs and successors, and unto the Secretary for Lands of our said Colony, and to any and every person or persons hereafter appointed by him in that behalf, free liberty at all times during the continuance of this demise to enter into and upon the land hereby demised, and all mines and works therein or thereon, in order to view and examine the condition thereof: To have and to hold the said lands and mines, and all and singular other the premises hereinbefore mentioned and hereby demised, with the appurtenances, unto the lessees, their executors, administrators, and assigns, from the date hereof, for and during the full term of eight years and one hundred and seventy-four days from thence next ensuing, and fully to be complete and ended, subject to the reservations, conditions, exceptions, and provisos herein mentioned: Yielding and paying therefore unto us, our heirs and successors, yearly and every year hereafter, during the continuance of this lease, the clear rent or sum of five pounds sterling, by yearly payments thereof in advance, during the month of September in each and every year, into the hands of our Colonial Treasurer for the time being, at the Treasury in Sydney, in our said Colony; the first of such payments, after the issue of these presents, to be made on or before the thirtieth day of September now next ensuing, being the payment in advance of the rent for the year ending the thirty-first day of December, in the year of our Lord one thousand eight hundred and seventy-eight: Provided always, and these presents are upon the conditions following (that is to say),—upon condition that the lessees, their executors, administrators, or assigns, shall well and truly pay or cause to be paid unto us, our heirs and successors, the rent hereby reserved when the same shall become payable in the manner hereafter appointed for that purpose, and do and shall within three years from the said sixteenth day of September, in the year of our Lord one thousand eight hundred and seventy-two, expend upon the said land,

land hereby demised in and about mining thereon, a sum or sums of money amounting on the whole to not less than five pounds sterling money per acre of the lands hereby demised: And that the lessees, their executors, administrators, or assigns, shall not remove, dig, sink for gold in or upon, or otherwise endeavour to obtain gold from the lands hereby demised, or any part thereof: And that if default shall be made by the lessees, their executors, administrators, or assigns, in payment of the rent hereby reserved, or of any part thereof, and the same shall be in arrear and unpaid after the thirtieth day of September in any year during the continuance of this demise, or if the lessees, their executors, administrators, or assigns, shall at any time or times make, do, cause, permit, or suffer any breach of the conditions, provisoes, or agreements herein contained, and on the part of the lessees, their executors, administrators, or assigns, to be observed or performed, it shall be lawful for us, our heirs and successors, or for the Governor or officer for the time being administering the Government of our said Colony, or any person authorized by him or them in that behalf, to enter upon the lands hereby demised, or any part thereof, and therefrom to remove the lessees, their executors, administrators or assigns, and all occupiers thereof, and the demise hereby made and all rights of the lessees, their executors, administrators, or assigns, hereunder shall, upon such entry, cease and be void: Provided also, and it is hereby declared and agreed, that it shall be lawful for the lessees, their executors, administrators, or assigns, at any time to determine this present demise by giving to the Minister for Lands for the time being of our said Colony three months' notice in writing of his intention so to do, but that in case this demise shall be so terminated by the lessees, their executors, administrators, or assigns, no portion of the rent which shall have been paid in advance in respect of the said lands shall be repaid to the lessees, their executors, administrators, or assigns: Provided also, and it is hereby further declared, that upon application in writing to the Minister for Lands for the time being of our said Colony, by the lessees, their executors, administrators, or assigns, during the thirteenth year of the term mentioned in this lease, the lessees, their executors, administrators, or assigns, shall be entitled to a renewal of the same for a further period not exceeding fourteen years, upon payment of a fine or premium for or in respect of such renewal, of not less than two pounds ten shillings per acre of the lands hereby demised, and that the amount to be paid for such fine or premium for renewal shall be determined by appraisement as provided in and by the said Act, upon which appraisement full and particular information in every respect of the working of, and return obtained from, the mine or mines upon the said lands hereby demised, shall be afforded to the appraisers by the lessees, their executors, administrators, or assigns, under the penalty of forfeiting all right or claim to renewal; it being hereby expressly declared that if the lessees, their executors, administrators, or assigns, shall fail to give such information to the appraisers upon the said appraisement, or shall give untrue or inaccurate information with respect to the matters aforesaid, no renewal of the lease of the said lands or of any part thereof shall be granted to the lessees, their executors, administrators, or assigns: Provided also, and it is hereby further declared and agreed, that if the demise hereby made shall be terminated by forfeiture, or shall not be renewed after the expiration of the term hereby granted, the lessees, their executors, administrators, or assigns, shall be at liberty, within six months from the termination of this lease, to remove or otherwise dispose of all machinery and movable improvements upon the lands hereby demised, and also all the minerals brought to the surface during the term of this lease.

Schedule of Land.

Diagram.	Description.
	<p>20 acres. County of Gough, parish of Landsend, mineral lease, portion 132: Commencing on the north-western side of a road 1 chain wide at the north-eastern corner of mineral lease, portion 131; and bounded thence on the south-east by that road dividing it from part of mineral lease, portion 23, from mineral lease, portion 24, and from part of mineral lease, portion 25, bearing north 50 degrees 30 minutes east 15 chains and 97 links; on the north-east by the south-western boundary of mineral lease, portion 133, bearing west 30 degrees north 16 chains and 16 links; on the north-west by a road 1 chain a wide dividing it from parts of mineral lease, portions 92 and 90, parish of Muir, bearing south 30 degrees west 14 chains and 96 links; and on the south-west by a north-eastern boundary of portion 131 aforesaid, bearing east 30 degrees south, 10 chains and 57 links, to the point of commencement.</p> <p>Mineral Lease No. 13,928.</p>

In testimony whereof, we have caused this our lease to be sealed with the seal of our said Colony.

Witness, His Excellency Sir Hercules George Robert Robinson, Knight Grand Cross of the Most Distinguished Order of Saint Michael and St. George, our Governor and Commander-in-Chief of our said Colony of New South Wales and its dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this tenth day of July, in the year of our Lord one thousand eight hundred and seventy-seven.

(L.S.) HERCULES ROBINSON.

GEO. A. LLOYD.

Recorded and enrolled in the Department of Mines, at Sydney, this eighteenth day of October, A.D. 1877, at 10 o'clock A.M.

T. C. BINNY,
Registrar.
We

We hereby accept the within lease subject to the terms, conditions, exceptions, reservations, and provisoes therein contained, and also subject to the provisions of the regulations made or to be made by His Excellency the Governor, with the advice of the Executive Council, and which may now or shall hereafter during the term created by the within lease be in force relating to leases of mineral lands. And we hereby covenant with Her Majesty, her heirs and successors, that we will during the term created as aforesaid, well and truly pay the rents reserved under the within lease at such times and places as are therein specified and appointed, will at all times during the said term observe and perform all and singular the covenants, conditions, stipulations, and provisoes therein contained.

In witness whereof we have hereunto set our hands and seals this eighteenth day of October, 1877.

C. J. GRIFFITHS,
By his Attorney,—F. C. GRIFFITHS.
JOHN GAFFNEY,
By his Attorney,—F. C. GRIFFITHS.

Signed, sealed, and delivered by the within-named,—

C. J. Griffiths, by his Attorney,—F. C. GRIFFITHS.

John Gaffney, by his Attorney,—F. C. GRIFFITHS.

In the presence of T. C. BINNY.

No. 226.

Messrs. Griffiths and Gaffney's Mineral Lease.

(No. 13,929.)

LEASE FOR MINING PURPOSES.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth.

To all to whom these presents shall come, greeting:

WHEREAS Charles John Griffiths and John Gaffney, in our Colony of New South Wales, hereinafter called the lessees, became under and by virtue of the "Crown Lands Occupation Act of 1861," and the Regulations made thereunder, entitled on the sixteenth day of September, in the year of our Lord one thousand eight hundred and seventy-two, to a lease of the lands hereinafter described, at the yearly rent hereinafter reserved, and subject to the terms, conditions, exceptions, and provisoes hereinafter mentioned, for the term of thirteen years and one hundred and seven days from that date, for the purpose of mining thereon for any metal or mineral excepting gold, and hath duly paid into the office of the Colonial Treasury in the said Colony, all rent due in respect of the said lands to the thirty-first day of December next, and the Governor of our said Colony, with the advice of the Executive Council thereof, hath therefore consented to grant to the lessees a lease of the said lands for the residue yet to come of the said term: Now know ye, that in consideration of the premises, of the rent so paid as aforesaid, of the yearly rent, covenants, provisoes, and agreements hereinafter reserved and contained on the part of the lessees, their executors, administrators, and assigns, to be paid, observed, and performed, we do hereby for us, our heirs and successors, demise and lease unto the lessees, their executors, administrators, and assigns, all that parcel of land containing by admeasurement twenty acres, be the same more or less, which is particularly described in the Schedule hereinafter written, with free liberty for the lessees, their executors, administrators, and assigns, to dig, sink, drive, make, and use all such pits, shafts, levels, water-courses, and other works which may be necessary for obtaining all ores and minerals therein contained except gold, and to use the said land or any part thereof either under ground or on the surface in such manner as may be proper and requisite for making search for and obtaining the said ores and minerals: Saving and reserving always unto us, our heirs and successors, and unto the Governor or officer for the time being administering the Government of our said Colony, the right and power of taking without compensation to the lessees, their executors, administrators, or assigns, such parts of the said land hereby demised as may be required for the sites of churches, schools, parsonages, or any public buildings, or for the establishment and construction of high roads, railways, or railway stations, and tramways, and all necessary approaches thereto: And also saving and reserving unto us, our heirs and successors, and to the Minister for Lands for the time being of our said Colony, and any person or persons authorized by him, the right to enter upon the said land or any part thereof without compensation to the lessees, their executors, administrators, or assigns, and to cut, dig, and remove all timber, stone, gravel, earth, or other material in or upon the said land which shall be required for any public purpose; and also reserving unto us, our heirs and successors, and unto the Secretary for Lands of our said Colony, and to any and every person or persons hereafter appointed by him in that behalf, free liberty at all times during the continuance of this demise to enter into and upon the land hereby demised, and all mines and works therein or thereon, in order to view and examine the condition thereof: To have and to hold the said lands and mines, and all and singular other the premises hereinbefore mentioned and hereby demised, with the appurtenances, unto the lessees, their executors, administrators, and assigns, from the date hereof for and during the full term of eight years and one hundred and seventy-five days from thence next ensuing, and fully to be complete and ended, subject to the reservations, conditions, exceptions, and provisoes herein mentioned: Yielding and paying therefore unto us, our heirs and successors, yearly and every year hereafter, during the continuance of this lease, the clear rent or sum of five pounds sterling, by yearly payments thereof in advance, during the month of September in each and every year, into the hands of our Colonial Treasurer for the time being, at the Treasury in Sydney, in our said Colony; the first of such payments, after the issue of these presents, to be made on or before the thirtieth day of September now next ensuing, being the payment in advance of the rent for the year ending the thirty-first day of December, in the year of our Lord one thousand eight hundred and seventy-eight: Provided always, and these presents are upon the conditions following (that is to say),—upon condition that the lessees, their executors, administrators, or assigns, shall well and truly pay or cause to be paid unto us, our heirs and successors, the rent hereby reserved when the same shall become payable in the manner hereafter appointed for that purpose, and do and shall within three years from the said sixteenth day of September, in the year of our Lord one thousand eight hundred and seventy-two, expend upon the said land hereby demised

demised in and about mining thereon, a sum or sums of money amounting on the whole to not less than five pounds sterling money per acre of the lands hereby demised: And that the lessees, their executors, administrators, or assigns, shall not remove, dig, sink for gold in or upon, or otherwise endeavour to obtain gold, from the lands hereby demised, or any part thereof: And that if default shall be made by the lessees, their executors, administrators, or assigns, in payment of the rent hereby reserved, or of any part thereof, and the same shall be in arrear and unpaid after the thirtieth day of September in any year during the continuance of this demise, or if the lessees, their executors, administrators, or assigns, shall at any time or times make, do, cause, permit, or suffer any breach of the conditions, provisoes, or agreements herein contained, and on the part of the lessees, their executors, administrators, or assigns, to be observed or performed, it shall be lawful for us, our heirs and successors, or for the Governor or officer for the time being administering the Government of our said Colony, or any person authorized by him or them in that behalf, to enter upon the lands hereby demised, or any part thereof, and therefrom to remove the lessees, their executors, administrators, or assigns, and all occupiers thereof, and the demise hereby made and all rights of the lessees, their executors, administrators, or assigns, hereunder shall, upon such entry, cease and be void: Provided also, and it is hereby declared and agreed, that it shall be lawful for the lessees, their executors, administrators, or assigns, at any time to determine this present demise by giving to the Minister for Lands for the time being of our said Colony three months' notice in writing of his intention so to do, but that in case this demise shall be so terminated by the lessees, their executors, administrators, or assigns, no portion of the rent which shall have been paid in advance in respect of the said lands shall be repaid to the lessees, their executors, administrators, or assigns: Provided also, and it is hereby further declared, that upon application in writing to the Minister for Lands for the time being of our said Colony, by the lessees, their executors, administrators, or assigns, during the thirteenth year of the term mentioned in this lease, the lessees, their executors, administrators, or assigns, shall be entitled to a renewal of the same for a further period not exceeding fourteen years, upon payment of a fine or premium for or in respect of such renewal, of not less than two pounds ten shillings per acre of the lands hereby demised, and that the amount to be paid for such fine or premium for renewal shall be determined by appraisement as provided in and by the said Act, upon which appraisement full and particular information in every respect of the working of, and return obtained from, the mine or mines upon the said lands hereby demised, shall be afforded to the appraisers by the lessees, their executors, administrators, or assigns, under the penalty of forfeiting all right or claim to renewal; it being hereby expressly declared that if the lessees, their executors, administrators, or assigns, shall fail to give such information to the appraisers upon the said appraisement, or shall give untrue or inaccurate information with respect to the matters aforesaid, no renewal of the lease of the said lands or of any part thereof shall be granted to the lessees, their executors, administrators, or assigns: Provided also, and it is hereby further declared and agreed, that if the demise hereby made shall be terminated by forfeiture, or shall not be renewed after the expiration of the term hereby granted, the lessees, their executors, administrators, or assigns, shall be at liberty, within six months from the termination of this lease, to remove or otherwise dispose of all machinery and movable improvements upon the lands hereby demised, and also all the minerals brought to the surface during the term of this lease.

Schedule of Land.

Diagram.	Description.
	<p>20 acres. County of Gough, parish of Landsend mineral lease portion 133: Commencing on the south-eastern side of a road 1 chain wide, at the northern corner of mineral lease portion 132; and bounded thence on the north-west by that road, dividing it from part of mineral lease portion 92, parish of Muir, bearing north 30 degrees east 10 chains and 99 links; on the north-east by the south-western boundary of mineral lease portion 134, bearing east 30 degrees south 20 chains and 26 links; on the south-east by a road 1 chain wide, dividing it from parts of mineral lease portions 26 and 25, bearing south 50 degrees 30 minutes, west 11 chains and 73 links; and on the south-west by the north-eastern boundary of portion 132 aforesaid, bearing west 30 degrees north 16 chains and 16 links, to the point of commencement.</p> <p>Mineral Lease, No. 13,929.</p>

In testimony whereof we have caused this our lease to be sealed with the seal of our said Colony.

Witness, His Excellency Sir Hercules George Robert Robinson, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, our Governor and Commander-in-Chief of our said Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this tenth day of July, in the year of our Lord one thousand eight hundred and seventy-seven.

(L.S.)

HERCULES ROBINSON.

GEO. A. LLOYD.

Recorded and enrolled in the Department of Mines, at Sydney, this twentieth day of November, A.D. 1877, at 10 o'clock a.m.

T. C. BINNY,
Registrar.

We

We hereby accept the within lease subject to the terms, conditions, exceptions, reservations, and provisoes therein contained, and also subject to the provisions of the Regulations made or to be made by His Excellency the Governor, with the advice of the Executive Council, and which may now or shall hereafter during the term created by the within lease be in force relating to leases of mineral lands. And we hereby covenant with Her Majesty, her heirs and successors, that we will during the term created as aforesaid, well and truly pay the rents reserved under the within lease at such times and places as are therein specified and appointed, will at all times during the said term observe and perform all and singular the covenants, conditions, stipulations, and provisoes therein contained.

In witness whereof, we have hereunto set our hands and seals this twentieth day of November, 1877.

C. J. GRIFFITHS,
By his Attorney,—F. C. GRIFFITHS.
JOHN GAFFNEY,
By his Attorney,—F. C. GRIFFITHS.

Signed, sealed, and delivered by the within named,—

C. J. Griffiths, by his Attorney,—F. C. GRIFFITHS.

John Gaffney, by his Attorney,—F. C. GRIFFITHS.

In the presence of T. C. BINNY.

No. 227.

Messrs. Griffiths and Gaffney's Mineral Lease.

(No. 13,930.)

LEASE FOR MINING PURPOSES.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth.

To all to whom these presents shall come, greeting :

WHEREAS Charles John Griffiths and John Gaffney, in our Colony of New South Wales, hereinafter called the lessees, became under and by virtue of the "Crown Lands Occupation Act of 1861," and the Regulations made thereunder, entitled on the sixteenth day of September, in the year of our Lord one thousand eight hundred and seventy-two, to a lease of the lands hereinafter described, at the yearly rent hereinafter reserved, and subject to the terms, conditions, exceptions, and provisoes hereinafter mentioned, for the term of thirteen years and one hundred and seven days from that date, for the purpose of mining thereon for any metal or mineral excepting gold, and hath duly paid into the office of the Colonial Treasury in the said Colony, all rent due in respect of the said lands to the thirty-first day of December next, and the Governor of our said Colony, with the advice of the Executive Council thereof, hath therefore consented to grant to the lessees a lease of the said lands for the residue yet to come of the said term : Now know ye, that in consideration of the premises, of the rent so paid as aforesaid, and of the yearly rent, covenants, provisoes, and agreements hereinafter reserved and contained on the part of the lessees, their executors, administrators, and assigns, to be paid, observed, and performed, we do hereby for us, our heirs and successors, demise and lease unto the lessees, their executors, administrators, and assigns, all that parcel of land containing by admeasurement twenty acres, be the same more or less, which is particularly described in the Schedule hereinafter written, with free liberty for the lessees, their executors, administrators, and assigns, to dig, sink, drive, make, and use all such pits, shafts, levels, watercourses, and other works which may be necessary for obtaining all ores and minerals therein contained except gold, and to use the said land or any part thereof either under ground or on the surface in such manner as may be proper and requisite for making search for and obtaining the said ores and minerals : Saving and reserving always unto us, our heirs and successors, and unto the Governor or officer for the time being administering the Government of our said Colony, the right and power of taking without compensation to the lessees, their executors, administrators, or assigns, such parts of the said land hereby demised as may be required for the sites of churches, schools, parsonages, or any public buildings, or for the establishment and construction of high roads, railways or railway stations, and tramways, and all necessary approaches thereto : And also saving and reserving unto us, our heirs and successors, and to the Minister for Lands for the time being of our said Colony, and any person or persons authorized by him, the right to enter upon the said land or any part thereof without compensation to the lessees, their executors, administrators, or assigns, and to cut, dig, and remove all timber, stone, gravel, earth, or other material in or upon the said land which shall be required for any public purpose ; and also reserving unto us, our heirs, and successors, and unto the Secretary for Lands of our said Colony, and to any and every person or persons hereafter appointed by him in that behalf, free liberty at all times during the continuance of this demise to enter into and upon the land hereby demised, and all mines and works therein or thereon, in order to view and examine the condition thereof : To have and to hold the said lands and mines, and all and singular other the premises hereinbefore mentioned and hereby demised, with the appurtenances, unto the lessees, their executors, administrators, and assigns, from the date hereof for and during the full term of eight years and one hundred and seventy-five days from thence next ensuing, and fully to be complete and ended, subject to the reservations, conditions, exceptions, and provisoes herein mentioned : Yielding and paying therefor unto us, our heirs and successors, yearly and every year hereafter, during the continuance of this lease, the clear rent or sum of five pounds sterling, by yearly payments thereof in advance, during the month of September in each and every year, into the hands of our Colonial Treasurer for the time being, at the Treasury in Sydney, in our said Colony ; the first of such payments, after the issue of these presents, to be made on or before the thirtieth day of September now next ensuing, being the payment in advance of the rent for the year ending the thirty-first day of December, in the year of our Lord one thousand eight hundred and seventy-eight : Provided always, and these presents are upon the conditions following (that is to say),—upon condition that the lessees, their executors, administrators, or assigns, shall well and truly pay or cause to be paid unto us, our heirs and successors, the rent hereby reserved when the same shall become payable in the manner hereafter appointed for that purpose, and do and shall within three years from the said sixteenth day of September, in the year of our Lord one thousand eight hundred and seventy-two, expend upon the

We hereby accept the within lease subject to the terms, conditions, exceptions, reservations, and provisoes therein contained, and also subject to the provisions of the Regulations made or to be made by His Excellency the Governor, with the advice of the Executive Council, and which may now or shall hereafter during the term created by the within lease be in force relating to leases of Mineral Lands. And we hereby covenant with Her Majesty, her heirs and successors, that we will during the term created as aforesaid, well and truly pay the rents reserved under the within lease at such times and places as are therein specified and appointed, will at all times during the said term observe and perform all and singular the covenants, conditions, stipulations, and provisoes therein contained.

In witness whereof, we have hereunto set our hands and seals this twentieth day of November, 1877.

C. J. GRIFFITHS,
By his Attorney,—F. C. GRIFFITHS.
JOHN GAFFNEY,
By his Attorney,—F. C. GRIFFITHS.

Signed, sealed, and delivered by the within named,—

C. J. Griffiths, by his Attorney,—F. C. GRIFFITHS.

John Gaffney, by his Attorney,—F. C. GRIFFITHS.

In the presence of T. C. BINNY.

No. 228.

Messrs. Griffiths and Gaffney's Mineral Lease.

(No. 13,931.)

LEASE FOR MINING PURPOSES.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth.

To all to whom these presents shall come, greeting :

WHEREAS Charles John Griffiths and John Gaffney, in our Colony of New South Wales, hereinafter called the lessees, became, under and by virtue of the "Crown Lands Occupation Act of 1861," and the Regulations made thereunder, entitled on the sixteenth day of September, in the year of our Lord one thousand eight hundred and seventy-two, to a lease of the lands hereinafter described, at the yearly rent hereinafter reserved, and subject to the terms, conditions, exceptions, and provisoes hereinafter mentioned, for the term of thirteen years and one hundred and seven days from that date, for the purpose of mining thereon for any metal or mineral excepting gold; and hath duly paid into the office of the Colonial Treasury in the said Colony, all rent due in respect of the said lands to the thirty-first day of December next, and the Governor of our said Colony, with the advice of the Executive Council thereof, hath therefore consented to grant to the lessees a lease of the said lands for the residue yet to come of the said term: Now know ye, that in consideration of the premises, of the rent so paid as aforesaid, and of the yearly rent, covenants, provisoes, and agreements hereinafter reserved and contained on the part of the lessees, their executors, administrators, and assigns to be paid, observed, and performed, we do hereby for us, our heirs and successors, demise and lease unto the lessees, their executors, administrators, and assigns, all that parcel of land containing by admeasurement twenty acres, be the same more or less, which is particularly described in the Schedule hereinafter written, with free liberty for the lessees, their executors, administrators, and assigns, to dig, sink, drive, make, and use all such pits, shafts, levels, water-courses, and other works which may be necessary for obtaining all ores and minerals therein contained except gold, and to use the said land or any part thereof, either under ground or on the surface, in such manner as may be proper and requisite for making search for and obtaining the said ores and minerals; saving and reserving always unto us, our heirs and successors, and unto the Governor or officer for the time being administering the Government of our said Colony, the right and power of taking without compensation to the lessees, their executors, administrators, or assigns, such parts of the said land hereby demised as may be required for the sites of churches, schools, parsonages, or any public buildings, or for the establishment and construction of high roads, railways, or railway stations, and tramways, and all necessary approaches thereto: And also saving and reserving unto us, our heirs and successors, and to the Minister for Lands for the time being of our said Colony, and any person or persons authorized by him, the right to enter upon the said land or any part thereof without compensation to the lessees, their executors, administrators, or assigns, and to cut, dig, and remove all timber, stone, gravel, earth, or other material in or upon the said land which shall be required for any public purpose; and also reserving unto us, our heirs and successors, and unto the Secretary for Lands of our said Colony, and to any and every person or persons hereinafter appointed by him in that behalf, free liberty at all times during the continuance of this demise to enter into and upon the land hereby demised, and all mines and works therein or thereon, in order to view and examine the condition thereof: To have and to hold the said lands and mines, and all and singular other the premises hereinbefore mentioned and hereby demised, with the appurtenances, unto the lessees, their executors, administrators, and assigns, from the date hereof, for and during the full term of eight years and one hundred and seventy-five days from thence next ensuing, and fully to be complete and ended, subject to the reservations, conditions, exceptions, and provisoes herein mentioned: Yielding and paying therefor unto us, our heirs and successors, yearly, and every year hereafter, during the continuance of this lease, the clear rent or sum of five pounds sterling, by yearly payments thereof in advance, during the month of September in each and every year, into the hands of our Colonial Treasurer for the time being, at the Treasury in Sydney, in our said Colony; the first of such payments, after the issue of these presents, to be made on or before the thirtieth day of September now next ensuing, being the payment in advance of the rent for the year ending the thirty-first day of December, in the year of our Lord one thousand eight hundred and seventy-eight: Provided always, and these presents are upon the conditions following (that is to say),—upon condition that the lessees, their executors, administrators, or assigns, shall well and truly pay or cause to be paid unto us, our heirs and successors, the rent hereby reserved when the same shall become payable in the manner hereafter appointed for that purpose, and do and shall within three years from the said sixteenth day of September, in the year of our Lord one thousand eight hundred and seventy-two, expend upon the said land hereby demised in and about mining thereon, a sum or sums of money amounting on the whole to not less than five

five pounds sterling money per acre of the lands hereby demised: And that the lessees, their executors, administrators, or assigns, shall not remove, dig, sink for gold in or upon, or otherwise endeavour to obtain gold, from the lands hereby demised, or any part thereof: And that if default shall be made by the lessees, their executors, administrators, or assigns, in payment of the rent hereby reserved, or of any part thereof, and the same shall be in arrear and unpaid after the thirtieth day of September in any year during the continuance of this demise, or if the lessees, their executors, administrators, or assigns, shall at any time or times make, do, cause, permit, or suffer any breach of the conditions, provisoes, or agreements herein contained, and on the part of the lessees, their executors, administrators, or assigns, to be observed or performed, it shall be lawful for us, our heirs and successors, or for the Governor or officer for the time being administering the Government of our said Colony, or any person authorized by him or them in that behalf, to enter upon the lands hereby demised, or any part thereof, and therefrom to remove the lessees, their executors, administrators, or assigns, and all occupiers thereof, and the demise hereby made, and all rights of the lessees, their executors, administrators, or assigns, hereunder shall, upon such entry, cease and be void: Provided also, and it is hereby declared and agreed, that it shall be lawful for the lessees, their executors, administrators, or assigns, at any time to determine this present demise by giving to the Minister for Lands for the time being of our said Colony three months notice in writing of his intention so to do, but that in case this demise shall be so terminated by the lessees, their executors, administrators, or assigns, no portion of the rent which shall have been paid in advance in respect of the said lands shall be repaid to the lessees, their executors, administrators, or assigns: Provided also, and it is hereby further declared, that upon application in writing to the Minister for Lands for the time being of our said Colony, by the lessees, their executors, administrators, or assigns, during the thirteenth year of the term mentioned in this lease, the lessees, their executors, administrators, or assigns, shall be entitled to a renewal of the same for a further period not exceeding fourteen years, upon payment of a fine or premium for or in respect of such renewal, of not less than two pounds ten shillings per acre of the lands hereby demised, and that the amount to be paid for such fine or premium for renewal shall be determined by appraisement as provided in and by the said Act, upon which appraisement full and particular information in every respect of the working of, and return obtained from, the mine or mines upon the said lands hereby demised, shall be afforded to the appraisers by the lessees, their executors, administrators, or assigns, under the penalty of forfeiting all right or claim to renewal; it being hereby expressly declared that if the lessees, their executors, administrators, or assigns, shall fail to give such information to the appraisers upon the said appraisement, or shall give untrue or inaccurate information with respect to the matters aforesaid, no renewal of the lease of the said lands or of any part thereof shall be granted to the lessees, their executors, administrators, or assigns: Provided also, and it is hereby further declared and agreed, that if the demise hereby made shall be terminated by forfeiture, or shall not be renewed after the expiration of the term hereby granted, the lessees, their executors, administrators, or assigns, shall be at liberty, within six months from the termination of this lease, to remove or otherwise dispose of all machinery and movable improvements upon the lands hereby demised, and also all the minerals brought to the surface during the term of this lease.

Schedule of Land.

Diagram.	Description.
	<p>20 acres. County of Gough, parish of Lands-end, mineral lease portion 135: Commencing on the south-eastern side of a road 1 chain wide at the western corner of mineral lease portion 136; and bounded thence on the north-west by a line and a road 1 chain wide, dividing it partly from part of mineral lease portion 93, parish of Muir, in all bearing south 30 degrees, west 7 chains and 85 links; on the south-west by a road 1 chain wide, dividing it from mineral lease portion 134, bearing east 30 degrees, south 24 chains and 4 links; on the south-east by a road 1 chain wide, dividing it from parts of mineral lease portions 27 and 28, bearing north 50 degrees and 30 minutes east, 8 chains and 38 links; and on the north-east by the south-western boundary of portion 136 aforesaid, bearing west 30 degrees, north 26 chains and 97 links, to the point of commencement.</p> <p>Mineral Lease, No. 13,931.</p>

In testimony whereof, we have caused this our lease to be sealed with the seal of our said Colony.

Witness, His Excellency Sir Hercules George Robert Robinson, Knight, Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, our Governor and Commander-in-Chief of our said Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this tenth day of July, in the year of our Lord one thousand eight hundred and seventy-seven.

GEO. A. LLOYD.

(L.S.)

HERCULES ROBINSON.

Recorded and enrolled in the Department of Mines, at Sydney, this twentieth day of November, A.D. 1877, at 10 o'clock a.m.

T. C. BINNY,
Registrar.
We

We hereby accept the within lease subject to the terms, conditions, exceptions, reservations, and provisoes therein contained, and also subject to the provisions of the regulations made or to be made by His Excellency the Governor, with the advice of the Executive Council, and which may now or shall hereafter during the term created by the within lease be in force relating to leases of mineral lands. And we hereby covenant with Her Majesty, her heirs and successors, that we will during the term created as aforesaid, well and truly pay the rents reserved under the within lease at such times and places as are therein specified and appointed, will at all times during the said term observe and perform all and singular the covenants, conditions, stipulations, and provisoes therein contained.

In witness whereof we have hereunto set our hands and seals this twentieth day of November, 1877.

C. J. GRIFFITHS,

By his Attorney,—F. C. GRIFFITHS.

JOHN GAFFNEY,

By his Attorney,—F. C. GRIFFITHS.

Signed, sealed, and delivered by the within-named,—

C. J. Griffiths, by his Attorney,—F. C. GRIFFITHS.

John Gaffney, by his Attorney,—F. C. GRIFFITHS.

In the presence of T. C. BINNY.

No. 229.

Messrs. Griffiths and Gaffney's Mineral Lease.

(No. 13,932.)

LEASE FOR MINING PURPOSES.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth.

To all to whom these presents shall come, greeting :

WHEREAS Charles John Griffiths and John Gaffney, in our Colony of New South Wales, hereinafter called the lessees, became under and by virtue of the "Crown Lands Occupation Act of 1861," and the Regulations made thereunder, entitled on the sixteenth day of September, in the year of our Lord one thousand eight hundred and seventy-two, to a lease of the lands hereinafter described, at the yearly rent hereinafter reserved, and subject to the terms, conditions, exceptions, and provisoes hereinafter mentioned, for the term of thirteen years and one hundred and seven days from that date, for the purpose of mining thereon for any metal or mineral excepting gold, and hath duly paid into the office of the Colonial Treasury in the said Colony, all rent due in respect of the said lands to the thirty-first day of December next, and the Governor of our said Colony, with the advice of the Executive Council thereof, hath therefor consented to grant to the lessees a lease of the said lands for the residue yet to come of the said term : Now know ye, that in consideration of the premises, of the rent so paid as aforesaid, and of the yearly rent, covenants, provisoes, and agreements hereinafter reserved and contained on the part of the lessees, their executors, administrators, and assigns to be paid, observed, and performed, we do hereby for us, our heirs, and successors, demise and lease unto the lessees, their executors, administrators, and assigns, all that parcel of land containing by admeasurement twenty acres, be the same more or less, which is particularly described in the Schedule hereinafter written, with free liberty for the lessees, their executors, administrators, and assigns, to dig, sink, drive, make, and use all such pits, shafts, levels, watercourses, and other works which may be necessary for obtaining all ores and minerals therein contained, except gold, and to use the said land or any part thereof either under ground or on the surface in such manner as may be proper and requisite for making search for and obtaining the said ores and minerals : Saving and reserving always unto us, our heirs and successors, and unto the Governor or officer for the time being administering the Government of our said Colony, the right and power of taking without compensation to the lessees, their executors, administrators, or assigns, such parts of the said land hereby demised as may be required for the sites of churches, schools, parsonages, or any public buildings, or for the establishment and construction of high roads, railways or railway stations, and tramways, and all necessary approaches thereto : And also saving and reserving unto us, our heirs and successors, and to the Minister for Lands for the time being of our said Colony, and any person or persons authorized by him, the right to enter upon the said land or any part thereof without compensation to the lessees, their executors, administrators, or assigns, and to cut, dig, and remove all timber, stone, gravel, earth, or other material in or upon the said land which shall be required for any public purpose ; and also reserving unto us, our heirs, and successors, and unto the Secretary for Lands of our said Colony, and to any and every person or persons hereafter appointed by him in that behalf, free liberty at all times during the continuance of this demise to enter into and upon the land hereby demised, and all mines and works therein or thereon, in order to view and examine the condition thereof : To have and to hold the said lands and mines, and all and singular other the premises hereinbefore mentioned and hereby demised, with the appurtenances, unto the lessees, their executors, administrators, and assigns, from the date hereof for and during the full term of eight years and one hundred and seventy-five days from thence next ensuing, and fully to be complete and ended, subject to the reservations, conditions, exceptions, and provisoes herein mentioned ; yielding and paying therefor unto us, our heirs, and successors, yearly and every year hereafter, during the continuance of this lease, the clear rent or sum of five pounds sterling, by yearly payments thereof in advance, during the month of September in each and every year, into the hands of our Colonial Treasurer for the time being, at the Treasury in Sydney, in our said Colony ; the first of such payments, after the issue of these presents, to be made on or before the thirtieth day of September now next ensuing, being the payment in advance of the rent for the year ending the thirty-first day of December, in the year of our Lord one thousand eight hundred and seventy-eight : Provided always, and these presents are upon the conditions following (that is to say) : Upon condition that the lessees, their executors, administrators, or assigns, shall well and truly pay or cause to be paid unto us, our heirs, and successors, the rent hereby reserved when the same shall become payable in the manner hereafter appointed for that purpose, and do and shall within three years from the said sixteenth

day

day of September, in the year of our Lord one thousand eight hundred and seventy-two, expend upon the said land hereby demised in and about mining thereon, a sum or sums of money amounting on the whole to not less than five pounds sterling money per acre of the lands hereby demised: And that the lessees, their executors, administrators, or assigns shall not remove, dig, sink for gold in or upon, or otherwise endeavour to obtain gold, from the lands hereby demised, or any part thereof: And that if default shall be made by the lessees, their executors, administrators, or assigns, in payment of the rent hereby reserved, or of any part thereof, and the same shall be in arrear and unpaid after the thirtieth day of September in any year during the continuance of this demise, or if the lessees, their executors, administrators, or assigns shall at any time or times make, do, cause, permit, or suffer any breach of the conditions, provisoes, or agreements herein contained, and on the part of the lessees, their executors, administrators, or assigns, to be observed or performed, it shall be lawful for us, our heirs, and successors, or for the Governor or officer for the time being administering the Government of our said Colony, or any person authorized by him or them in that behalf, to enter upon the lands hereby demised, or any part thereof, and therefrom to remove the lessees, their executors, administrators, or assigns, and all occupiers thereof, and the demise hereby made and all rights of the lessees, their executors, administrators, or assigns, hereunder, shall upon such entry cease and be void: Provided also, and it is hereby declared and agreed, that it shall be lawful for the lessees, their executors, administrators, or assigns, at any time to determine this present demise by giving to the Minister for Lands for the time being of our said Colony three months' notice in writing of his intention so to do, but that in case this demise shall be so terminated by the lessees, their executors, administrators, or assigns, no portion of the rent which shall have been paid in advance in respect of the said lands shall be repaid to the lessees, their executors, administrators, or assigns: Provided also, and it is hereby further declared, that upon application in writing to the Minister for Lands for the time being of our said Colony, by the lessees, their executors, administrators, or assigns, during the thirteenth year of the term mentioned in this lease, the lessees, their executors, administrators, or assigns, shall be entitled to a renewal of the same for a further period not exceeding fourteen years, upon payment of a fine or premium for or in respect of such renewal, of not less than two pounds ten shillings per acre of the lands hereby demised, and that the amount to be paid for such fine or premium for renewal shall be determined by appraisalment as provided in and by the said Act, upon which appraisalment full and particular information in every respect of the working of, and return obtained from, the mine or mines upon the said lands hereby demised, shall be afforded to the appraisers by the lessees, their executors, administrators, or assigns, under the penalty of forfeiting all right or claim to renewal; it being hereby expressly declared that if the lessees, their executors, administrators, or assigns, shall fail to give such information to the appraisers upon the said appraisalment, or shall give untrue or inaccurate information with respect to the matters aforesaid, no renewal of the lease of the said lands or of any part thereof shall be granted to the lessees, their executors, administrators, or assigns: Provided also, and it is hereby further declared and agreed, that if the demise hereby made shall be terminated by forfeiture, or shall not be renewed after the expiration of the term hereby granted, the lessees, their executors, administrators, or assigns, shall be at liberty, within six months from the termination of this lease, to remove or otherwise dispose of all machinery and movable improvements upon the lands hereby demised, and also all the minerals brought to the surface during the term of this lease.

Schedule of Land.

Diagram.	Description.
	<p>20 acres. County of Gough, parish of Landsend, mineral lease portion 136: Commencing at the northern corner of mineral lease portion 135; and bounded thence on the south-west by the north-eastern boundary of that portion bearing east 30 degrees, south 26 chains and 97 links; on the south-east by a road 1 chain wide dividing it from part of mineral lease portion 28 bearing north 50 degrees 30 minutes, east 7 chains and 56 links; on the north-east by a line bearing west 30 degrees, north 29 chains and 62 links; and on the north-west by a line bearing south 30 degrees west 7 chains and 8 links, to the point of commencement.</p> <p>Mineral lease, No. 13,932.</p>

In testimony whereof, we have caused this our lease to be sealed with the seal of our said Colony.

Witness, His Excellency Sir Hercules George Robert Robinson, Knight, Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, our Governor and Commander-in-Chief of our said Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this tenth day of July, in the year of our Lord one thousand eight hundred and seventy-seven.

(L.S.) HERCULES ROBINSON.

GEO. A. LLOYD.

Recorded and enrolled in the Department of Mines, at Sydney, this twentieth day of November A.D. 1877, at 10 o'clock A.M.

T. C. BINNY,
Registrar.

We

We hereby accept the within lease subject to the terms, conditions, exceptions, reservations, and provisoes therein contained, and also subject to the provisions of the Regulations made or to be made by His Excellency the Governor, with the advice of the Executive Council, and which may now or shall hereafter during the term created by the within lease be in force relating to leases of mineral lands. And we hereby covenant with Her Majesty, her heirs and successors, that we will, during the term created as aforesaid, well and truly pay the rents reserved under the within lease at such times and places as are therein specified and appointed, will at all times during the said term observe and perform all and singular the covenants, conditions, stipulations, and provisoes therein contained.

In witness whereof we have hereunto set our hands and seals this twentieth day of November, 1877.

C. J. GRIFFITHS,
By his Attorney,—F. C. GRIFFITHS.
JOHN GAFFNEY,
By his Attorney,—F. C. GRIFFITHS.

Signed, sealed, and delivered by the within-named—

C. J. Griffiths, by his Attorney,—F. C. GRIFFITHS.
John Gaffney, by his Attorney,—F. C. GRIFFITHS.

In the presence of T. C. BINNY.

No. 230.

Messrs. Banks and Party's Mineral Lease.

(No. 17,279.)

LEASE FOR MINING PURPOSES.

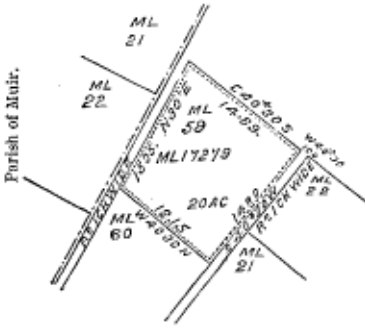
Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth.

To all to whom these presents shall come, greeting :

WHEREAS James Matthew Banks, John Lester, and Alexander Barclay Farquhar, in our Colony of New South Wales, hereinafter called the lessees, became under and by virtue of the "Crown Lands Occupation Act of 1861," and the Regulations made thereunder, entitled on the fourteenth day of December, in the year of our Lord one thousand eight hundred and seventy-two, to a lease of the lands hereinafter described, at the yearly rent hereinafter reserved, and subject to the terms, conditions, exceptions, and provisoes hereinafter mentioned, for the term of thirteen years and eighteen days from that date, for the purpose of mining thereon for any metal or mineral excepting gold, and hath duly paid into the office of the Colonial Treasury in the said Colony, all rent due in respect of the said lands to the thirty-first day of December next, and the Governor of our said Colony, with the advice of the Executive Council thereof, hath therefore consented to grant to the lessees a lease of the said lands for the residue yet to come of the said term: Now know ye, that in consideration of the premises, of the rent so paid as aforesaid, and of the yearly rent, covenants, provisoes, and agreements hereinafter reserved and contained on the part of the lessees, their executors, administrators and assigns, to be paid, observed, and performed, we do hereby for us, our heirs and successors, demise and lease unto the lessees, their executors, administrators, and assigns, all that parcel of land containing by admeasurement twenty acres, be the same more or less, which is particularly described in the Schedule hereinafter written, with free liberty for the lessees, their executors, administrators, and assigns, to dig, sink, drive, make, and use all such pits, shafts, levels, watercourses, and other works which may be necessary for obtaining all ores and minerals therein contained except gold, and to use the said land or any part thereof, either under ground or on the surface, in such manner as may be proper and requisite for making search for and obtaining the said ores and minerals: Saving and reserving always unto us, our heirs and successors, and unto the Governor or officer for the time being administering the Government of our said Colony, the right and power of taking without compensation to the lessees, their executors, administrators, or assigns, such parts of the said land hereby demised as may be required for the sites of churches, schools, parsonages, or any public buildings, or for the establishment and construction of high roads, railways or railway stations, and tramways, and all necessary approaches thereto: And also saving and reserving unto us, our heirs and successors, and to the Minister for Lands for the time being of our said Colony, and any person or persons authorized by him, the right to enter upon the said land or any part thereof without compensation to the lessees, their executors, administrators, or assigns, and to cut, dig, and remove all timber, stone, gravel, earth, or other material in or upon the said land which shall be required for any public purpose; and also reserving unto us, our heirs and successors, and unto the Secretary for Lands of our said Colony, and to any and every person or persons hereafter appointed by him in that behalf, free liberty at all times during the continuance of this demise to enter into and upon the land hereby demised, and all mines and works therein or thereon, in order to view and examine the condition thereof: To have and to hold the said lands and mines, and all and singular other the premises hereinbefore mentioned and hereby demised, with the appurtenances, unto the lessees, their executors, administrators, and assigns, from the date hereof for and during the full term of twelve years and one hundred and fifty-five days from thence next ensuing, and fully to be complete and ended, subject to the reservations, conditions, exceptions, and provisoes herein mentioned: Yielding and paying therefor unto us, our heirs and successors, yearly, and every year hereafter during the continuance of this lease, the clear rent or sum of five pounds sterling, by yearly payments thereof in advance, during the month of September in each and every year, into the hands of our Colonial Treasurer for the time being, at the Treasury in Sydney, in our said Colony; the first of such payments, after the issue of these presents, to be made on or before the thirtieth day of September now next ensuing, being the payment in advance of the rent for the year ending the thirty-first day of December, in the year of our Lord one thousand eight hundred and seventy-four: Provided always, and these presents are upon the conditions following (that is to say), upon condition that the lessees, their executors, administrators, or assigns, shall well and truly pay or cause to be paid

paid unto us, our heirs and successors, the rent hereby reserved when the same shall become payable in the manner hereafter appointed for that purpose, and do and shall within three years from the said fourteenth day of December, in the year of our Lord one thousand eight hundred and seventy-two, expend upon the said land hereby demised in and about mining thereon a sum or sums of money amounting on the whole to not less than five pounds sterling money per acre of the lands hereby demised: And that the lessees, their executors, administrators, or assigns shall not remove, dig, sink for gold in or upon, or otherwise endeavour to obtain gold, from the lands hereby demised, or any part thereof: And that if default shall be made by the lessees, their executors, administrators, or assigns, in payment of the rent hereby reserved, or of any part thereof, and the same shall be in arrear and unpaid after the thirtieth day of September in any year during the continuance of this demise, or if the lessees, their executors, administrators, or assigns, shall at any time or times make, do, cause, permit, or suffer any breach of the conditions, provisoes, or agreements herein contained, and on the part of the lessees, their executors, administrators, or assigns, to be observed or performed, it shall be lawful for us, our heirs and successors, or for the Governor or officer for the time being administering the Government of our said Colony, or any person authorized by him or them in that behalf, to enter upon the lands hereby demised, or any part thereof, and therefrom to remove the lessees, their executors, administrators, or assigns, and all occupiers thereof, and the demise hereby made and all rights of the lessees, their executors, administrators, or assigns hereunder, shall, upon such entry, cease and be void: Provided also, and it is hereby declared and agreed, that it shall be lawful for the lessees, their executors, administrators, or assigns, at any time to determine this present demise by giving to the Minister for Lands for the time being of our said Colony three months' notice in writing of his intention so to do, but that in case this demise shall be so terminated by the lessees, their executors, administrators, or assigns, no portion of the rent which shall have been paid in advance in respect of the said lands shall be repaid to the lessees, their executors, administrators, or assigns: Provided also, and it is hereby further declared, that upon application in writing to the Minister for Lands for the time being of our said Colony by the lessees, their executors, administrators, or assigns, during the thirteenth year of the term mentioned in this lease, the lessees, their executors, administrators, or assigns, shall be entitled to a renewal of the same for a further period not exceeding fourteen years, upon payment of a fine or premium for or in respect of such renewal of not less than two pounds ten shillings per acre of the lands hereby demised, and that the amount to be paid for such fine or premium for renewal shall be determined by appraisement as provided in and by the said Act, upon which appraisement full and particular information in every respect of the working of, and return obtained from, the mine or mines upon the said lands hereby demised, shall be afforded to the appraisers by the lessees, their executors, administrators, or assigns, under the penalty of forfeiting all right or claim to renewal; it being hereby expressly declared that if the lessees, their executors, administrators, or assigns, shall fail to give such information to the appraisers upon the said appraisement, or shall give untrue or inaccurate information with respect to the matters aforesaid, no renewal of the lease of the said lands or of any part thereof shall be granted to the lessees, their executors, administrators, or assigns: Provided also, and it is hereby further declared and agreed, that if the demise hereby made shall be terminated by forfeiture, or shall not be renewed after the expiration of the term hereby granted, the lessees, their executors, administrators, or assigns, shall be at liberty, within six months from the termination of this lease, to remove or otherwise dispose of all machinery and movable improvements upon the lands hereby demised, and also all the minerals brought to the surface during the term of this lease.

Schedule of Land.

Diagram.	Description.
	<p>20 acres. County of Gough, parish of Landsend, mineral lease portion 59: Commencing at a point bearing west 40 degrees 30 minutes north, and distant 1 chain from the northern corner of mineral lease portion 22; and bounded thence on the south-east by a road 1 chain wide, dividing it from that portion and from part of mineral lease portion 21, bearing south 40 degrees 30 minutes, west 14 chains 80 links; on the south-west by the north-eastern boundary line of mineral lease, portion 60, bearing west 40 degrees 30 minutes, north 12 chains 15 links; on the north-west by another road 1 chain wide, dividing it partly from part of mineral lease portion 22, in the parish of Muir, bearing north 30 degrees, east 15 chains 5 links; and on the north-east by a line bearing east 40 degrees 30 minutes, south 14 chains 89 links, to the point of commencement.</p> <p>Mineral lease No. 17,279.</p>

In testimony whereof, we have caused this our lease to be sealed with the seal of our said Colony.

Witness, His Excellency Sir Hercules George Robert Robinson, Knight, Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, our Governor and Commander-in-Chief of our said Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this thirtieth day of July, in the year of our Lord one thousand eight hundred and seventy-three.

(L.S.) HERCULES ROBINSON.

Recorded and enrolled in the General Registry Office, at Sydney, this
A.D. 187 , at o'clock.

day of

Registrar General.
No. 231.

Messrs. Banks and Party's Mineral Lease.

(No. 17,280.)

LEASE FOR MINING PURPOSES.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth.

To all to whom these presents shall come, greeting :

WHEREAS James Matthew Banks, John Lester, and Alexander Barclay Farquhar, in our Colony of New South Wales, hereinafter called the lessees, became under and by virtue of the "Crown Lands Occupation Act of 1861," and the Regulations made thereunder, entitled on the fourteenth day of December, in the year of our Lord one thousand eight hundred and seventy-two, to a lease of the lands hereinafter described, at the yearly rent hereinafter reserved, and subject to the terms, conditions, exceptions, and provisoes hereinafter mentioned, for the term of thirteen years and eighteen days from that date, for the purpose of mining thereon for any metal or mineral excepting gold, and hath duly paid into the office of the Colonial Treasury in the said Colony, all rent due in respect of the said lands to the thirty-first day of December next, and the Governor of our said Colony, with the advice of the Executive Council thereof, hath therefore consented to grant to the lessees a lease of the said lands for the residue yet to come of the said term: Now know ye, that in consideration of the premises, of the rent so paid as aforesaid, and of the yearly rent, covenants, provisoes, and agreements hereinafter reserved and contained on the part of the lessees, their executors, administrators, and assigns to be paid, observed, and performed, we do hereby for us, our heirs and successors, demise and lease unto the lessees, their executors, administrators, and assigns, all that parcel of land containing by admeasurement twenty acres, be the same more or less, which is particularly described in the Schedule hereinafter written, with free liberty for the lessees, their executors, administrators, and assigns, to dig, sink, drive, make, and use all such pits, shafts, levels, watercourses, and other works which may be necessary for obtaining all ores and minerals therein contained, except gold, and to use the said land or any part thereof, either under ground or on the surface, in such manner as may be proper and requisite for making search for and obtaining the said ores and minerals: Saving and reserving always unto us, our heirs and successors, and unto the Governor or officer for the time being administering the Government of our said Colony, the right and power of taking without compensation to the lessees, their executors, administrators, or assigns, such parts of the said land hereby demised as may be required for the sites of churches, schools, parsonages, or any public buildings, or for the establishment and construction of high roads, railways, or railway stations, and tramways, and all necessary approaches thereto: And also saving and reserving unto us, our heirs and successors, and to the Minister for Lands for the time being of our said Colony, and any person or persons authorized by him, the right to enter upon the said land or any part thereof without compensation to the lessees, their executors, administrators, or assigns, and to cut, dig, and remove all timber, stone, gravel, earth, or other material in or upon the said land which shall be required for any public purpose; and also reserving unto us, our heirs and successors, and unto the Secretary for Lands of our said Colony, and to any and every person or persons hereafter appointed by him in that behalf, free liberty at all times during the continuance of this demise to enter into and upon the land hereby demised, and all mines and works therein or thereon, in order to view and examine the condition thereof: To have and to hold the said lands and mines, and all and singular other the premises hereinbefore mentioned and hereby demised, with the appurtenances, unto the lessees, their executors, administrators, and assigns, from the date hereof, for and during the full term of twelve years and one hundred and fifty-five days from thence next ensuing, and fully to be complete and ended, subject to the reservations, conditions, exceptions, and provisoes herein mentioned: Yielding and paying therefor unto us, our heirs and successors, yearly and every year hereafter, during the continuance of this lease, the clear rent or sum of five pounds sterling, by yearly payments thereof in advance, during the month of September in each and every year, into the hands of our Colonial Treasurer for the time being, at the Treasury in Sydney, in our said Colony; the first of such payments, after the issue of these presents, to be made on or before the thirtieth day of September now next ensuing, being the payment in advance of the rent for the year ending the thirty-first day of December, in the year of our Lord one thousand eight hundred and seventy-four: Provided always, and these presents are upon the conditions following (that is to say),—upon condition that the lessees, their executors, administrators, or assigns, shall well and truly pay or cause to be paid unto us, our heirs and successors, the rent hereby reserved when the same shall become payable in the manner hereafter appointed for that purpose, and do and shall within three years from the said fourteenth day of December, in the year of our Lord one thousand eight hundred and seventy-two, expend upon the said land hereby demised in and about mining thereon, a sum or sums of money amounting on the whole to not less than five pounds sterling money per acre of the lands hereby demised: And that the lessees, their executors, administrators, or assigns, shall not remove, dig, sink for gold in or upon, or otherwise endeavour to obtain gold from the lands hereby demised, or any part thereof: And that if default shall be made by the lessees, their executors, administrators, or assigns, in payment of the rent hereby reserved, or of any part thereof, and the same shall be in arrear and unpaid after the thirtieth day of September in any year during the continuance of this demise, or if the lessees, their executors, administrators, or assigns, shall at any time or times make, do, cause, permit, or suffer any breach of the conditions, provisoes, or agreements herein contained, and on the part of the lessees, their executors, administrators, or assigns, to be observed or performed, it shall be lawful for us, our heirs and successors, or for the Governor or officer for the time being administering the Government of our said Colony, or any person authorized by him or them in that behalf, to enter upon the lands hereby demised, or any part thereof, and therefrom to remove the lessees, their executors, administrators or assigns, and all occupiers thereof, and the demise hereby made and all rights of the lessees, their executors, administrators, or assigns, hereunder shall, upon such entry, cease and be void: Provided also, and it is hereby declared and agreed, that it shall be lawful for the lessees, their executors, administrators, or assigns, at any time to determine this present demise by giving to the Minister for Lands for the time being of our said Colony three months' notice in writing of his intention so to do, but that in case this demise shall be so terminated by the lessees, their executors, administrators, or assigns, no portion of the rent which shall have been paid in advance in respect of the said lands shall be repaid to the lessees, their executors, administrators,

administrators, or assigns: Provided also, and it is hereby further declared, that upon application in writing to the Minister for Lands for the time being of our said Colony, by the lessees, their executors, administrators, or assigns, during the thirteenth year of the term mentioned in this lease, the lessees, their executors, administrators, or assigns, shall be entitled to a renewal of the same for a further period not exceeding fourteen years, upon payment of a fine or premium for or in respect of such renewal, of not less than two pounds ten shillings per acre of the lands hereby demised, and that the amount to be paid for such fine or premium for renewal shall be determined by appraisal as provided in and by the said Act, upon which appraisal full and particular information in every respect of the working of, and return obtained from, the mine or mines upon the said lands hereby demised, shall be afforded to the appraisers by the lessees, their executors, administrators, or assigns, under the penalty of forfeiting all right or claim to renewal; it being hereby expressly declared that if the lessees, their executors, administrators, or assigns, shall fail to give such information to the appraisers upon the said appraisal, or shall give untrue or inaccurate information with respect to the matters aforesaid, no renewal of the lease of the said lands or of any part thereof shall be granted to the lessees, their executors, administrators, or assigns: Provided also, and it is hereby further declared and agreed, that if the demise hereby made shall be terminated by forfeiture, or shall not be renewed after the expiration of the term hereby granted, the lessees, their executors, administrators, or assigns, shall be at liberty, within six months from the termination of this lease, to remove or otherwise dispose of all machinery and movable improvements upon the lands hereby demised, and also all the minerals brought to the surface during the term of this lease.

Schedule of Land.

Diagram.	Description.
	<p>20 acres. County of Gough, parish of Landsend, mineral lease, portion 60: Commencing on the south-eastern side of a road 1 chain wide, at the western corner of mineral lease portion 59; and bounded thence on the north-west by that road dividing it partly from part of mineral lease portion 22, and from mineral lease portion 23, in the parish of Muir, bearing south 30 degrees west 19 chains 64 links; on the south-west by a line bearing east 40 degrees 30 minutes, south 8 chains 57 links; on the south-east by a line and a road 1 chain wide dividing it partly from mineral lease portion 20, and from part of mineral lease portion 21, in all bearing north 40 degrees 30 minutes, east 19 chains 31 links; and on the north-east by the south-western boundary-line of portion 59 aforesaid, bearing west 40 degrees 30 minutes, north 12 chains 15 links, to the point of commencement.</p> <p>Mineral Lease, No. 17,280.</p>

In testimony whereof, we have caused this our lease to be sealed with the seal of our said Colony.

Witness, His Excellency Sir Hercules George Robert Robinson, Knight Grand Cross of the Most Distinguished Order of Saint Michael and St. George, our Governor and Commander-in-Chief of our said Colony of New South Wales and its dependencies, and Vice-Admiral of the same, at Government House, Sydney, in New South Wales aforesaid, this thirtieth day of July, in the year of our Lord one thousand eight hundred and seventy-three.

(L.S.) HERCULES ROBINSON.

Recorded and enrolled in the General Registry Office, at Sydney, this
A.D. 18 , at o'clock.

day of

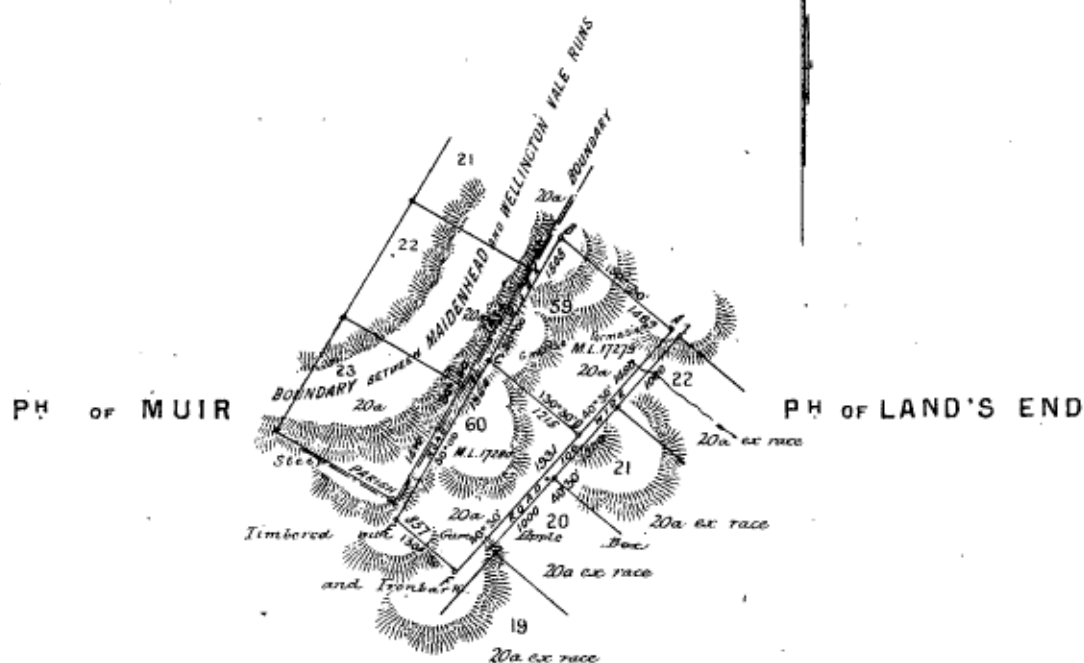
Registrar General.

[8 Plans.]

PLAN
Of Portions Nos 59 and 60
PARISH OF LAND'S END
COUNTY OF COUGH

Applied for under the 22nd Clause of the Crown Lands Occupation Act of 1861.

by J. M. Banks, J. Lester and Captⁿ Farquahar.



Reference to Corners				
Corner	Bearing	From	Links	N ^o on Tree
A	207° 00'	Stringbark	36	59
B	11° 10'	do	84	59
C	210° 00'	Givin	18	59 60
D	132° 00'	do	10	59 60
E	119° 30'	Ironbark	10	60
F	351° 45'	do	12	60

Reference to Traverse		
Line	Bearing	Distance
1	310° 30'	100
2	45° 00'	386

— Scale, 20 Chains to an Inch —

*Marked in accordance with regulations
Instrument used in survey Transit Theodolite
Date of Survey 14th & 15th Jan^y 1873
Situated in the Wellington Vale Run
Value of Improvements, Nil.*

*Transmitted to the Surveyor General with my letter of the 29th January 1873
(Sig J. S. Chard)
Licensed Surveyor*

Appendix B

PLAN

Of Portions N^{os} 21 22 and 23

PARISH OF MUIR

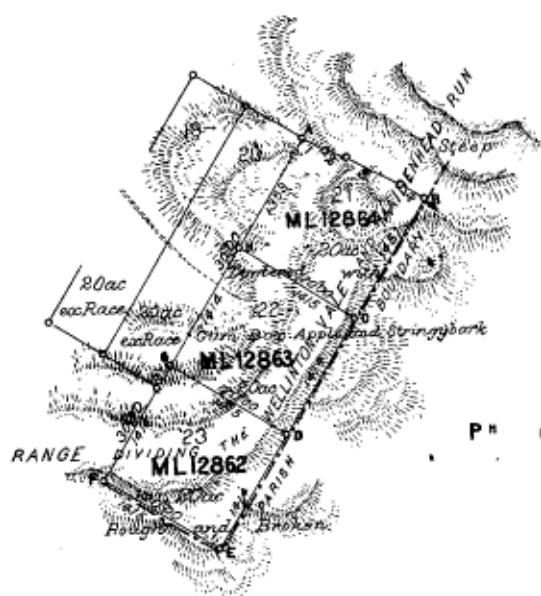
COUNTY OF GOUGH

Applied for under the 22nd Clause of the Crown Lands

Occupation Act of 1861 by Robert Craig

Scale: 20 Chains to an Inch

P^H OF MUIR



P^H OF LANDS END

Reference to Corners

Corner	Bearing	From	Links	On
A	30° 00'	Ironbark	14	20 21
B	47° 20'	Stringybark	12	21
C	357° 00'	Do	58	21 22
D	123° 20'	Do	58	22 23
E	81° 30'	Pine	22	23
F	77° 30'	Chum	23	23
G	74° 00'	Do	30	22 23
H	221° 00'	Do	22	21 22

Reference to Traverse

Line	Bearing	Distance
1	120° 00'	287
2	108° 08'	256
3	116° 30'	508
4	120° 00'	375

Marked in accordance with regulations.
Instrument used in Survey, Transit Theodolite
Date of Survey, 8th January, 1873.
Value of Improvements, Nil.
Situated in the Maidenhead Run.

Transmitted to the Surveyor General with my Letter of
the 29 January N^o 73/2

(Sig^d)

J. S. Chard

Licensed Surveyor

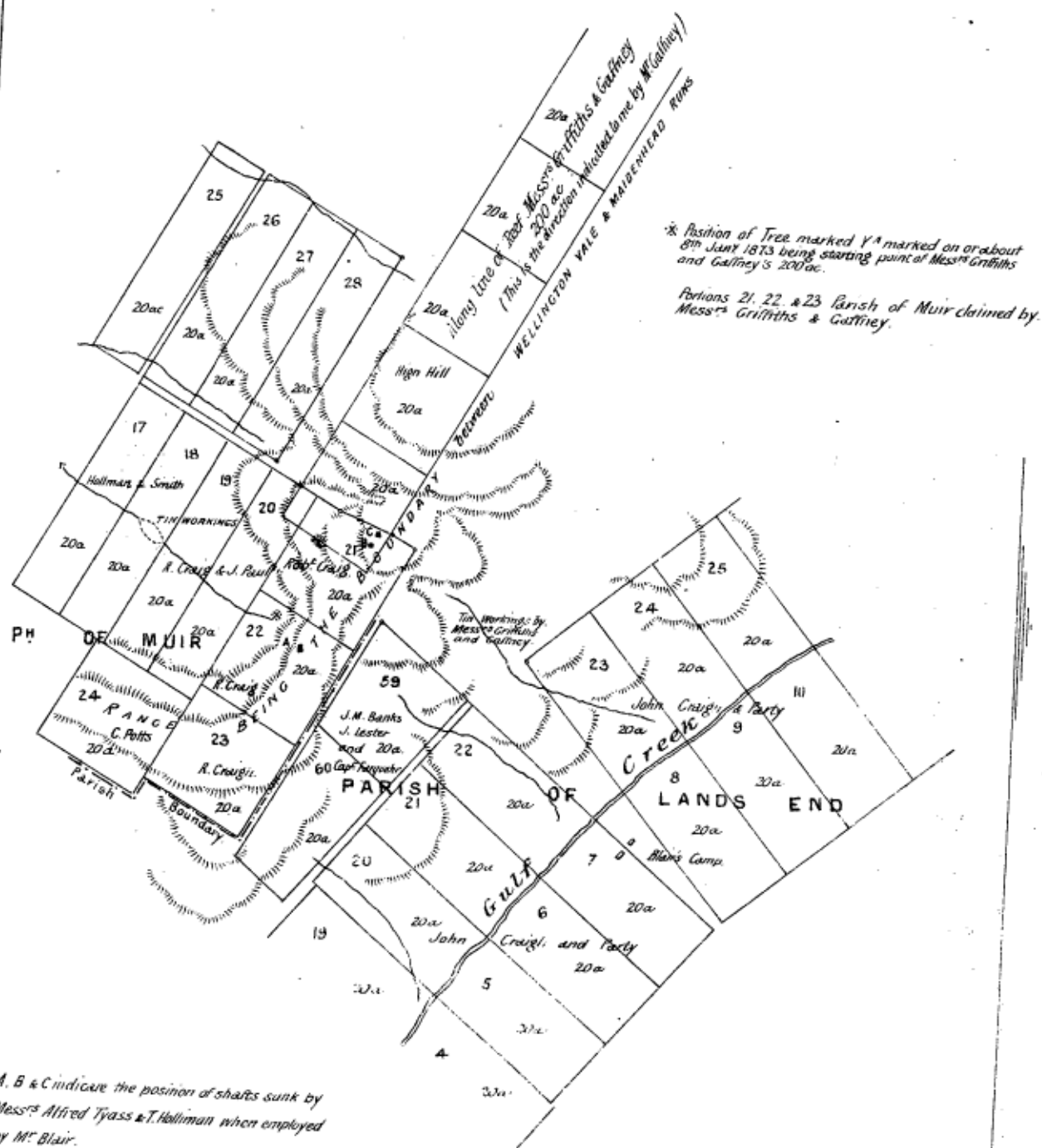
(Sig. 454)

PLAN

Showing Land in the Parishes of

MUIR AND LANDS END

— COUNTY OF GOUGH —



A, B & C indicate the position of shafts sunk by
 Messrs Alfred Tyass & T. Holliman when employed
 by Mr Blair.

Date of sinking of above shafts about 8th August 1872

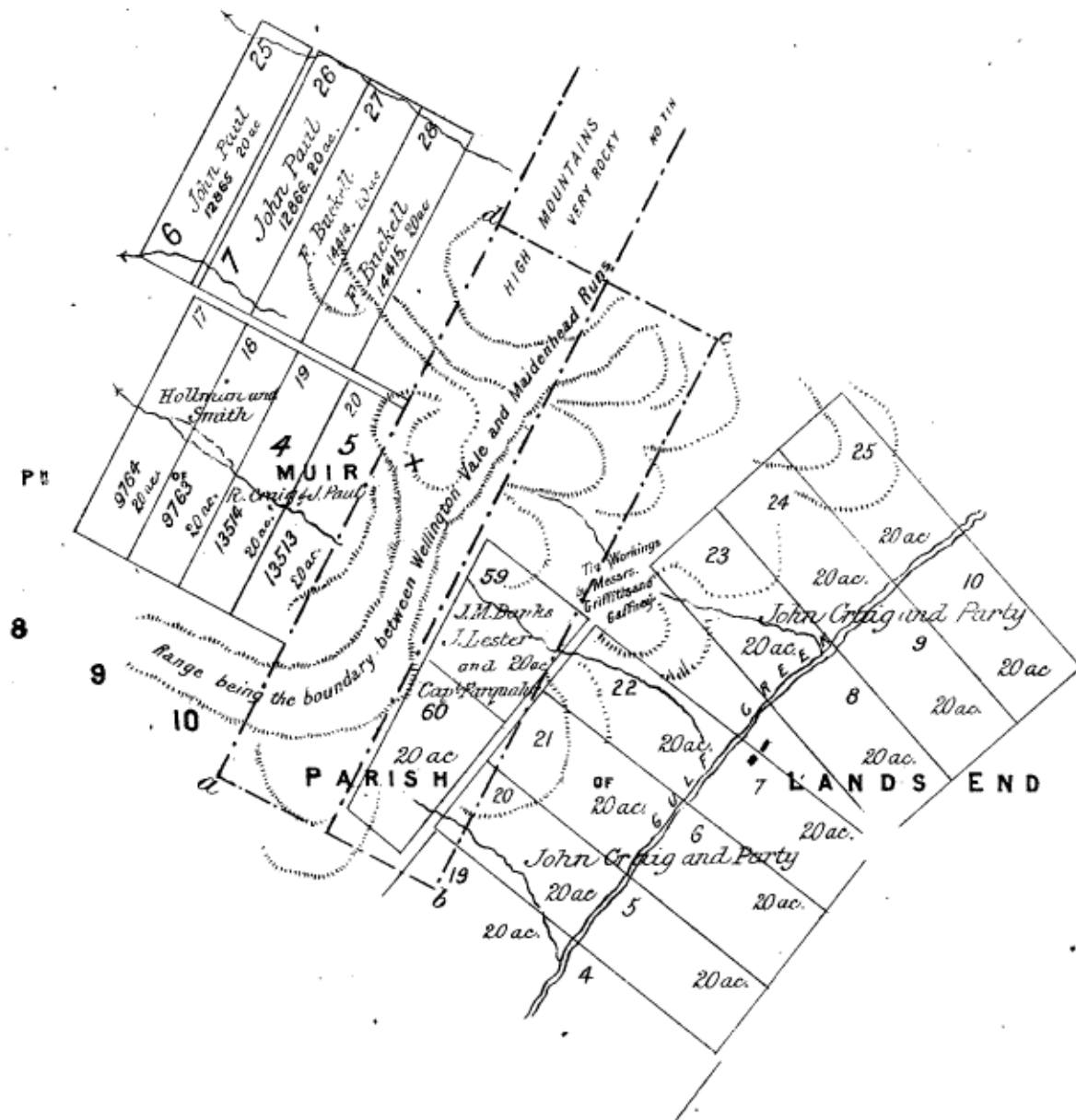
* Position of notice dated 20th July 1872 by Bets and
 Company stating that 100ac had been applied for
 Under the Mineral Selections Act.

— Scale 20 Ch^s to an Inch —

Annexed to my letter to The Surveyor General dated 13th Feb^y 1873

(Sig^d) J. S. Charles, L. S.

P L A N
 Showing Land in the Parishes of
MUIR AND LANDS END
 — COUNTY OF COUGH —

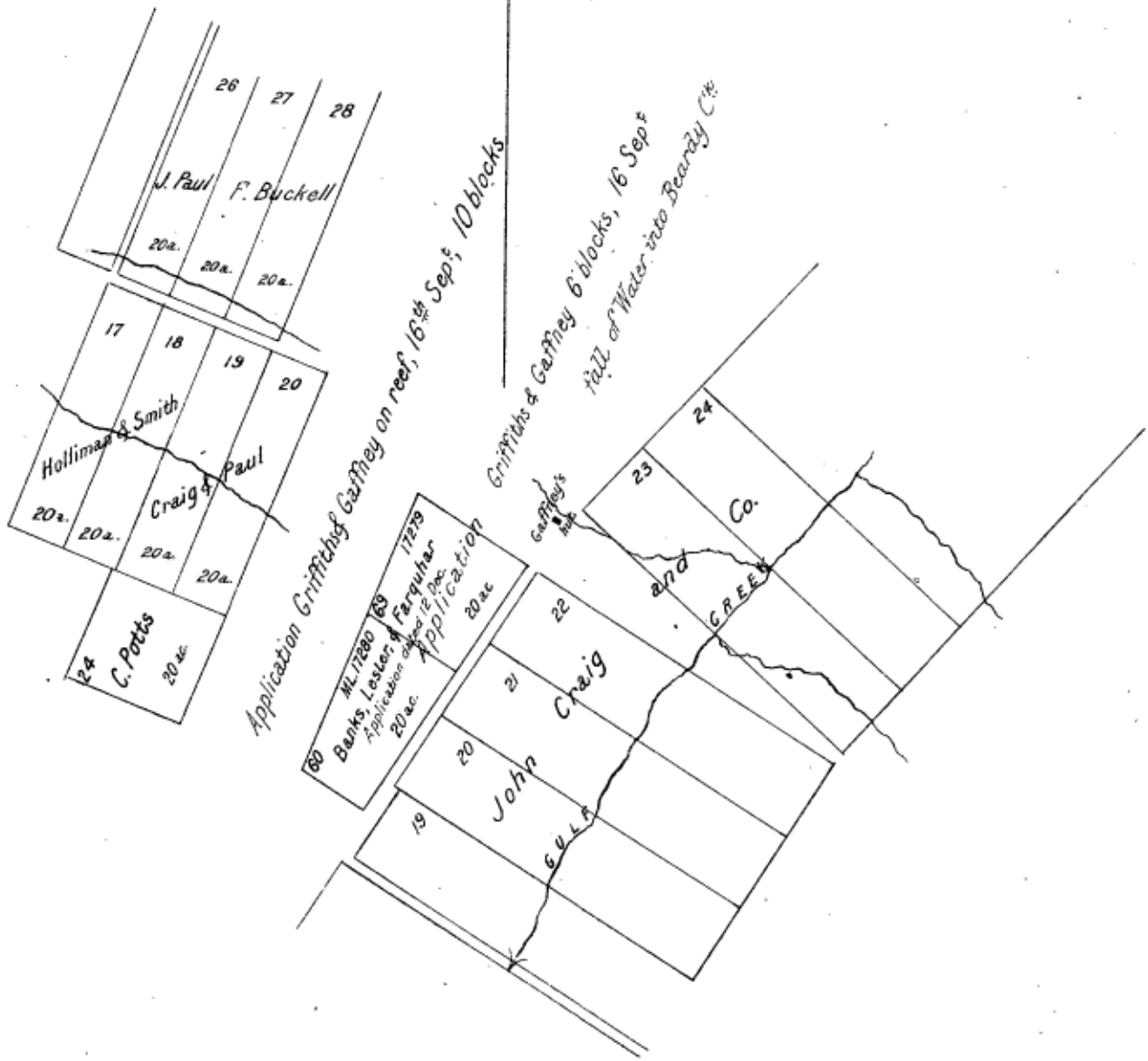


X Tree marked by Gaffney

(Sig^d) W. A. B. Greaves,

12 March, 1873.

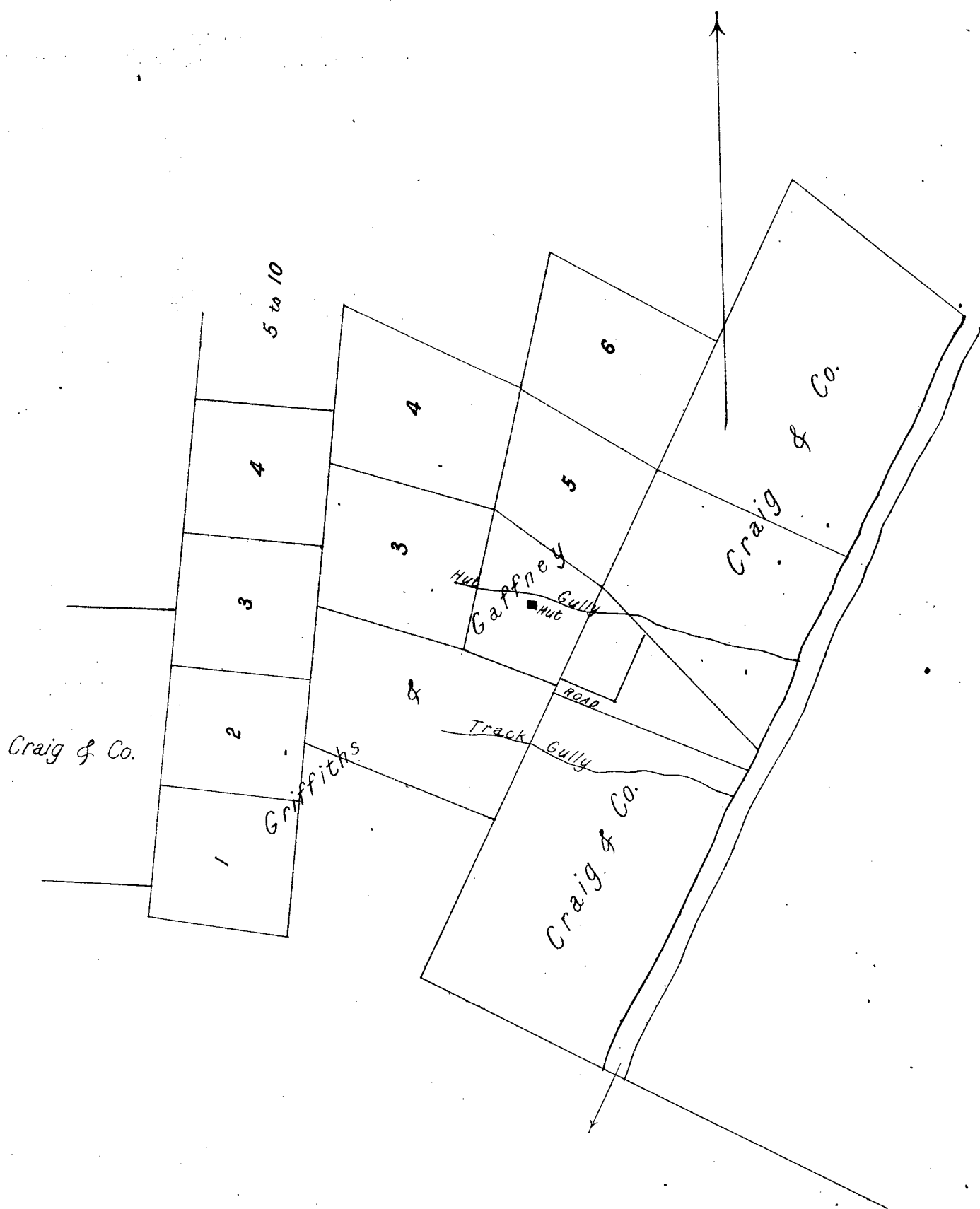
Appendix E.



(Sigd) *W.A. B. Greaves,*
23 March.

(Sig. 454)

Appendix F

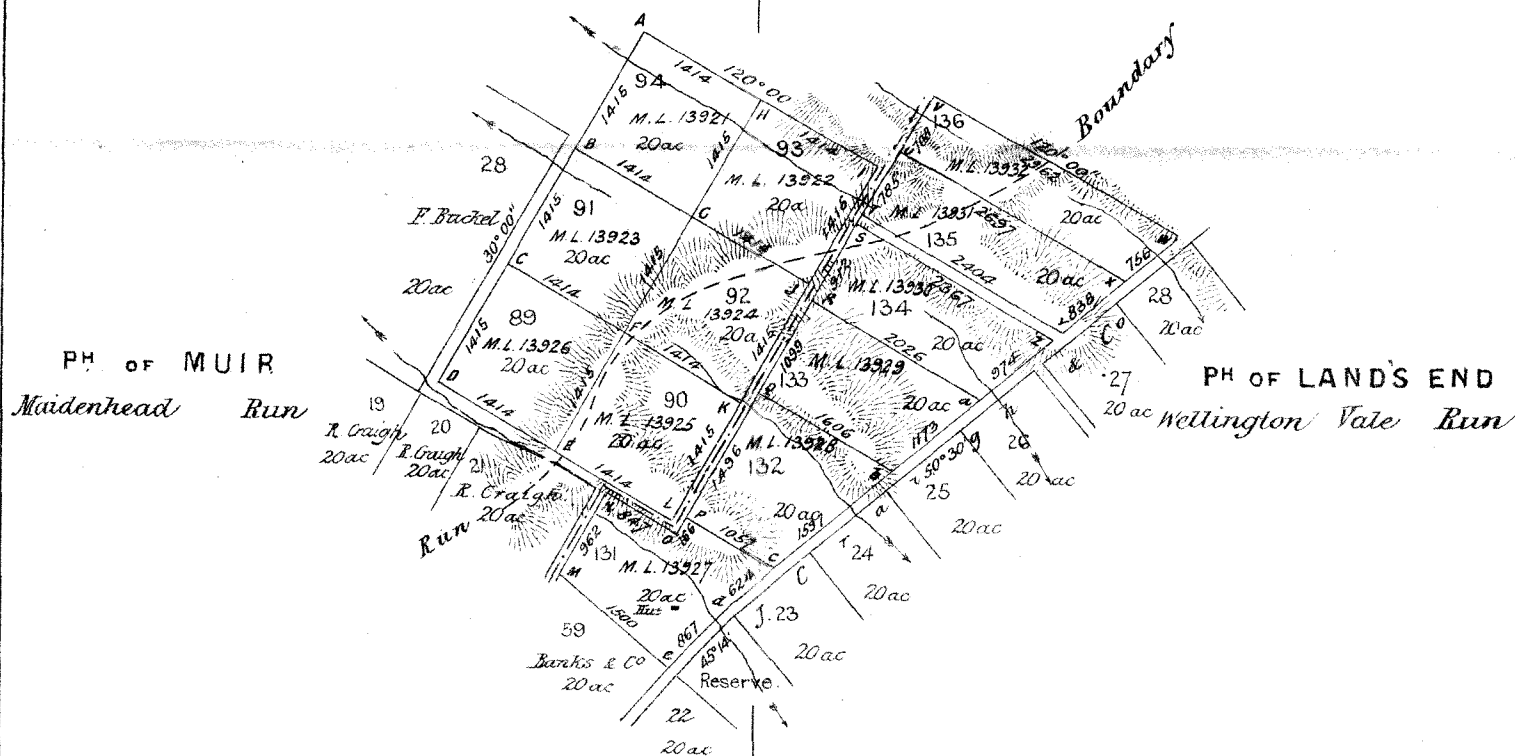



(S^d) Charles J. Griffiths

of 12 portions Nos 89 to 94 & 131 to 6.

COUNTY OF COUCH

Griffiths & Gaffney



Na  Traverse from N to P
Scale 10 Chains to an Inch.

Reference		to Corners		
Corner	Bearing	From	Links	No on Page
A	139° 30'	Stringy-bark	69	34
B	162° 25'	"	59	21, 24
C	275° 44'	Iron bark	34	89, 91
D	38° 57'	Gum	17	23
E	186° 05'	Apple	15	69, 90
F	231° 36'	Stringy-bark	60	82, 90, 91, 92
G	314° 10'	Gum	16	91, 92, 93, 94
H	266° 30'	"		93, 94
I	No	Free near		
J	191° 00'	Stringy-bark	42	92, 93
K	272° 27'	"	28	90, 92
L	2° 00'	Gum	15	90
M	11° 10'	Stringy-bark	84	59, 131
N	39° 30'	Apple	44	131
O		Inaccessible		
P	No	Free near		
Q	63° 60'	Gum	17	132, 133
R	132° 15'	Stringy-bark	63	133, 134
S	58° 00'	"	21	134
T	110° 00'	"	70	135
U	230° 00'	Gum	38	135, 136
V	52° 30'	"	28	136
W	2° 30'	Stringy-bark	43	136
X	264° 00'	"	22	135, 136
Y	163° 00'	Apple	24	135
Z	101° 30'	Gum	42	136
a	129° 00'	Stringy-bark	16	133, 134
b	No	Free near		
c	135° 00'	"	13	131, 132
d	154° 30'	Stringy-bark	22	131
e	207° 00'	do	36	59, 131

Situated in the Maidenhead & Wellington Vale Runs.

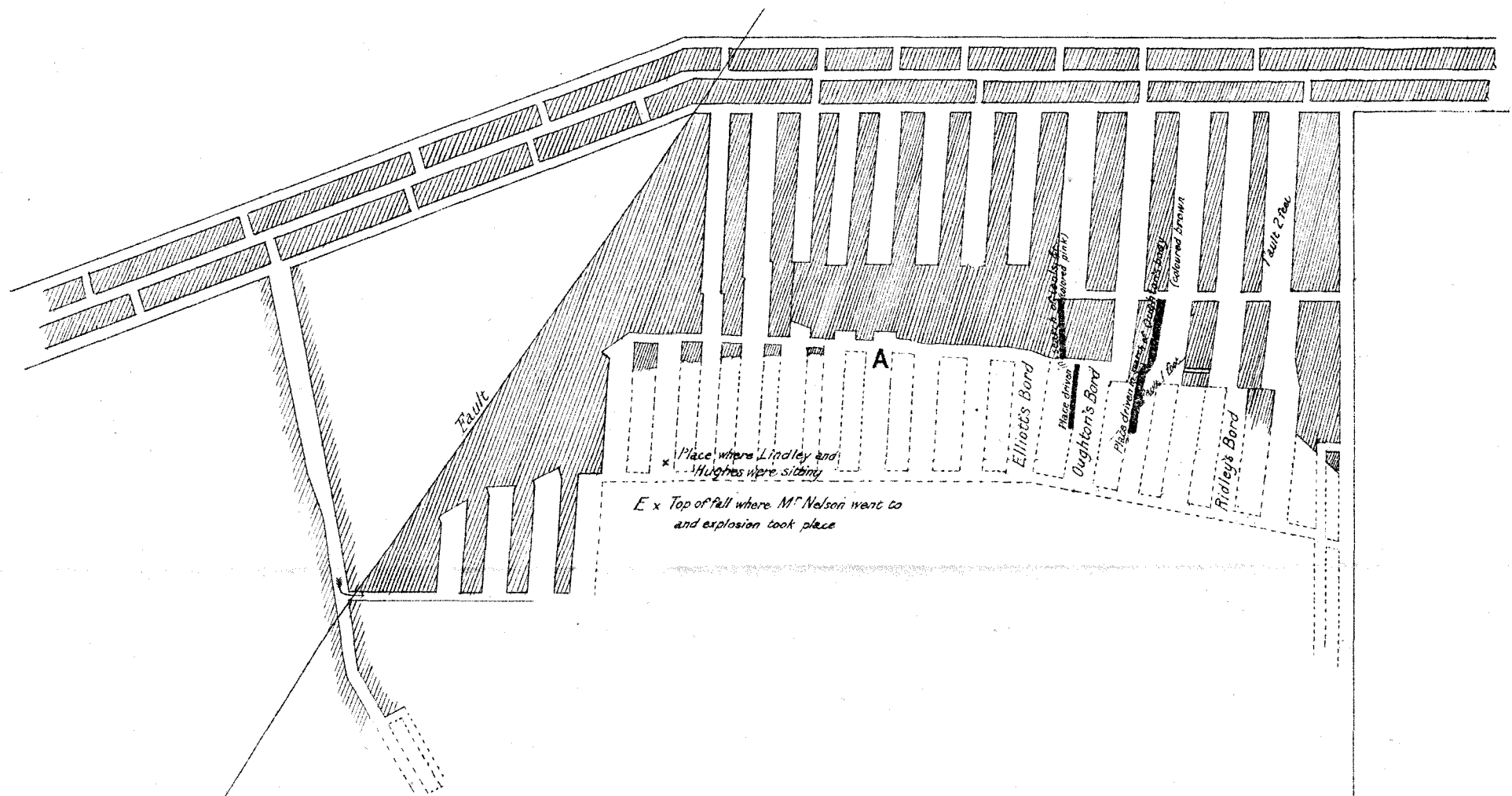
Transmitted to The Surveyor General with my letter of the 2nd June No 2/30

(Sig^d) J E Wener
Licensed Surveyor

PLAN

REFERRED TO PAGE II

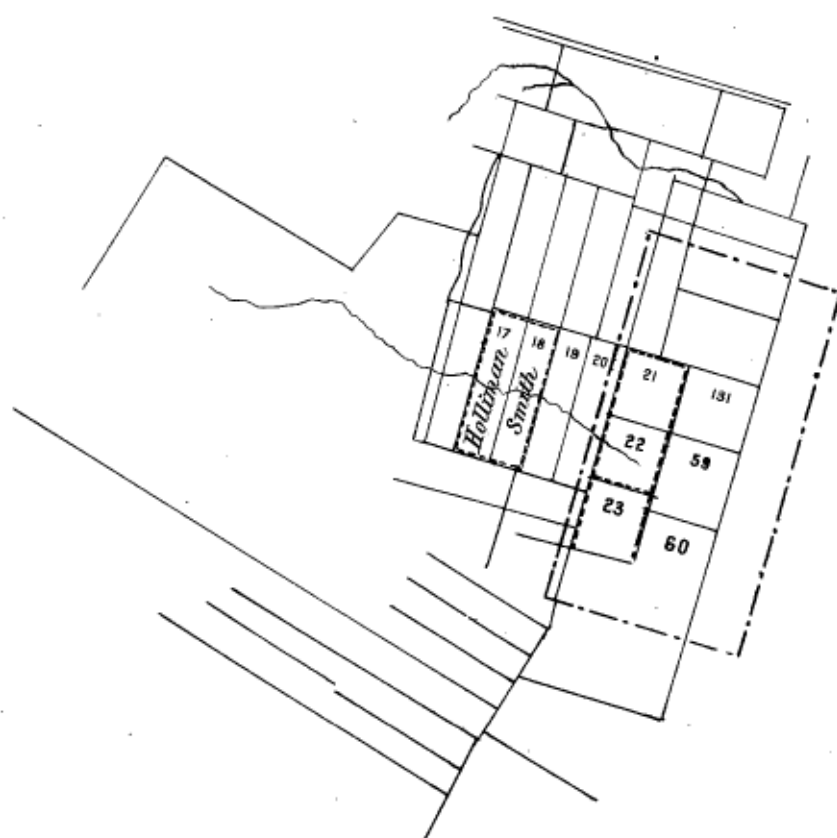
Scale, 1 Chain to an Inch.



* This portion of the Mine is about 15 feet below that lettered ABCD and was the centre part of the water referred to at Page 8 of this Report.

South East District

APPENDIX H.



The part coloured Red on Original Plan is shown thus — — — — —

" " tinted Blue " " " " " " — — — — —

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MINERAL CONDITIONAL PURCHASES.

(PARTICULARS OF AREA CONDITIONALLY PURCHASED FROM 1872 TO 1878 INCLUSIVE.)

Ordered by the Legislative Assembly to be printed, 4 February, 1879.

District.	1872.	1873.	1874.	1875.	1876.	1877.	1878.	Totals of seven Years.
	Area.	Area.	Area.	Area.	Area.	Area.	Area.	
Albury ... ..	.....	.....	.....	.....	280	40	.....	320
Armidale ... ..	.....	1,080	.....	.....	.....	.....	160	1,240
Bathurst	766	310	.....	585	.....	.....	.....	1,661
Berrima ... ..	.....	60	40	160	220	1,500	640	2,620
Bingera ... ..	.....	.....	.....	.....	.....	160	.....	160
Bombala ... ..	.....	.....	.....	40	.....	.....	.....	40
Bourke	470	.....	.....	260	160	40	40	970
Braidwood ... ..	.....	300	.....	.....	40	.....	.....	340
Brisbane Water ... ..	.....	.....	2,125	.....	.....	.....	.....	2,125
Burrowa	40	.....	40	80	.....	120	.....	280
Carcoar	480	.....	40	.....	.....	40	160	720
Cooma ... ..	.....	.....	303	.....	.....	40	.....	343
Campbelltown ... ..	.....	.....	4,070	.....	.....	.....	.....	4,070
Coonabarabran ... ..	.....	.....	.....	.....	40	.....	.....	40
Corowa ... ..	.....	.....	.....	.....	54	.....	.....	54
Cowra	80	.....	.....	.....	.....	.....	.....	80
Dubbo ... ..	.....	.....	.....	.....	200	.....	.....	200
Forbes ... ..	.....	.....	.....	.....	40	120	40	200
Glen Innes	580	.....	80	1,900	1,744	373	.....	4,677
Goulburn ... ..	.....	.....	.....	40	160	.....	.....	200
Grafton ... ..	.....	80	120	.....	.....	40	.....	280
Gunnedah ... ..	.....	.....	.....	760	1,504	584	40	2,888
Hartley	2,376	120	.....	254	590	1,240	530	5,110
Inverell	960	.....	.....	.....	291	340	320	1,911
Kiama ... ..	.....	.....	.....	6,608	.....	.....	.....	6,608
Maitland ... ..	.....	2,091	80	.....	.....	.....	.....	2,171
Manning River ... ..	.....	.....	.....	100	40	.....	.....	140
Mitchell	40	.....	.....	.....	40	.....	.....	80
Molong ... ..	.....	40	.....	.....	80	200	.....	320
Murrumbidgee ... ..	.....	260	.....	.....	.....	680	.....	940
Narrabri ... ..	.....	.....	.....	.....	98	160	.....	258
Narandera ... ..	.....	.....	.....	.....	120	.....	100	220
Newcastle ... ..	.....	.....	.....	4,462	640	2,383	2,513	9,998
Orange	40	.....	.....	.....	.....	.....	.....	40
Oxley	80	120	200	40	210	.....	265	915
Richmond River ... ..	.....	.....	.....	.....	.....	1,258	605	1,863
Rylstone ... ..	.....	.....	.....	40	.....	200	160	400
Scone ... ..	.....	.....	.....	40	.....	40	.....	80
Shoalhaven ... ..	.....	200	.....	.....	.....	.....	.....	200
Tamworth ... ..	.....	.....	.....	.....	600	520	80	1,200
Tenterfield	180	.....	.....	.....	580	1,020	817	2,597
Urana ... ..	.....	.....	.....	.....	6,053	1,567	40	7,660
Walgett ... ..	.....	.....	.....	.....	.....	.....	160	160
Warralda ... ..	.....	.....	.....	.....	.....	220	.....	220
Wellington	120	.....	.....	140	.....	40	.....	300
							Acres	66,899

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MINERAL CONDITIONAL PURCHASES.

(NUMERICAL RETURN.)

Ordered by the Legislative Assembly to be printed, 19 June, 1879.

NUMERICAL RETURN of—

- (1.) Number of cases in which the same persons have made more than one selection of mineral lands on the same day.
- (2.) Number of cases in which such selections on the same day amounted to over 640 acres, giving total number, and extent of such selections.
- (3.) Number of cases in which additional areas have been selected before the declaration of expenditure has been made on the first of such mineral selections.

I.

Year.	Number of applicants.	Number of mineral selections applied for.	Area.
			Acres.
1875	10	50	14,263
1876	26	104	7,795
1877	26	86	6,328
1878	15	42	2,863
1879	3	9	460

II.

Year.	Number of mineral selections on same day of which the total area exceeds 640 acres.	Area.
		Acres.
1875	2	1,054
	8	4,124
	22	3,720
	1	2,440
1876	19	2,833
	1	827
1877	1	760
	3	1,678
1878	1	870

III.

Nil.

All mineral conditional purchases are taken up as originals.

1878-9.

—
LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

—
RENT IN ARREAR ON MINERAL LEASES.

(RETURN.)

—
Ordered by the Legislative Assembly to be printed, 13 February, 1879.
—

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, on 27 September, 1878, That there be laid upon the Table of this House,—A Return of rent in arrear,—

“ (1.) On all mineral lands forfeited during the last four years.”

“ (2.) On lands now held by mineral leases and not forfeited.”

(Mr. Dillon.)

—
RENT in arrear (due on the 30th September, 1878), on lands now held by Mineral Lessees and not forfeited, namely:—

	£	s.	d.
Leases granted under the Crown Lands Occupation Act, 1861	4,802	2	6
Leases granted under the Mining Act, 1874		77	14 8
	<u>£4,879</u>	<u>17</u>	<u>2</u>

1878.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

PETER GRIMLEY'S SELECTION AT IRONBARKS.

(CORRESPONDENCE, MEMORANDA, &c.)

Ordered by the Legislative Assembly to be printed, 7 November, 1878.

RETURN to an *Order* of the Honorable the Legislative Assembly of New South Wales, dated 8th October, 1878, that there be laid upon the Table of this House,—

“Copies of all the Correspondence, Memoranda, and other documents, between
“the Mining Department and Peter Grimley, relating to a selection of ground
“at Ironbarks.”

(Mr. O'Connor.)

SCHEDULE.

NO.	PAGE.
1. The Under Secretary for Mines to Mr. P. Grimley, intimating that no further steps can be taken having reference to lease No. 1,826, pending the action of Parliament in the case. 9 August, 1877	2
2. The Under Secretary for Mines to Mr. P. Grimley, intimating that the Secretary for Mines would not disturb the decisions of two previous Ministers in matter of gold lease No. 1,826. 20 October, 1877	2
3. Mr. P. Grimley to H. Wood, Esq., acknowledging letter. 23 October, 1877	2
4. Mr. P. Grimley to Hon. Minister for Mines, asking for copy of Departmental letter of 27 October, 1872, referred to by Under Secretary in January last. 12 November, 1877	2
5. Mr. P. Grimley, objecting to Mr. Kroff getting possession of lease No. 3,991, and intimating his intention to seek compensation if ejected. 13 November, 1877	2
6. The Under Secretary for Mines to Mr. P. Grimley, in reply to his of 12 November. “No copy of letter was kept.” 17 November, 1877	3
7. The Under Secretary for Mines to Mr. P. Grimley, informing him that lease No. 1,826 was at his disposal. 24 November, 1877	3
8. Mr. P. Grimley, in reply, declining any further correspondence at present. 26 November, 1877	3
9. Messrs. R. Steele and G. Bennett to the Hon. Minister for Mines, applying to have lease held by Grimley and Read cancelled as abandoned. 24 June, 1878	3
10. Messrs. R. Steele and G. Bennett to W. Ker, Inspector of Mines, for his report to Minister for Mines on the above lease. 24 June, 1878	3
11. Mr. H. W. J. Ker, Inspector of Mines, to the Under Secretary of Mines, recommending that, being abandoned, the above lease be cancelled. 25 June, 1878	4
12. The Under Secretary for Mines to Messrs. Steele and Bennett, in reply. 1 July, 1878	4
13. The Under Secretary for Mines to Mr. P. Grimley, to show cause against cancellation of lease No. 1,826. 1 July, 1878	4
14. The Under Secretary for Mines to Mr. J. Ferguson, same as Nos. 13 and 17. 1 July, 1878	4
15. Memo. from Department of Mines to Warden's Clerk, Ironbarks, “re Ferguson's address.” 25 July, 1878	4
16. Mr. P. Grimley to Under Secretary for Mines, in reply to a letter of 1 July, “that he had instructed his solicitors to proceed against the Government for compensation.” 29 July, 1878	4
17. The Under Secretary for Mines to Mr. J. Ferguson, same as Nos. 13 and 14. 3 August, 1878	5
18. Minutes for the Executive Council, recommending that certain gold-mining leases be cancelled. 21 September, 1878	5
19. Schedule of Leases referred to in No. 18. 21 September, 1878	5
20. Extract from Government Gazette No. 312, notifying that gold-mining lease No. 1,826 was cancelled. 8 October, 1878	5
21. The Under Secretary for Mines to Messrs. P. Grimley and J. Ferguson, intimating that gold-mining lease No. 1,826 has been cancelled. 8 October, 1878	5

PETER GRIMLEY'S SELECTION AT IRONBARKS.

No. 1.

The Under Secretary for Mines to Mr. P. Grimley.

Sir, Department of Mines, Sydney, 9 August, 1877.
In reference to your letter of the 18th of June last, in which the attention of this Department is invited to the matter of gold lease No. 1,826, I have the honor, by direction of the Secretary for Mines, to inform you that no further steps can be taken pending the action of Parliament in the case.

I have, &c.,
HARRIE WOOD,
Under Secretary for Mines.

No. 2.

The Under Secretary for Mines to Mr. P. Grimley.

Gentlemen, Department of Mines, Sydney, 20 October, 1877.
Referring to my letter of the 9th of August last, in reply to yours of the 18th June, further respecting the matter of your gold lease No. 1,826, I have the honor to inform you, that the Secretary for Mines is of opinion that the decisions arrived at in this case by two previous Ministers of this Department, viz., that such lease should stand as originally granted, ought not to be disturbed.

I have, &c.,
HARRIE WOOD,
Under Secretary for Mines.

No. 3.

Mr. P. Grimley to The Under Secretary for Mines.

Sir, Carr's Creek, Irvan's Town, 23 October, 1877.
I beg to acknowledge your letter of 20th instant.

Yours, &c.,
P. GRIMLEY.

No. 4.

Mr. P. Grimley to The Minister for Mines.

Orange, 12 October, 1872. [Qy., 12 Nov., 1877.—G.E.H.]
I do myself the honor to request that you will please to forward to me a copy of letter of 27th October, 1872, granting us lease of 10 acres for gold-mining purpose at Ironbarks, a copy of which was referred to by H. Wood, Esq., Under Secretary for Mines, in January last.

I have, &c.,
P. GRIMLEY.

Let me see this letter.—H.W., 13/11/77. Inform the writer that it appears by the notation in a register, that a letter in printed form (now obsolete) was sent, notifying the approval of the application, but no copy of the letter was kept, and consequently it cannot be supplied.—H.W., 14/11/77.

No. 5.

Mr. P. Grimley to The Minister for Mines.

Sir, Orange, 13 November, 1877.
Regarding the lease 3,991, now claimed by Mr. Kroff, and now in our possession, which was granted to us 27th October, 1872, at or about the time McFadden and party took down our notices and pegged out our ground, I object to Mr. Kroff getting possession, and if I am ejected I shall be compelled in justice to myself to seek compensation from the Government.

I have, &c.,
P. GRIMLEY.

Inform the writer the lease granted to and executed by him is at his disposal whenever he chooses to ask for it.—E.A.B., 23/11/77. Informed, 24th November, 1877.

No. 6.

3

No. 6.

The Under Secretary for Mines to Mr. P. Grimley.

Sir,

Department of Lands, Sydney, 17 November, 1877.

Referring to your letter of the 12th instant, in which you make a request to be supplied with a copy of a letter dated 27th October, 1872, granting you a lease of 10 acres of land at Ironbarks for gold-mining purposes, I have the honor to inform you that it appears by the notation in a register in this office, that a letter in printed form (now obsolete) was sent to you signifying the approval of the application, but as no copy of such letter was kept, it cannot of course be supplied.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 7.

The Under Secretary for Mines to Mr. P. Grimley.

Sir,

Department of Mines, Sydney, 24 November, 1877.

Referring to your letter of the 13th instant, I have the honor to inform you, that the gold mining lease No. 1,826, granted to and executed by you, is at your disposal whenever you choose to ask for it.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 8.

Mr. P. Grimley to The Minister for Mines.

Sir,

Orange, 26 November, 1877.

I am in receipt of your letter of 24th instant, stating that lease 1,826 was at my disposal.

I beg to state that such lease does not represent the ground I applied for (*Vide* Wardens Court paper) and that the lease was at my disposal when I returned to the mines office. As a lease has been issued of 8 acres of our ground and the lessee has taken possession of same I must decline at present any further correspondence in the case, as I intend to seek compensation for loss sustained.

I have, &c.,

P. GRIMLEY.

No. 9.

Messrs. R. Steele and G. Bennett to The Minister for Mines.

Sir,

Post Office, Ironbarks, 24 June, 1878.

We the undersigned hereby apply to have an abandoned lease cancelled.

This lease is held by Messrs. Grimley and Reid, situated on the Poor Man's line of reef, north of and adjoining lease No. 1,826, held by Mr. Gordon Korff, area 10 acres.

This piece of ground was the subject of some considerable litigation about 2 years since but is now and has been for some months totally abandoned. Should you accede to our request and cause this abandoned lease to be forfeited we are prepared to at once take it up and work it according to regulations.

The Mining Registrar at Ironbarks can on inspection certify that this piece of ground is now and has been for a considerable time totally abandoned.

We must press for an early reply. By so doing you will confer a great favour on

Your obedient servants,

RICHARD STEELE.

GEORGE BENNETT.

The No. given is the No. of Grimley and Reid's lease north of and adjoining G.L. 3,991—G. Korff's.—T.B., 26/6/78.

Inform of action taken on 78/4141.—H.W., 27/6/78.

Messrs. Steele and Bennett informed, 1st July, 1878.

No. 10.

Messrs. R. Steele and G. Bennett to W. Slee, Esq.

Sir,

Ironbarks, 24 June, 1878.

We have to-day written to the Minister for Mines asking for the cancellation of a lease on the Poor Man's line of reef, now held by Messrs. Grimley and Reid.

We should feel very much obliged if in your official capacity you would urge on the Minister the following facts:—

"That the lease is now and has been for some time abandoned.

"That notwithstanding the abandonment aforesaid the before-named Messrs. Grimley and Reid still claim the said lease and no one else can work or otherwise occupy it."

"That if the Minister agree to cancel this piece of land we are prepared to commence work at once."

We should be glad if you would kindly take what steps are necessary to secure the forfeiture of this piece of ground and thereby confer a favour not only on us but on the whole of the miners on this field, as a great amount of quartz land is still held under lease on which no work has been done to the exclusion of the legitimate miner.

We are Sir, &c.,

RICHARD STEELE.

GEORGE BENNETT.

No. 11.

No. 11.

The Inspector of Mines to The Under Secretary for Mines.

Sir,

Ironbarks, 25 June, 1878.

I do myself the honor to forward the enclosed letter, and in reference thereto beg to inform you, for the information of the Honorable the Minister for Mines, that the lease held by Messrs. Grimley and Read (Poor Man's Reef) is lying idle, and by all appearance has done so for some time past.

That on my present as well as on my previous visit to this place, several miners have informed me that they would be able to make a living on the Poor Man's Reef if the lease held by Messrs. Grimley and Read was cancelled. I have no doubt that if this lease was cancelled it would confer a benefit to this district.

I have, &c.,

W. H. J. SLEE.

G.L. 1,826, rent paid to 30th June, 1878. The lease was returned to this office by Mr. Grimley, who declined to hold it.—T.B., 26/6/78. Transferred to P. Grimley and John Ferguson. Call upon the lessees to show cause why the lease should not be cancelled for non-observance of the labour conditions.—W.S., 26/6/78. Lessees called upon, 1 July, 1878.

No. 12.

The Under Secretary for Mines to Messrs. R. Steele and G. Bennett.

Gentlemen,

Department of Mines, Sydney, 1 July, 1878.

In reference to your letter of the 24th ultimo, requesting that gold mining lease No. 1,826 on the Poor Man's line of reef at Ironbarks be cancelled I have the honor to inform you, that the persons to whom the land has been demised have been called upon to show cause why such lease should not be cancelled for non-observance of the labour conditions thereof.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 13.

The Under Secretary for Mines to Mr. P. Grimley.

Department of Mines, Sydney, 1 July, 1878.

You are hereby called upon to show cause within thirty days why gold lease No. 1,826, for which you are the transferee, should not be cancelled for non-observance of the conditions thereby imposed.

HARRIE WOOD.

I, JAMES BASTICK, bailiff, maketh oath and saith as follows:—On 22nd day of July, 1878, I duly served the within-named P. Grimley with a true copy of the within by leaving it with his wife.—JAMES BASTICK. Sworn by the deponent at Orange, on the 22nd July, 1878.—W. T. EVANS, a Commissioner for Affidavits.

No. 14.

The Under Secretary for Mines to Mr. J. Ferguson.

Department of Mines, Sydney, 1 July, 1878.

You are hereby called upon to show cause within thirty days, why gold lease No. 1,826, of which you are a transferee, should not be cancelled for non-observance of the conditions thereby imposed.

HARRIE WOOD.

THE within-named John Ferguson not found.—JAMES BASTICK, Orange, 22nd July, 1878. Forwarded to the Under Secretary for Mines.—JOHN T. LANE, Warden, Orange, 23/7/78. Ask the Warden's Clerk at Ironbarks if Mr. John Ferguson resides there.—H.W., 24/7/78. Asked by memo., 25 July, 1878.

No. 15.

Memo. from The Under Secretary for Mines to The Warden's Clerk, Ironbarks.

Sydney, 25 July, 1878.

CAN you state whether John Ferguson, one of the holders of gold lease No. 1,826 (Poor Man's Reef), resides at Ironbarks, or, if not, where he may be found?

H.W., B.C., 25/7/78.

Yes; John Ferguson is residing at Ironbarks.—M. HANLY, Warden's Clerk, Ironbarks, 27/7/78.

Send notice to Mr. Ferguson.—H.W., 1/8/78. Notice sent to Warden's Clerk for service, 3rd August, 1878.

No. 16.

Mr. P. Grimley to The Under Secretary for Mines.

Orange, 29 July, 1878.

I AM in receipt of your letter of 1st instant, and in reply beg to state that the ground applied for has not been granted; only a portion has been included in lease 1,826, which has been returned; the other portion has been leased to Mr. Kroff, and I have instructed my solicitors to proceed against the Government for compensation for the loss of such; no doubt you will hear from them in the course of a short time.

I have, &c.,

P. GRIMLEY.

Rent paid for 78/79.—T.C.B., 2/8/78. May stand over for a few days to allow time for receipt of letter.—H.W., 2/8/78.

No. 17.

No. 17.

The Under Secretary for Mines to Mr. J. Ferguson.

Department of Mines, Sydney, 3 August, 1878.

You are hereby called upon to show cause within thirty days why gold lease No. 1,826, of which you are a transferee, should not be cancelled for non-observance of the conditions thereby imposed.

HARRIE WOOD,

Under Secretary for Mines.

I HAVE this day served John Ferguson personally with a notice, this being a true copy thereof.—SAMUEL YOUNG SMEDLEY, Bailiff, Ironbarks, 7 August, 1878.

Seen.—Resubmit upon return of the Under Secretary.—G.E.H., 9/8/78. Submitted, 11/9/78.
Send on for cancellation in due course.—W.S., 16/9/78. Parties informed.—8/10/78.

No. 18.

Minute for Executive Council.

Recommending the cancellation of certain Gold-mining Leases.

Department of Mines, Sydney, 21 September, 1878.

It is recommended to His Excellency the Governor and the Executive Council that the gold mining leases of Crown lands specified in the annexed schedule be cancelled, the lessees having failed to fulfil the conditions.

W. H. SUTTOR.

The Executive Council advise that the gold-mining leases specified in schedule be cancelled.—

ALEX. C. BUDGE, Clerk of the Council. Min. 78-41, 23/9/78. Confirmed, 30/9/78.

Approved.—H.R., 23/9/78. Gazette Notice, 8/10/78.

No. 19.

Schedule alluded to in above.

No.	Name.	Locality.	Area.	Date of Lease.
			a. r. p.	
81	John Hanley and Walter Lette.	<i>Mudgee Mining District.</i> Happy Valley, Gulgong, county of Phillip, parish of Gulgong.	5 0 0	29 Nov., 1875.
1,826	P. Grimley and John Ferguson.	<i>Tambaroora and Turon Mining District.</i> Ironbarks, Poor Man's Reef, county of Welling- ton, parish of Ironbarks.	10 0 0	1 July, 1873.

No. 20.

Extract from Government Gazette No. 312, 8 October, 1878.

NOTICE TO APPLICANTS FOR GOLD-MINING LEASES.

THE undermentioned Gold-mining Leases have been cancelled, the lessees having failed to fulfil the conditions contained therein.

W. H. SUTTOR.

No.	Name.	Locality.	Area.	Date of Application.
			a. r. p.	
1,826	P. Grimley and J. Ferguson.....	Ironbarks, Poor Man's Reef, county of Welling- ton, parish of Ironbarks.	10 0 0	1 July, 1873.

No. 21.

The Under Secretary for Mines to Messrs. P. Grimley and J. Ferguson.

Gentlemen,

Department of Mines, Sydney, 8 October, 1878.

I am directed by the Secretary for Mines to inform you that gold-mining lease No. 1,826, noted in the margin, has been cancelled.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

P. Grimley and
John Ferguson,
Ironbarks, Poor
Man's Reef,
county Welling-
ton, parish of
Ironbarks.
1 July, 1873.
10 acres.

[6d.]

Sydney: Thomas Richards, Government Printer.—1878.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

PEEL RIVER LAND AND MINERAL COMPANY.

(COPY OF CROWN GRANT.)

Ordered by the Legislative Assembly to be printed, 27 March, 1879.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 18 March, 1879, That there be laid upon the Table of this House,—

“A copy of the original Crown Grant of the Peel River Land and Mineral Company.”

(*Mr. Copeland.*)

NOTE:—It appears that no Grant issued to the Peel River Company, but they acquired the land by private purchase from the Australian Agricultural Company, a copy of whose grant has been prepared in lieu.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth.

To all to whom these presents shall come: Greeting:—

WHEREAS by an Act of Parliament made and passed in the fifth year of the Reign of His late Majesty King George the Fourth intituled “An Act for granting certain powers and authorities to a Company to be incorporated by Charter to be called the Australian Agricultural Company” for the cultivation and improvement of waste lands in the Colony of New South Wales and for other purposes relating thereto it was amongst other things enacted that in case His said Majesty should within three years after the passing of the said Act be pleased by charter under the Great Seal of Great Britain to declare and grant that such and so many persons as should be named therein and all and every such other person or persons as from time to time should be duly admitted members into their Corporation should be a body politic and corporate by the name of the Australian Agricultural Company and to declare that the Corporation so to be made and created should be established for the purpose of cultivating waste lands in the said Colony of New South Wales then and in such case it should and might be lawful for the said Corporation to hold to them and their successors such lands tenements and hereditaments within the said Colony of New South Wales as should or might be granted by His said Majesty to them and to their successors within the said Colony or as should be contracted for and purchased or required by them therein and to hold alienate sell and dispose of all such lands tenements and hereditaments upon under and subject to such conditions and provisions limitations and restrictions as His said Majesty by His said Charter might impose direct or prescribe And whereas His said late Majesty by His letters patent or charter under the Great Seal of Great Britain dated at Westminster the first day of November in the fifth year of the Reign of His said Majesty and in the year of our Lord one thousand eight hundred and twenty-four after reciting the said Act of Parliament did by His said letters patent or charter grant and declare that certain persons therein named and all and every such other person or persons as from time to time should be duly admitted members into the said Corporation should be a body politic and corporate by the name of the Australian Agricultural Company and amongst other things did thereby declare that all such lands tenements and hereditaments within the said Colony as should or might be granted by His said Majesty to the said Corporation

Corporation and their successors within the said Colony should be held alienated and disposed of under and subject to the conditions provisoes and limitations and restrictions in the said letters patent or charter expressed among which were certain conditions relating to certain quit rents thereby directed to be reserved to His said Majesty His Heirs and Successors in respect of the lands to be so granted. And whereas by divers instructions which have been issued from time to time by order of His said late Majesty King George the Fourth and of His said late Majesty King William the Fourth to the Governors of our said Colony the said Company have been authorized to take possession of the several lands and hereditaments hereinafter described and intended to be hereby granted and to have with the assent of the Governors for the time being of our said Colony entered into and taken possession of the said lands and hereditaments and the said Company have now been for several years past in the possession thereof and they have laid out and expended very large sums of money in the improvement thereof but no grant thereof hath yet been made to the said Company. And whereas by an Act made and passed in the tenth year of Our Reign intituled "An Act to amend an Act passed in the fifth year of the Reign of His Majesty King George the Fourth for granting certain powers and authorities to the Australian Agricultural Company" after reciting (among other things) in part to the effect aforesaid and further reciting that the said Company had substantially fulfilled divers of the conditions contained in the said letters patent on their part to be observed and performed and that by reason of lapse of time and the alteration of circumstances others of the said conditions had become immaterial. It was enacted that it might be lawful for Us and Our Successors from time to time and at all times thereafter by warrant under the Royal Sign Manual to authorize and empower the Governor for the time being of the said Colony of New South Wales "to execute a deed or deeds under the Great Seal of the said Colony of New South Wales granting"

Interlineation
referred to.

to the said Company any lands tenements and hereditaments in the said Colony freed and for ever discharged of and from the quit rents conditions provisoes limitations and restrictions in the said letters patent or charter expressed or such of them or such parts thereof as We or Our Successors should in and by the said grant or warrant or grants or warrants direct and that it should be lawful for the said Company to hold alienate sell and dispose of all or any part or parts of the said lands so to be granted subject only to such conditions and restrictions if any as should be stipulated in and by the grant or grants thereof to the said Company. And whereas We in consideration of the said instructions and in pursuance of the last hereinbefore recited Act of Parliament did by warrant under the Royal Sign Manual bearing date on or on or about the thirteenth day of April one thousand eight hundred and forty-seven transmitted by the Right Honorable Earl Grey one of Our Principal Secretaries of State authorize and empower the Governor of Our said Colony to execute a deed under the Great Seal of the said Colony of or to the tenor or effect of these presents. Now know ye that in consideration of the premises We of Our special grace mere motion and certain knowledge have granted and for Us Our Heirs and Successors do hereby grant unto the Australian Agricultural Company and their successors. Firstly all that piece or parcel of land in Our said Colony containing by admeasurement four hundred and sixty-four thousand six hundred and forty acres be the same more or less situated in the county of Gloucester between Port Stephens and the Manning River Bounded on the south by the Harbour of Port Stephens Commencing at the reserve at the base of the North Head the Karuah River and a line west from about half a mile below the head of the navigation of that river on the west by a line north forty-seven miles to the Manning River on the north by that river east direct nineteen miles exclusively of the windings of that river and on the east by lines south two miles and fifty-two chains west seven miles south thirty-nine miles and east eleven miles and fifty-six chains to a creek of the Myall Lake and by that lake and the Myall River to Port Stephens. And also secondly all that piece or parcel of land in Our said Colony containing by admeasurement two hundred and forty-nine thousand six hundred acres be the same more or less situated in a county and parish unnamed at Liverpool Plains Bounded on the south by a line west thirty miles commencing in a ravine forming the source of the Warrah Brook on the west by a line north thirteen miles on the north by a line east thirty miles and on the east by a line south thirteen miles to the ravine at the head of Warrah Brook. And likewise thirdly all that other piece or parcel of land in our said Colony containing by admeasurement three hundred and thirteen thousand two hundred and ninety-eight acres be the same more or less situated in a county and parish unnamed between the River Peel and the Turi Range Bounded on the west by a line south from Peel's River to a remarkably rocky-pointed hill called by the black natives Turi and measuring sixteen miles and a half on the south by lines from that rocky-pointed hill bearing east ten miles then south thirteen miles east four and a half miles south five miles and again east ten miles and thirty-eight chains to Peel's River and on the east and north by that river. And fourthly all that piece or parcel of land in our said Colony containing by admeasurement two thousand acres situate in the parish of Newcastle county of Northumberland Commencing at the north-east corner and bounded partly on the north by thirty-five chains and forty links of the coast on a west line on part of the west by a south line of ten chains to the south side of the road to Maitland on the remainder of the north and on the north-east by the south side of the before-named road to the north-west corner that corner bearing from the centre of the bridge over Throsby's Creek north three hundred and nineteen and a half degrees east fifty chains on the west by a south line of one hundred and ninety-three chains fifty links on the south by an east line of one hundred and sixty-two chains to the coast on the south-east by the coast and on the east by a line bearing north fifteen degrees west forty-seven chains to the coast at the north-east corner aforesaid except and always reserved to Us Our Heirs and Successors out of the said piece or parcel of land containing two thousand acres all that piece or parcel of land containing by admeasurement eighty-seven acres situate in the said county of Northumberland and parish of Newcastle Commencing at the north-west corner of the township (according to the scale of the maps prepared by Mr. Dangar) and bounded on the west by a line bearing south seven degrees west seventeen chains and fifteen links and a line bearing south fifteen degrees east forty-one chains to the coast line on the south by the coast-line on the east by a line bearing north fifteen degrees west forty-seven chains to the Harbour of Newcastle and on the north by high-water-mark of that harbour westerly to the commencing point. And fifthly by way of further grant and not of exception or reservation all that other piece or parcel of land in Our said Colony containing by admeasurement thirty-six perches situate in the said county of Northumberland and parish of Newcastle and in the town of Newcastle Commencing from the south-east corner of allotment number twenty-one and bounded on the north by its south boundary-line bearing west seven degrees north two chains and twenty-five links on the west by the east boundary of allotment number twenty-four bearing south seven degrees west one chain on the south by

by a line bearing east seven degrees south two chains twenty-five links to Pacific-street and on the east by one chain of that street bearing north seven degrees east to the south-east corner of allotment number twenty-one as aforesaid: Being allotment number twenty-three And sixthly all that piece or parcel of land in Our said Colony containing by admeasurement thirty-six perches situate in the county of Northumberland parish of Newcastle town of Newcastle Commencing from the south-east corner of allotment number fifty-four (William Evans) and bounded on the north by its south boundary-line bearing west seven degrees north two chains and twenty-five links on the west by the east boundary-line of allotment number fifty-three (William Hicks) bearing south seven degrees west one chain on the south by a line bearing east seven degrees south two chains and twenty-five links to Watt-street and on the east by one chain of the west side of that street bearing north seven degrees east to the south-east corner of allotment number fifty-four aforesaid Being allotment number fifty-two And seventhly and lastly full and free license liberty and authority unto and for the said Australian Agricultural Company their successors and assigns for ever and their agents servants and workmen to enter into search for dig get take and carry away to and for the use and benefit of the said Company and their successors all and all manner of coals and minerals and mines and quarries of coals and minerals now open for or known or which at any time hereafter shall be found out and discovered in or under the piece or parcel of land containing eighty-seven acres hereinbefore described or any part thereof subject nevertheless in the working of such mines in and under the last-mentioned piece or parcel of land to such conditions as to depth and necessary supports as may be approved of by the Governor for the time being of Our said Colony and provided that in no case the depth of land left from the surface of the mine shall be less than one hundred feet they the said Company and their successors making reasonable satisfaction unto Us Our Heirs and Successors for all damage which may be occasioned to the surface of the said piece of land containing eighty-seven acres or any part thereof by or by means of the working of the said mines Together with all rights members and appurtenances to the several lands and hereditaments hereby granted or intended so to be To hold the lands and hereditaments hereby granted or intended so to be and every part thereof to the said Australian Agricultural Company and their successors for ever freed and for ever discharged from all and every the quit rents conditions provisoes limitations and restrictions in the said letters patent or charter expressed and contained.

In witness whereof We have caused our trusty and well-beloved SIR CHARLES AUGUSTUS FITZ ROY Knight Our Captain-General and Governor-in-Chief in and over Our said Colony of New South Wales and its Dependencies to affix to these presents the Public Seal of Our said Colony at Government House Sydney in New South Wales aforesaid this twentieth day of November in the eleventh year of Our Reign and in the year of our Lord one thousand eight hundred and forty-seven.

(L.S.) CHS. A. FITZ ROY.

Entered on record by me this twenty-seventh day of November one thousand eight hundred and forty-seven the words from "to execute" to "granting" being interlined after "Wales" in the sixteenth line of page 505 this registration being now a verbatim copy of the original deed as executed.

E. DEAS THOMSON,
Colonial Secretary and Registrar.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

PITFALL AT WALLSEND COLLIERY.

(PAPERS, MINUTES, AND REPORTS.)

Ordered by the Legislative Assembly to be printed, 13 May, 1879.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 22 April, 1879, That there be laid upon the Table of this House,—

“Copies of all Papers, Minutes, and Reports from the Examiner of Coal Fields or the Inspector of Coal Mines, relative to the recent pitfall at the “Wallsend Colliery.”

(Mr. Cameron.)

SCHEDULE.

NO	PAGE.
1. Telegram from Examiner of Coal Fields to the Under Secretary for Mines, to the effect that he had received notice that three men were killed in the Wallsend Colliery <i>Goaf</i> . 28 February, 1879	2
2. Telegram from Under Secretary for Mines to Inspector of Coal Fields, respecting accident at Wallsend Colliery. 28 February, 1879	2
3. Telegram from Inspector of Collieries to Under Secretary for Mines, reporting that one man is still missing at Wallsend Colliery. 28 February, 1879	2
4. Telegram from Inspector of Collieries to the Under Secretary for Mines, to the effect that no trace of the missing man. 1 March, 1879	2
5. Telegram from Inspector of Collieries to the Under Secretary for Mines, to the effect that an explosion of fire-damp took place whilst searching for the missing man at Wallsend Colliery, &c. 1 March, 1879	2
6. Letter from the Inspector of Collieries to the Examiner of Coal Fields, reporting on the explosion of fire-damp at Wallsend Colliery. 4 March, 1879	2
7. Telegram from Examiner of Coal Fields to the Inspector of Collieries, asking for report on pitfall and explosion at Wallsend Colliery. 4 March, 1879	3
8. Letter from Inspector of Collieries to the Examiner of Coal Fields, reporting that a large area of ground in the Wallsend Colliery had fallen in, &c. 5 March, 1879	3
9. Telegram from Examiner of Coal Fields to Inspector of Collieries, stating that he had received his report on the explosion of gas at the Wallsend Colliery, but had not yet received particulars respecting pitfall. 5 March, 1879	3
10. Telegram from Examiner of Coal Fields to Inspector of Collieries, asking for further particulars respecting Wallsend Pitfall. 7 March, 1879	3
11. Letter from the Inspector of Collieries to the Examiner of Coal Fields, re-report on Wallsend Pitfall. 7 March, 1879	3
12. Letter from the Examiner of Coal Fields to the Under Secretary for Mines, transmitting report upon the crush, &c. at Wallsend Colliery. 17 March, 1879	3
13. Report of Examiner of Coal Fields upon a crush which took place at the Newcastle Wallsend Coal Company's Colliery. 15 March, 1879	4
14. Letter from Under Secretary for Mines to the Examiner of Coal Fields, respecting Inspector's reports upon crush, &c., at the Wallsend Colliery. 29 March, 1879	5
15. Telegram from Examiner of Coal Fields to the Under Secretary for Mines, to the effect that the missing man Oughton had been found. 18 March, 1879	5
16. Letter from Examiner of Coal Fields to the Under Secretary for Mines, transmitting further report upon the search and finding of George Oughton's body, and the inquest held thereon. 29 March, 1879	5
17. Report of Examiner of Coal Fields upon the search and finding of George Oughton, who was killed through a crush at the Newcastle Wallsend Colliery. 29 March, 1879	5

PITFALL AT WALLSEND COLLIERY.

No. 1.

Telegram from Examiner of Coal Fields to Under Secretary for Mines.

28 February, 1879.

I EXPECT to be able to leave here Saturday afternoon for Sydney, please inform Minister I have received notice that three men were killed in the Wallsend Colliery *Goal*, and that the Inspector was informed, by telegram, from office keeper, at Coal Fields Office, as lately instructed to do.

Ask the Inspector of Collieries whether he has attended to the matter.—H.W., 28/2/79.
Telegram.—Inspector of Coal Fields. 144. 3.40. 28/2/79.

No. 2.

Telegram from Under Secretary for Mines to Inspector of Coal Fields.

28 February, 1879, 3.40 p.m.

ACCIDENT reported by Examiner of Coal Fields, Wallsend Colliery. Have you attended to the matter?

HARRIE WOOD,
Under Secretary for Mines.

No. 3.

Telegram from Inspector of Collieries to Under Secretary for Mines.

28 February, 1879.

ONE man still missing at Wallsend Colliery. I attended there at both yesterday and to-day.

Place with other papers.—H.W., 3/3/79.

No. 4.

Telegram from Inspector of Collieries to Under Secretary for Mines.

1 March, 1879.

No trace as yet of the missing man in Wallsend Colliery, every effort is being made to recover him.

Show to Examiner on his arrival.—H.W., 1/3/79. Seen.—J.M., 3/3/79.

No. 5.

Telegram from Inspector of Collieries to Under Secretary for Mines.

1 March, 1879.

EXPLOSION of fire-damp occurred about noon from the naked light of the manager, whilst searching for the missing man at Wallsend Colliery. The manager slightly burnt; other two (2) men sorely burnt.

Seen.—H.W., 3/3/79. Seen.—J.M., 3/3/79.

No. 6.

The Inspector of Collieries to The Examiner of Coal Fields.

Sir,

Lambton, 4 March, 1879.

I have the honor to report, for the information of the Honorable Minister for Mines, that a slight explosion of fire-damp happened in the Wallsend B pit, on the 1st instant, in which two men named Thomas Lundy and Henry Rushton were rather sorely burned, and the colliery manager just warmed only.

2. It appears that the sufferers went with the manager, Mr. Neilson, over some of the recent falls in search for the missing man, when, quite unexpectedly, a small pocket of gas in the roof exploded from the manager's hand, and caused the accident.

3. There was good air passing at the time, and a good supply of safety-lamps close by ready for use, but it was deemed quite unnecessary to use them, otherwise they would have been used for the manager's own safety as well as the safety of others.

4. Considering all the circumstances, I am of opinion that no positive blame is attached to the manager for the accident.

I have, &c.,

THOMAS LEWIS,
Inspector of Collieries.

Forwarded for the information of the Honorable the Secretary for Mines.—J.M., 5/3/79. The Under Secretary for Mines.—B.C., 5/3/79. Submitted.—H.W., 6/3/79. Seen.—E.A.B., 7/3/79.

No. 7.

3

No. 7.

Telegram from Examiner of Coal Fields to Inspector of Collieries.

4 March, 1879.

LET me have your report on pitfall and explosion at Wallsend Colliery; am very anxious for full particulars.

No. 8.

Letter from Inspector of Collieries to The Examiner of Coal Fields.

Sir,

Lambton, 5 March, 1879

I have the honor to report, for the information of the Honorable the Minister for Mines, that a large area of ground in the district known as "behind the pump" in the Wallsend Colliery fell in early in the morning of the 27th ultimo, and one of the miners named George Oughton, who worked in that part at the time, is missing ever since the fall happened, and is supposed to be buried underneath the fallen roof.

2. As soon as the place became sufficiently quite for men to work a large number of the most experienced miners have been constantly both day and night at work searching for the missing man in the parts most likely to find him.

3. Every precaution is taken by the Colliery Manager to ensure the safety of the men employed searching for the poor fellow.

I have, &c.,

THOMAS LEWIS,

Inspector of Collieries.

Forwarded for the information of the Honorable the Secretary for Mines.—J.M., 7/3/79.

The Under Secretary for Mines.—B.C., 7/3/79.

I have asked Mr. Lewis whether accident referred to in this report was the result of negligence, and have requested him to send fuller particulars as required by 28th section of Coal Mines Regulation Act.—J.M., 7/3/79.

Re-submit on receipt of further report.—H.W., 10/3/79.

No. 9.

Telegram from Examiner of Coal Fields to Inspector of Collieries.

5 March, 1879.

URGENT—Received your report on explosion of gas at Wallsend Colliery, but have not yet received particulars respecting pitfall, also applied for in my telegram of yesterday's date, the latter is more urgently required and should be forwarded at once.

No. 10.

Telegram from Examiner of Coal Fields to Inspector of Collieries.

7 March, 1879.

YOUR report on Wallsend pitfall and accident, received this morning, does not state whether in your opinion the accident was result of negligence on part of any one or not, please send further particulars as required by 28th section of Coal Mines Regulation Act.

No. 11.

The Inspector of Collieries to The Examiner of Coal Fields.

Sir,

Lambton, 7 March, 1879.

I have the honor to state in reply to your telegram of to-day, that in my report of the 5th instant, on the Wallsend pitfall, for the information of the Honorable the Minister for Mines, I omitted to give an opinion whether any one was blamable for the accident, simply because no person knew as a fact that the missing man was either killed or injured.

2. Please specify what "other particulars" the 28th section of the Coal Mines Regulation Act requires beyond those given.

I have, &c.,

THOMAS LEWIS,

Inspector of Collieries.

No. 12.

The Examiner of Coal Fields to The Under Secretary for Mines.

Sir,

Coal Fields Office, Newcastle, 17 March, 1879.

I herewith beg to transmit to the Honorable the Secretary for Mines my Report upon a "Crush," and accidents which have happened at the Newcastle Wallsend Company's Colliery, near Newcastle.

I have, &c.,

JOHN MACKENZIE,

Examiner of Coal Fields.

The Examiner reports no blame attaches to the Manager or Company, but complains of default on the part of the Inspector in regard to his reports upon this case. The reports do not appear to me to be as full as they might be.—H.W., 21/3/79. Approved.—E.A.B., 22/3/79. Inform.—H.W., 22/3/79. The Examiner informed.—29 March, /79.

No. 13.

No. 13.

Report of Examiner of Coal Fields.

REPORT upon a "crush" which took place at the Newcastle Wallsend Coal Company's Colliery on 27th February, 1879, extending over an area of about 15 acres of coal land, and in consequence of which one man is missing and three men have been burnt by explosive gas.

Sir,

Coal Fields Office, Newcastle, 15 March, 1879.

On the 8th instant, at the request of Mr. Neilson, I proceeded to the Newcastle Wallsend Company's Colliery to consult and advise with him and other colliery managers as to what further steps should be taken in the search of the missing man Oughton, who is supposed to be buried in the "crush" which happened at that mine on the morning of the 27th ultimo, Mr. Neilson having pointed out to me that the danger of proceeding further in the search of Oughton's body was becoming so great that he hesitated incurring the risk of more lives until he had the advice of all the leading authorities in the trade. The colliery managers who came to offer their assistance and advice were Messrs. Croudace, Turnbull, Brown, Simpson, Swinburn, and Ross, and after an examination of the "crush" and place in course of driving, were, judging from the smell, Oughton's body is supposed likely to be found—also another being driven towards where his clothes are supposed to be—a unanimous decision was arrived at *that before proceeding further with the search* two stoppings and two doors should be put up for the purpose of giving the men working in the places better ventilation, and after that was done the places in course of driving should be re-timbered.

2. On the 11th instant I again visited the mine, and found the stoppings and doors had been placed in their proper position, that a very great improvement had been made in the air supplied to the men working in the drive near where it is thought Oughton's body will be found, and that the place was well timbered, and the men need apprehend no present danger if ordinary care, such as a case of this kind requires, is used in removing the stone, &c., and timbering the place whilst further prosecuting the search. And as no working of the roof has been heard in this portion of the mine for two days or more, I do not think we need apprehend any danger from the "crush" extending any further near where the men are searching for the body.

3. I also examined the "crush" near where Oughton and two other men (Mr. Neilson's father and Ridley), where at the time the fall occurred, and the place where the gas exploded, and from the examination, and what Mr. Neilson says, the particulars respecting the "crush" and slight explosion of carburetted Hydrogen Gas are as follows:—

The crush took place with, it appears, only one or two minutes warning, over an area of about 15 acres of coal land, from under which about three-fourths of the coal had been worked out by 8 to 9 yard Bords, and 4 yards cut throughs, &c., the pillars of coal left being from 4 to 3 yards in thickness which is the usual method of working in the Newcastle district. The seam of coal in this particular place has a strong hard shale roof mixed with ironstone bands for about 6 feet in thickness, and above that there is the ordinary sandstone. Mr. Neilson says, that for some time he should not have been surprised at a crush taking place in this part of the mine, but he fully expected there would be the usual warning of "hearing it work" from ten to thirty days before it happened, as he never knew one to take place in the Wallsend Mine without hearing it work for at least ten days previously, and generally for a much longer period, which gave them ample time to protect all lives and save rails, skips, &c. Mr. Neilson and I can only account for the "crush" taking place without any warning through an accumulation of water in the centre portion of the "crush" (now goaf), see plan at page 18, which water probably softened a one and a half clay band and the thin pillars of coal left unworked for the safety of the men whilst employed getting the three-fourths of coal previously referred to as worked out by them. And probably the water deadened the sound of any working which took place, and may be the cause of no working having been heard until a few minutes before the fall took place.

4. At page 17 I annex a tracing showing the extent of the crush (now goaf), and of others which have taken place at this colliery without any accident having happened, and the approach of which was indicated in the manner previously noticed.

5. On the 11th instant I also called and saw Thomas Lundy (Deputy overman), and Henry Rushton (blacksmith), who were burnt on the 1st instant by the small explosion of gas previously referred to, and from what they say, and the examination of the place, it appears that it happened thus:—On the 1st instant, Lundy and Hughes were employed taking away all the rails they could safely get from the north-west portion of the recent pitfall or "crush," and about 11 a.m., Mr. Neilson (the Manager), along with Rushton (a blacksmith), who accompanied him out of curiosity, asked Lundy and Hughes to sit quiet and listen whether the roof was uneasy or there was any working of that part of the mine whilst he went over the recent fall and ascertained how far it was possible to go over it. Mr. Neilson then proceeded up the fall with a naked light (see E on plan at page 18), and as soon as he got near the top of it an explosion of gas occurred which knocked him down senseless, and slightly burnt his left hand. When he became conscious he found himself in an adjoining Bord where he was discovered in about half an hour, and then walked out of the mine. Lundy, as soon as he saw the gas explode threw himself on the floor with his face near some water until the return fire had passed over him, and he then crept out into fresh air with his face near the floor to avoid the "after damp" as much as possible. He says he has been sixteen years at the Wallsend Colliery, and was Deputy at the time the portion of the mine where the crush occurred was worked, and that he never saw any explosive gas there; nor did he anticipate there would be any the day the accident happened; he also says, he considers there is no blame attributable to anyone, and that if Mr. Neilson had asked him to go with a naked light, he would not have hesitated to do so, as he never anticipated any danger from explosive gas there. Lundy is badly burnt on his arms and hands, also on the back from his shoulders downwards, but is progressing favourably under Doctor Nash's care. Rushton is burnt on both hands, one arm, and his face, and slightly on his back; he also is progressing favourably. Hughes escaped being burnt by standing in a water-hole until the return fire passed over him.

6. I am of opinion that the accidents which have happened from the "crush" and "explosion" were accidental and that no blame is attributable to any one.

5

7. I made another examination on the 14th, of the place in course of driving, and found it and the retreat therefrom well timbered, and that Mr. Neilson was prosecuting the search with vigour, and regardless of expense, having four shifts of men each working six hours daily.

8. I have arranged with Mr. Neilson to again visit the place, on the 17th instant, and for us to have the current of air stopped for a while so as to try if we can form any further opinion as to where the exact position of the body is likely to be.

9. I enclose copies of all the Reports I have been able to obtain from the Inspector of Collieries Six enclosures on this subject, as well as other correspondence connected therewith, and in doing so, cannot refrain from remarking that I am at a loss to account for this officer's reticence in a case where it was absolutely necessary, in the public interest, to have the fullest information, particularly as he was on the point of leaving for the Southern and Western District's inspection, unless it be attributable either to his incompetency or the spirit of insubordination he has evinced towards myself, and of which I have so frequently complained to the Government.

I have, &c.,

JOHN MACKENZIE,

Examiner of Coal Fields.

No. 14.

The Under Secretary for Mines to The Examiner of Coal Fields.

Sir,

Department of Mines Sydney, 29 March, 1879.

In reference to your letter of the 17th instant, covering your report upon a "Crush," and accidents which have occurred at the Newcastle Wallsend Company's Colliery, near Newcastle, I have the honor to inform you that with respect to the defects in the Inspector's reports of which you complain, the Secretary for Mines is of opinion that those reports are not so full as they might be.

I have, &c.,

HARRIE WOOD,

Under Secretary for Mines.

No. 15.

Telegram from Examiner of Coal Mines to Under Secretary for Mines.

Sydney, 18 March, 1879.

PLEASE inform the Minister, the missing man, Oughton, was found, one this morning; inquest held this morning and adjourned till Saturday, to give an opportunity for fully investigating the case.

Submitted.—H.W., 18/3/79.

Seen.—E.A.B., 22/3/79.

No. 16.

The Examiner of Coal Fields to The Under Secretary for Mines.

Sir,

Coal Fields Office, Newcastle, 29 March, 1879.

I hereby beg to transmit to the Honorable the Secretary for Mines my further report upon the search for Oughton's body, and the inquest held thereon on the 22nd instant.

2. In the first page of my previous report I now find that the word "been" between "have" and "burnt" was left out, and I should be obliged by its being inserted.

I have, &c.,

JOHN MACKENZIE,

Examiner of Coal Fields.

Amend previous report as requested.—H.W., 31/3/79. Seen.—E.A.B., 1/4/79.

No. 17.

Report of Examiner of Coal Fields.

REPORT number 2 upon the search and finding of the body of George Oughton, who was killed through a crush at the Newcastle Wallsend Coal Company's Colliery, on the 27th February, 1879, and upon whose body an adjourned inquest was held on the 22nd instant, when the following verdict was returned:—"That the deceased, George Oughton, came to his death on the 27th of February last, in the B pit Wallsend Colliery, by being accidentally crushed by a fall of stone." The jury wish to add that the thanks of the community are due to the management for the energetic way in which the search for the deceased's body was prosecuted, and to the men who were so engaged."

Sir,

Coal Fields Office, Newcastle, 29 March, 1879.

Upon the 17th instant I again visited the Newcastle Wallsend Colliery, and on proceeding with Mr. Neilson to the place in course of driving in search of Oughton's body, I found that, as we had arranged, on my visit of the 17th instant, the course of the current air had been altered and made the same as it was on the 8th instant, and that there was a slight smell, as if from a dead body, at a distance of about 14 feet from the end of the place in course of driving. We then went over the old and recent fall as near as we could get to where I imagined there was a slight smell, and upon perceiving it there also, I said I had no doubt about the body being near where I first smelt it, and advised Mr. Neilson to discontinue driving any further in the course they were then driving, and to drive at right angles at a distance of about 14 feet from the face.

2. At 6:30 a.m. on the following day I received a letter from Mr. Neilson, saying he was pleased to inform me he had found Oughton's body only about 6 feet from the point directed, and a Coroner's inquest would be held that day. I immediately proceeded to Wallsend, and attended the inquest which was adjourned until the Saturday following, at 10 a.m., so that a full investigation might be made into the matter, and because the body was to be interred that day.

3. On the 22nd instant I again proceeded to Wallsend, and attended the adjourned inquest held by C. B. Ranslaud, Esquire, the District Coroner, at the Plattsburg Court-house. A great deal of interest was manifested in it, the large room being filled with Wallsend and other miners, Mr. Binney, the secretary for the Wallsend Company, Mr. Fletcher, manager of the Co-operative Colliery, Mr. Turnbull, manager of the Australian Agricultural Company, Mr. Swinburn, manager of the Australasia Company, and Mr. Dixon, the general secretary to the Miners' Association, were also present. The following evidence was then taken:—

Nicholas Neilson, deposed: I was engaged as an Examiner in the Wallsend mine previous to the men going to work; I remember the 27th February; I went into the tunnel about half-past 3 o'clock on the morning of that day, and went round and examined the mine; everything was in the usual way; I entered the mine on that morning, and at half-past six I went round the turn behind the pump, and had about two minutes talk with Ridley, and examined his Bord, then proceeded along the heading; the deceased Oughton called to me for a light; I proceeded further up the Bord and met the deceased, he was in the dark; I asked the deceased if he had matches, he said "Yes"; I gave him a light as his matches were in his clothes, and he was naked, being at work; at the time I left deceased everything was quiet, and I went towards the shaft; after going five or six yards I heard a rumbling noise, it appeared some distance away, and I had no fear of danger; I then thought to call to the deceased, and also to Ridley to warn them of danger; when I got to the deceased's Bord I saw his light in the Bord but I did not see him; I called to him and asked if he could get out anyway; when I passed Oughton's Bord in a few seconds I felt the wind; I had only thirty-six yards to go when I knew I should be in safety to the point marked D on the plan; before reaching this spot the rush of wind blew me on to my face; when I got up and the wind had passed I heard the timber crack; my light was out, I thought then that I was lost; I tried to find the rib and having found it I struck a light by my matches which I had in my pocket; as soon as I got a light Ridley shouted to me (he had passed me), but how I do not know, I went to him; he had his lamp ready, and I lit it, we went down Oughton's Bord, and shortly after we heard the props giving way; I did not see Oughton again after giving Ridley the light; we found Oughton's picks and shovels in his Bord and commenced working to get into Elliott's Bord; we got about three quarters of a yard in; Ridley found an opening and got out by climbing and I followed him.

By Mr. Mackenzie: I have been about sixteen years employed in the Wallsend Colliery; I have held the same situation ever since; I well knew the spot where the accident occurred; this Colliery is worked by eight yard bords and four yard pillars; the late fall in the pit is the largest I have seen; I have heard other crushings in the pit; two previous crushings I have heard the pit working three weeks before it fell; in the late fall I did not hear the pit working; none of the men reported to me that they heard the working in this place; about two hours before the fall a man said he heard some coal fall into the water; I have known gas to be in some of the headings, but very little, and not for the last three years.

By Mr. Binney: I do not think it was more than half-a-minute from the time I heard the rumbling until the time I was knocked down; I have known many pitfalls, but none so sudden as this; I have been 66 years accustomed to the mines.

By Mr. Dixon: On the morning of the accident I did not notice any falls in the locality of it.

By Mr. Binney: It is a matter of daily occurrence small coals falling into the water.

By a Juror: The part of the pit where the crush took place was timbered in the usual way, nor do I consider if any additional timber was there it would have prevented the crush.

Gilbert Ridley, having been sworn, stated: I am a miner employed in the Wallsend Colliery; I remember the morning of the 27th February; I went to work about 3 o'clock that morning; Mr. Neilson, the last witness, came to me at half-past 6 the same morning, after he had gone about ten minutes there came a great rush of wind and blew my light out; I did not at any time that morning see the deceased, George Oughton; the first thing I became conscious of was seeing the last witness strike a light, I called out to him to come on; we happened to get into the deceased bord; we found we were shut in, and found his tools, we were in about two hours, and made a way over a fall got on the road and met the men who were searching for us.

By Mr. Mackenzie: I have been a miner between 40 and 50 years; I knew the meaning of a "pit working." I did not hear any working of the mine "either that or any other morning"; I mean by the "pit working" falling of stone from the roof or the crushing of the pillars; I had no apprehensions of any danger on the day of the accident until I heard the rush of wind.

By Mr. Dixon: I have been working in this part of the pit five or six weeks.

By Mr. Neilson: Had I stayed in the place I was working there would have been no danger to me.

By Mr. Dixon: My mate had never mentioned he had any fear of danger more than myself.

By Mr. Mackenzie: I have been working in mines where crushes have taken place; I never knew of any fall come on so sudden, one crush came on in the night after the men had worked the previous day, when no men were at work, at another place the pit worked for nearly a week before it came on.

John Gibbons, having been sworn stated: I am a miner working at the Wallsend Mine; I have been employed there for the last nine years; I remember the morning of the 27th February; I went to work in the pit that morning about half past two; there was a fall that morning, I should think about seven o'clock, I heard a great rumbling with a rush of wind; I did not see the deceased that morning, the noise came on very suddenly giving no notice whatever.

By Mr. Mackenzie: I heard no working at this portion of the mine; I did not apprehend any danger where I was working; I have been a miner 27 years; I have worked in places where there have been crushes; I never knew one come on so sudden as this; we generally hear the timber falling and "other working" before a fall, but on this occasion I did not hear any; I refer to crushes previously spoken of at home as well as here; the thickness of the seam in England where I worked was four feet; the method usually worked there was five yard bords and ten yard pillars; the shortest time I have ever known of the notice of a crushing is half an hour.

By Mr. Binney: I have been one of the men prosecuting the search for the deceased, and I consider the company have used every means in prosecuting that search.

By a Juror: The top of the mine was so strong I had no idea it would fall so suddenly; there was no other fall in the locality where I was at work of any consequence; it is possible the fault may have something to do with the fall.

John

John Young Neilson, having been sworn stated: I am Colliery Manager at Wallsend, I have had the management over nineteen years; I remember the 27th February, 6.40 a.m.; I heard a strong rush of wind up the shaft; I at once proceeded down the pit and found a heavy fall had taken place "in behind the pump" and three men, Ridley, Neilson, and Oughton, were missing; I at once took the necessary steps to recover their bodies; I was successful in finding Ridley, and Neilson; continued to search for the deceased and found his remains on the 18th March; I went to see the body and found the head crushed past identification no feature on the face at all; death must have been instantaneous.

By Mr. Mackenzie: I have had over twenty crushings in the Wallsend Colliery; it is a common occurrence, on all previous crushings we have had fully a fortnights notice of it, and ample time to get skips, rails, props, &c., away. I believe the cause of the late crushing was the action of the water on the top of the thin pillars through these workings being full of water; at the centre part the water percolated through the clay partings, the roof itself consisting of strong shale; all the props had been taken out from under where the fall took place; the props were taken out by the men to get the little tops; there was no necessity for timber the stone was so hard; there was a similar method adopted as in other collieries; I have experienced crushes in other collieries besides Wallsend but never one so sudden; the pillars left under were from three to four yards in thickness; I do not remember seeing any gas since the accident in 1870, and none was ever reported to me.

Andrew Nash, sworn stated: I am a legally qualified and registered medical practitioner, residing and practising at Platsburg, Wallsend; on the morning of the 18th I was summoned to see the body of the deceased George Oughton; it was lying in an open coffin in the engine-house of the Wallsend B. pit; the head was smashed past all chance of recognition as far as the features were concerned; the direct cause of death was fracture of the skull and crushing of the body.

The jury returned the following verdict. "That the deceased George Oughton, came to his death on the 27th February last, in the B. pit, Wallsend Colliery, by being accidentally crushed by a fall of stone, the jury wish to add that the thanks of the community are due to the management for the energetic way in which the search for the deceased's body was prosecuted, and to the men who were so engaged.

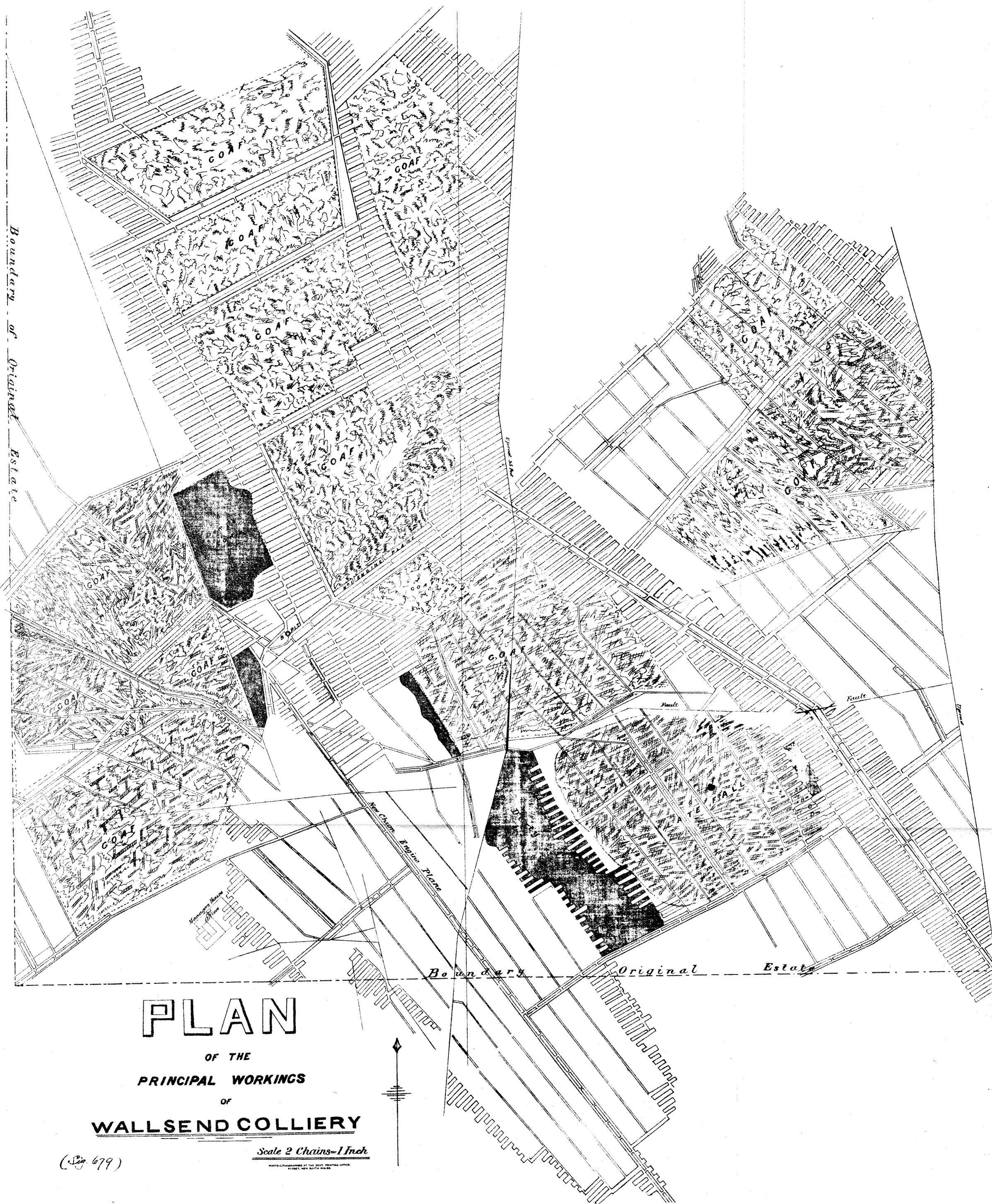
4. The evidence taken and verdict of the jury confirms the opinion given in 6th paragraph of my Report dated the 15th instant, that I am of opinion the accidents which have happened from the "crush" and "explosion" were accidental, and that no "blame is attributable to any one."

I have, &c.,

JOHN MACKENZIE

Examiner of Coal Fields.

[Two plans.]



PLAN
OF THE
PRINCIPAL WORKINGS
OF
WALLSEND COLLIERY

(S. 679)

Scale 2 Chains = 1 Inch

PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE, LONDON, NEW SOUTH-WALES.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

EXPORT OF COAL FROM NEWCASTLE.

(DURING 1876, 1877 AND 1878, AND NUMBER OF TONS FOR EASTERN AND NORTHERN PORTS.)

*Ordered by the Legislative Assembly to be printed, 13 June, 1879.**[Laid upon Table in accordance with promise made in answer to Question 2, Votes 136, Friday, 13 June, 1879.]*

NEW SOUTH WALES.

RETURN of the Export of COAL from the Port of Newcastle, during the years 1876, 1877 and 1878.

Year.	Total quantity Exported.		To Eastern Ports.		To Northern Ports.	
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
	Tons.	£	Tons.	£	Tons.	£
1876	719,050	495,502	108,096	75,398	6,064	3,492
1877	781,502	540,560	160,593	112,428	7,039	4,524
1878	871,985	602,557	191,797	133,872	8,402	5,195

Custom House, Sydney,
13th June, 1879.A. BERNEY,
Acting Collector of Customs

8178-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MILBURN CREEK COPPER MINE.

(REPORT OF GEOLOGICAL SURVEYOR ON.)

Ordered by the Legislative Assembly to be printed, 1 July, 1879.

RETURN to an *Order* of the Honorable the Legislative Assembly of New South Wales, dated 26th June, 1879,—

“That there be laid upon the Table of this House, a copy of the Report
“of the Geological Surveyor on the Milburn Creek Copper Mine.”

(Mr. Cohen.)

No. 1.

The Geological Surveyor to The Under Secretary for Mines.

Sir,

Department of Mines, 9 April, 1879.

In transmitting to you the accompanying Report of Mr. E. F. Pittman, Geological Surveyor, on the Milburn Creek Copper Mine, I beg to state that I have examined the estimations therein given as to the value of the mine and find them correct.

Apart from the consideration as to the intrinsic value of the mine as given in this report, I consider it my duty to direct your attention to the fact that the property is now in the market for sale, as mentioned in the following advertisement, taken from the *S. M. Herald* of this date:—

“By order of the Mortgagee.

“To Speculators, Miners, and others.

“The Milburn Creek Copper Mining Company's property, comprising 40 acres of freehold land, and 20 acres of leasehold land, in the parish of Dunleary, county of Bathurst, together with the plant, &c., thereon.

“RICHARDSON & WRENCH have received instructions to sell by public auction, at the rooms, Pitt-street, on Friday, 25th April, at 11 o'clock,—

“The above copper mine,—full particulars of which will shortly be published.

“J. DAWSON & SON, Pitt-street, solicitors of the mortgagee.”

It will be seen from Mr. Pittman's report that from actual measurements it has been ascertained that the net value of the ore now in sight in the mine amounts to the sum of £20,244 7s., estimating at the present low price of copper, viz., £56 per ton, and the value of the ore extracted from the mine since the present proprietors took possession amounts to £3,552 10s.

The value of the three furnaces has been estimated at £1,000.

In addition to the above, Mr. Pittman has calculated the contents of the unworked portion of the lode below that portion of it already proved and within 300 feet from the surface, to which depth it may reasonably be expected to continue, seeing that in the south shaft (A on plan) the lode has already been followed to a depth of 203 feet from the surface, and found to be improving in solidity and width. At the present price of copper the net value of the contents of this unworked portion of the lode would amount to the sum of £91,805, thus making a total value, with the above-mentioned estimates, of £115,601 7s.

Mr. Pittman also points out that the portion of the lode indicated on the *map, and for which the above estimates have been prepared, could be worked out within the term of Messrs. Baker and party's lease.

I have, &c.,

C. S. WILKINSON,

Geological Surveyor in Charge.

THE following extracts from the Report of Mr. E. F. Pittman, one of the Geological Surveyors, shows that the Milburn Creek Copper Mine contains valuable lodes of copper :—

No. 2.

Mr. E. F. Pittman to The Under Secretary for Mines.

Sir,

Department of Mines, Sydney, 4 April, 1879.

Portion 20, 40
acres, M.C.P.,
parish of Dun-
leary, county of
Bathurst.

I have the honor to report that, in accordance with your instructions, I have, with the assistance of Mr. H. D. Mackworth, made a thorough examination and underground survey of the property known as "Milburn Creek Copper Mine," and now forward herewith plan and sections of the same.

The mine, which consists of 60 acres, is situated in lightly timbered box ranges, composed of altered (upper silurian) slates and sandstones, dipping w. 10° s. at an angle of 70°. About three-quarters of a mile from the mine, in an E.N.E. direction, these slates give place to ternary granite, while in a w.s.w. direction the nearest granite is distant about a mile and a half. It will thus be seen that the copper lodes occur in a belt of altered slate country bounded by granite.

The surface indications of the several lodes which I examined in the vicinity are characteristic. They appear as quartz veins containing much gossan, the result of the decomposition of copper and iron pyrites, and a few stains of carbonate of copper.

At a slight depth the gossan gives place to carbonate and oxide of copper, while below these appear the un-oxidized ores, sulphides, etc.

One of these gossan lodes crops out on the summit of the hill near the north-east corner of the block in question, while two others to the southward which I examined (one in the adjoining lease and one in West and Ashe's ground, which has been extensively worked for copper) bear directly for the same hill. These considerations point to the probability of there being a good deposit of copper ore as yet unprospected in the hill in question. This supposition is strengthened by the fact that the soakage water from the hill, which drains into the north shaft (and which I shall have occasion to allude to again) is strongly impregnated with sulphate of copper.

The greater part of the work done in the Milburn Creek Mine has been the extraction of the oxidized ores of copper (carbonates and oxides) which necessarily occur nearest the surface; two distinct lodes have been worked, and on these there have been sunk no less than eighteen shafts, on what is known as the "North and South Lode"; an adit has been driven from the side of the hill and reaches a depth of 55 feet below the crown of the range. This adit is coloured blue on the plan.

From this adit nearly up to the surface the carbonates have been removed by stoping.

From the shaft marked "8" on the plan, and at a depth of 25 feet below the adit, another level (coloured red) has been driven northwards intersecting the water shaft, marked B. The ore from between this level and the adit above has also been removed by stoping. Good ore (copper glance, yielding in the Company's furnaces 18–20% copper) has been worked in this level, the lode here being from 4 feet 6 in. to 5 feet wide. A specimen of this ore which I brought to Sydney was assayed by Mr. Dixon, F.C.S., and yielded 27.9% copper.

From this level a winze (marked 19) has been sunk to a depth of 27 feet, and from the bottom a drive has been worked northwards to the water shaft B. Very good ore has been obtained here, viz.: grey sulphide of copper, which in the Company's smelting works yielded 20% of copper, while Mr. Dixon found (in a sample which I brought to Sydney) 45.9%. The lode in places is as much as 11 feet wide, though somewhat irregular, narrowing occasionally to 5 feet 6 inches.

On nearing the south shaft (A) in the adit first-mentioned, the country becomes much harder and the lode correspondingly narrower; however as little or no block working or prospecting has been done in this part of the mine, it is impossible to say whether the lode here improves or becomes poorer in its descent. Reasoning from analogy, however, one would decidedly expect it to improve.

Near the south shaft (A) this lode junctions with what is known as the "East and West lode." The south shaft is vertical for a depth of 65 feet from the surface, and at this depth a drive has been put in east and west along the lode, the eastern end intersecting the shaft marked C on plan. From above this drive the carbonates have been removed by stoping. A winze has been sunk (marked 6 on plan) 29 feet through yellow sulphide of copper and peacock ore, forming a fine lode, which increases rapidly in width as it descends.

The south shaft has been continued down on the underlie to a further depth of 140 feet through the same ore, which at the bottom shows a splendid solid lode, 11 feet 6 inches in width, and without any gangal visible.

The lode at this point dips at an angle of 63°. A sample of this ore was assayed by Mr. Dixon and yielded 16.7% copper, though in the company's smelting works it only averaged 9%. From the appearance of the slags at the furnaces, and from the difference between Mr. Dixon's assays and the actual percentage of copper obtained at the works, I am of opinion that much copper has been lost in the smelting process.

The water of the mine holds a quantity of sulphate of copper in solution which, while the shaft is being baled, colours the creek a strong emerald green for a distance of more than a mile from the mine. This sulphate is formed by direct oxidation of the sulphide in the copper pyrites. A number of drills and hammers, which had been left in the lower level were found to be coated with a thick deposit of copper, and in some cases the steel had been entirely replaced by crystallized copper. I need scarcely add that much valuable metal is lost by allowing this mine water to flow away, while by running it into shallow tanks, and throwing in scrap iron, the copper could be cheaply and expeditiously extracted.

The task of estimating the value of the mine is rendered somewhat difficult by the fact that a considerable portion of the lode has not been systematically prospected to any depth. In consequence of this I have included in my calculation only such portions of the ground as I consider to have been proved. These areas are coloured green on the sections, and are marked respectively a, b, c, d, and e. In each case I have taken into consideration the mean width of the lode, the probable number of tons in the area, the average richness of the ore and the cost of getting it, and have then calculated its net value at the current price of that brand of copper in Sydney, viz., £56 per ton, which I may add is considerably lower than it has been for some years.

In

In order to arrive at a just estimate of the value of the mine at the time it was given up by Messrs. Baker and party, it is necessary to add the value of the ore which has since been raised by Messrs. Martin & Co. I find that this amounts to about 1,225 tons, averaging 11% of copper, and at the price of copper then current this would be worth, after deducting the cost of getting, £3,552 10s.

The following tabular statement shows the particulars of my calculations:—

Area.	Mean width of lode.	Content in Tons.	Percentage of Copper.	Value per Ton.	Cost of getting.	Nett value per Ton.	Total Value.
a	3 feet	1,041½	10%	50/-	12/-	38/-	£ s. d. 1,978 17 0
b	6 "	1,214	18	133/-	12/-	121/-	7,344 14 0
c	4 "	932	10	50/-	12/-	38/-	1,770 16 0
d	7 "	3,633	9	40/-	15/-	25/-	4,541 5 0
e	7 "	3,687	9	40/-	15/-	25/-	4,608 15 0
							£20,244 7 0
1,225 tons of ore raised by Messrs. Martin & Co., averaging 11% copper. Value—£3 10s. per ton, less 12s. per ton, cost of raising.....							3,552 10 0
Total.....							£23,796 17 0

As before stated, the above calculations refer to such portion of the lode only as may be considered thoroughly proved. It may however be reasonably assumed that the ore continues down to a considerable depth, since in the south shaft A the lode is found to improve in solidity and width as it descends, and at a depth of over 200 feet is fully 11 feet 6 inches from wall to wall.

I was informed on the ground that the shaft marked 8 on plan was sunk 90 feet below the level, as shown in dotted lines; however as I was not able to verify this statement (the shaft being covered over at the floor of the level) I have not taken it into consideration in making my calculations.

The dotted lines on section AB indicate a depth of 300 feet below the surface of the ground at the water shaft B, while in the cross section AC the depth is shown 300 feet below the surface at the mouth of the shaft A. Now if we assume that the east and west lode continues to this depth with an average width of 7 feet (and the assumption is reasonable, considering the depth of the shaft A and the width of the lode at the bottom), and that the north and south lode maintains an average width of 6 feet for the same depth, the quantity of ore contained in that area would be 73,444 tons. Reckoning the cost of raising the ore to be 15s. per ton, it would, if it averaged 9% copper, be worth 25s. nett per ton, or a total of £91,805.

I may add that had my examination of the mine been made some months earlier, the above estimates would have been considerably higher, as the price of copper is at present unusually low.

The three furnaces which were erected by Messrs. Baker and party are situate at the township, about 1 mile from the mine. They are not in very good order at present, and it is difficult to form an accurate idea of what they were worth fifteen months since, but I am inclined to estimate their value at £1,000.

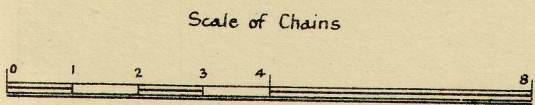
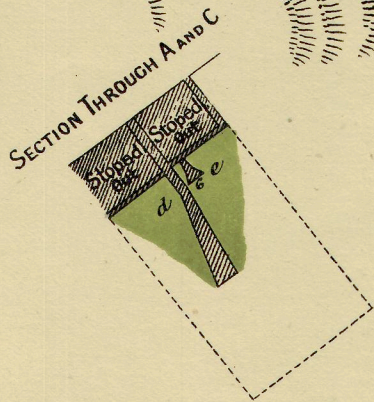
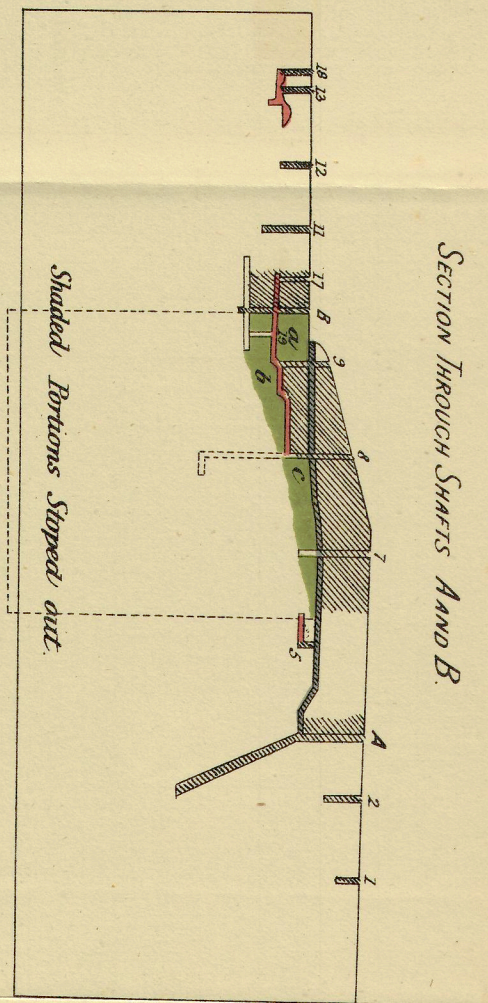
With regard to the length of time required to extract the ore from the mine to a depth of 300 feet, I find that in the south shaft five tributors raised 100 tons of ore per month, and near the north shaft a like number of men obtained even better results. In the present state of the mine about 40 men could be put on, while as the workings became extended this number could be considerably increased. I am therefore of opinion that the mine could have been worked to a depth of 300 feet during the remaining term of Baker and party's lease.

I have, &c.,

EDWARD F. PITTMAN,
Assoc. Roy. Sch. of Mines,
Geological Surveyor.

[Plan.]

PLAN OF MILBURN CREEK COPPER MINE — COUNTY OF BATHURST —



Signed Edward F. Pittman
Assoc. Royal Sch of Mines
Geological Surveyor
April 4th 1879

1878-9.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

PROGRESS REPORT FROM THE SELECT COMMITTEE
ON THE
PETITION OF MR. E. W. RUDDER;
TOGETHER WITH THE
PROCEEDINGS OF THE COMMITTEE,
MINUTES OF EVIDENCE,
AND
APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
24 July, 1879.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1879.

513—a

[1s. 6d.]

1878-9.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

VOTES No. 33. TUESDAY, 12 NOVEMBER, 1878.

17. PETITION OF MR. E. W. RUDDER:—Mr. R. B. Smith moved, pursuant to Notice,—
 (1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report upon the Petition of Mr. E. W. Rudder for his services in connection with the Gold Discovery in 1851.
 (2.) That such Committee consist of Mr. Baker, Mr. Copeland, Mr. J. Davies, Mr. Gray, Mr. Hurley (*Hartley*), Mr. McElhone, Sir Henry Parkes, Mr. Webb, Mr. W. H. Suttor, and the Mover.
 Debate ensued.
 Question put.
 The House divided.

Ayes, 24.

Mr. Farnell,	Mr. Macintosh,
Mr. Sutherland,	Mr. Jacob,
Mr. Leary,	Mr. Simson,
Mr. Burns,	Mr. Gray,
Mr. W. H. Suttor,	Mr. Day,
Mr. H. H. Brown,	Mr. Johnston,
Mr. Barbour,	Mr. Fitzpatrick,
Mr. Hurley (<i>Hartley</i>),	Mr. J. Davies,
Mr. Baker,	Mr. Greville,
Mr. Teece,	<i>Tellers.</i>
Mr. Coonan,	Mr. R. B. Smith,
Mr. Eckford,	Mr. W. C. Browne.
Mr. Murphy,	

Noes, 11.

Mr. Bowman,
Mr. Hungerford,
Mr. Greenwood,
Mr. Terry,
Mr. Cameron,
Mr. Driver,
Mr. Bennett,
Mr. Hoskins,
Mr. Lynch,
<i>Tellers.</i>
Mr. Dillon,
Mr. Harris.

And so it was resolved in the affirmative.

VOTES No. 63. FRIDAY, 31 JANUARY, 1879.

6. PETITION OF MR. E. W. RUDDER:—Mr. R. B. Smith (*by consent*) moved, without notice, That the names of Mr. Baker and Mr. Burns be added to the Select Committee on "Petition of Mr. E. W. Rudder."
 Question put and passed.

VOTES No. 158. THURSDAY, 24 JULY, 1879.

2. PETITION OF MR. E. W. RUDDER:—Mr. R. B. Smith, 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 the Petition of Mr. E. W. Rudder was referred on 12th November, 1878; together with Appendix.
 Ordered to be printed.

CONTENTS.

	PAGE.
Extracts from the Votes and Proceedings	2
Report	3
Proceedings of the Committee	4
List of Witnesses	5
List of Appendices	6
Minutes of Evidence	1
Appendix	22

1878-9.

PETITION OF MR. E. W. RUDDER.

PROGRESS REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, appointed on the 12th November, 1878,—“*with power to send for persons and papers, to inquire into and report upon the Petition of Mr. E. W. Rudder for his services in connection with the Gold Discovery in 1851,*”—have agreed to the following Progress Report:—

Your Committee, owing to the advanced period of the Session, have resolved to report the Evidence already taken to your Honorable House, and to recommend that the inquiry be resumed next Session.

R. BURDETT SMITH,

No. 3 Committee Room,

Chairman.

Sydney, 24th July, 1879.

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 4 FEBRUARY, 1879.

MEMBERS PRESENT:—

Mr. Webb, | Mr. McElhone,
Mr. Burns.

Mr. Webb called to the Chair *pro tem*.

Entries from Votes and Proceedings, appointing the Committee, and adding Members thereto, read by the Clerk.

Printed copies of the Petition of Mr. E. W. Rudder before the Committee.

Motion made (*Mr. Burns*), and Question,—That Mr. R. B. Smith be Chairman of this Committee,—put and passed.

Committee deliberated.

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

[Adjourned.]

THURSDAY, 13 FEBRUARY, 1879.

The meeting called for this day was postponed to Wednesday next.

WEDNESDAY, 19 FEBRUARY, 1879.

MEMBERS PRESENT:—

Mr. R. B. Smith in the Chair.
Mr. Burns, | Mr. Hurley (*Hartley*),
Mr. Webb.

Enoch William Rudder, Esq., called in and examined.

Witness *handed in* certain documents, which were ordered to be appended. (*See Appendices A 1 to 4.*)

Witness withdrew.

Committee deliberated.

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

[Adjourned.]

WEDNESDAY, 23 APRIL, 1879.

MEMBERS PRESENT:—

Mr. R. B. Smith in the Chair.
Mr. Burns, | Mr. Webb.

Enoch William Rudder, Esq., called in and further examined.

Witness withdrew.

Committee deliberated.

Ordered,—That E. W. Rudder, Esq., be summoned to give evidence next meeting.

[Adjourned to Wednesday next, at a quarter past *Two* o'clock.]

WEDNESDAY, 30 APRIL, 1879.

MEMBERS PRESENT:—

Mr. R. B. Smith in the Chair.
Mr. Webb, | Mr. Hurley (*Hartley*),
Mr. Burns, | Mr. Gray.

Enoch William Rudder, Esq., called in and further examined.

Witness *produced* a copy of the Report from the Select Committee on the Gold Fields Management Bill of 1853, and requested that certain extracts which he had marked might be appended to his evidence.

Consideration postponed to next meeting.

Committee deliberated.

Ordered,—That E. W. Rudder, Esq., be summoned to give evidence next meeting.

[Adjourned to Friday next, at half-past *One* o'clock.]

FRIDAY,

FRIDAY, 2 MAY, 1879.

MEMBERS PRESENT:—

Mr. R. B. Smith in the Chair.

Mr. Gray, | Mr. Burns,
Mr. Webb.

Request of Mr. Rudder,—That certain extracts from the Report from the Select Committee on the Gold Fields Management Bill of 1853 be printed as an Appendix,—considered.

Motion made (*Mr. Gray*) and Question,—That the extracts referred to be printed as an Appendix,—put.

Committee divided.

Ayes, 2.
Mr. Gray,
Mr. Burns.

No, 1.
Mr. Webb.

So it was resolved in the affirmative. (*See Appendix A 5.*)

Enoch William Rudder, Esq., called in and further examined.

Witness produced diagram of a Rocker for washing gold, and handed in certain documents, which were ordered to be appended. (*See Appendix A 6 and 7.*)

Sedgwick Spelman Cowper, Esq., called in and examined.

Witness withdrew.

Committee deliberated.

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

[Adjourned.]

TUESDAY, 24 JUNE, 1879.

MEMBER PRESENT:—

Mr. R. B. Smith.

In the absence of a Quorum, the meeting called for this day lapsed.

WEDNESDAY, 9 JULY, 1879.

MEMBERS PRESENT:—

Mr. Burns, | Mr. R. B. Smith.

In the absence of a Quorum, the meeting called for this day lapsed.

THURSDAY, 10 JULY, 1879.

MEMBERS PRESENT:—

Mr. R. B. Smith, | Mr. Burns.

In the absence of a Quorum, the meeting called for this day lapsed.

WEDNESDAY, 23 JULY, 1879.

MEMBERS PRESENT:—

Mr. R. B. Smith, | Mr. Burns.

In the absence of a Quorum, the meeting called for this day lapsed.

THURSDAY, 24 JULY, 1879.

MEMBERS PRESENT:—

Mr. R. B. Smith in the Chair.

Mr. J. Davies, | Mr. McElhone,
Mr. Burns.

Chairman submitted Draft Progress Report.

Same read and agreed to.

Chairman to report to the House.

LIST OF WITNESSES.

	PAGE.
Cowper, Sedgwick Spelman, Esq.	20
Rudder, Enoch William, Esq.	1, 9, 15, 19

LIST OF APPENDICES.

[To the Evidence of E. W. Rudder, Esq., 19 February, 1879.]

	PAGE.
A 1.	
Extract from the <i>Sydney Morning Herald</i> , July 22, 1850	22
A 2.	
Letter of E. W. Rudder, Esq., published in <i>Sydney Morning Herald</i> , 22 February, 1851	21
A 3.	
Letter of E. W. Rudder, Esq., to the <i>Bathurst Free Press</i> , in reference to Additional Gold Regulations.....	26
A 4.	
Petition of Miners, dated 15 November, 1851.....	26

[Ordered to be appended to Evidence of E. W. Rudder, Esq., 2 May, 1879.]

A 5.	
Extracts from the Evidence taken before the Select Committee in 1853 on the Gold Fields Management Bill	27

[To the Evidence of E. W. Rudder, Esq., 2 May, 1879.]

A 6.	
Letter from E. W. Rudder, Esq., to William Tom, jun., Esq., dated 6 February, 1879	30
A 7.	
Letter from William Tom, jun., Esq., dated 8 February, 1879	31

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

PETITION OF E. W. RUDDER.

THURSDAY, 19 FEBRUARY, 1879.

Present:—

MR. BURNS,
MR. HURLEY (*Hartley*),MR. R. B. SMITH,
MR. WEBB.

R. B. SMITH, ESQ., IN THE CHAIR.

E. W. Rudder, Esq., was called in and examined:—

1. *Chairman.*] What is your name, Mr. Rudder? Enoch William.
2. Where do you reside? At East Kempsey, on the Macleay River.
3. You are a freeholder? Yes; a householder and a freeholder.
4. You are the gentleman referred to in the Petition which was ordered to be printed by the Legislative Assembly on the 22nd of March, 1878? Yes.
5. You are the petitioner, in fact? Yes.
6. In the year 1850 you left this Colony for California? I did.
7. For what purpose did you leave the Colony? The object I had in view at that time was not so much gold mining as to introduce a peculiar kind of machinery for gold mining.
8. Perhaps you will explain more fully what your motives were? My motive for leaving the Colony was this: During the time I was resident in England I was applied to by a company who intended to go into America to mine for gold. They obtained a patent machine, which they applied to me to have brought to perfection. I undertook to do that, and to manufacture the machine for them. It was transferred by them to Carolina; but previous to its being taken over, it was experimented upon in the presence of friends of mine, who were gentlemen of influence, as Members of Parliament, and so on. The result proved to be very satisfactory. When the Californian mines were discovered, it was suggested to me that this machine might prove of considerable value as a means of facilitating the extraction of gold, I therefore had a machine made in this city. It took some six months, I think, in putting together. We formed a company, and I took the machine to California with the intention of its being worked there.
9. While you were there you met Mr. Edmund Hammond Hargraves, I believe? His going to California was a prior arrangement, and he went with the view to meet me there, the arrangement having been made through the late Mr. Samuel Peek. Mr. Peek understood that I wanted a person to go with our company, and he recommended Mr. Hargraves. We had an interview; and after the interview with Mr. Hargraves, it was agreed that he should go on, and that we should meet in California; which we did subsequently.
10. Were you a party to his going to California? I was. It was in consequence of an application we made for a suitable person; and Mr. Peek, who was a friend of Mr. Hargraves, recommended him to me as a suitable person.
11. What took place between you and Mr. Hargraves with respect to gold mining there? At this time I had not so much intercourse with Mr. Hargraves as I had with Mr. Simpson Davidson, who was a squatter in this Colony, and who had gone to California, allured by its gold deposits. Mr. Hargraves had joined with Mr. Davidson previous to my reaching California. Mr. Hargraves, however, found me out; and

E. W.
Rudder, Esq.

- E. W. Rudder, Esq. and after we met, it was arranged between Mr. Davidson* and myself that we should accompany them to the gold fields. We were supplied with a large boat of our own and everything necessary, but Mr. Davidson had a larger boat, and he accompanied me and two of my sons as passengers to the interior.
- 19 Feb., 1879. 12. What took place between you and Mr. Hargraves on the gold fields? In the first place Mr. Davidson and I went a trip together and we remained together for some time, while Mr. Hargraves remained behind to dispose of merchandise.
13. Was the Mr. Davidson you refer to the author of a work on gold deposits in Australia? Yes; I hold a copy of the work in my hand which was presented to me by the author with this letter which accompanied it.
14. Will you describe anything which took place between you and Mr. Hargraves which led to the discovery of gold in this Colony? After my return from the diggings with Mr. Davidson we travelled together; and on one occasion, which is alluded to in Mr. Davidson's work, Mr. Davidson, Mr. Hargraves, and myself went together on a journey, and during that trip I frequently explained to Mr. Hargraves the geology of the country.
15. *Mr. Burns.*] Were did you make the journey to? Mr. Davidson wrote of this journey as follows:—"Mr. Davidson, (p. 46) the elder Mr. Rudder, and Mr. Hargraves together took a more extended trip, and examined the diggings as far as Downsville, being absent a week from Foster's Bar."
16. *Chairman.*] Was that near to San Francisco? No; it was nearer Oregon.
17. *Mr. Burns.*] Then these conversations took place in California? Certainly.
18. *Chairman.*] What is the diagram before you? It is a sketch of the forks of the Upper Yuba.
19. Can you describe anything further which took place between you and Mr. Hargraves while making these visits? We had a great deal of discussion on these subjects and so had Mr. Davidson. The geology of the two countries frequently formed the subject of conversation, especially in camp at night, and I frequently expressed my opinion that the geological formations of New South Wales were so similar to those of California that gold would be found here. I was convinced that gold ought to be found in this Colony, and I expressed my intention of returning and making a search for it. Mr. Davidson as well as Mr. Hargraves had a good deal of conversation with me, especially Mr. Davidson, as to the existence of gold in granite. Up to that time, as far as I know, gold had not been found in granite, but on the Yuba we discovered it, at least I did. That led to a great deal of conversation on the subject, and Mr. Davidson frequently referred to it, and he satisfied himself that alluvial gold was to be found resting on the bed rock of granite. Mr. Davidson's opinion had been adverse to mine, and subsequently when the Rev. W. B. Clarke came to investigate the subject he also found that gold occurred in this country in granite, and referred to what I had done in California as an evidence confirmatory of his own discovery here. It was subsequently ascertained that gold was to be found in all the granite formations of this Colony.
20. After this visit to the interior of California did you write any letters from that country to the newspapers in Sydney? I did; but if you will permit me, before I refer to that, I should like to call your attention to a passage in Mr. Davidson's book confirmatory of what I have stated.
21. Did you publish your letter? I did not publish it myself, but it was deemed of sufficient importance by friends of mine to be published—I refer to the late John Rose Holden and Mr. Holroyd.
22. The present Master in Equity? Yes. At that time my wife was staying with Mr. Holden, who was a relation of ours, and a Member of Council.
23. In what newspaper was your letter published? In the *Sydney Morning Herald*.
24. Do you remember the date of the publication? The 22nd of July, 1850.
25. Have you a copy of the letter? Yes; here is a printed copy, taken from the *Herald*.
26. This appears to be a leading article, which embodies an extract from your letter? Yes, a long extract. (*Vide Appendix A 1.*)
27. What were you about to say with regard to Mr. Davidson? I was about to quote this passage from Mr. Davidson's book as confirmatory of what I have stated:—"Mr. Rudder and I had a good deal of conversation on abstract geology in connection with gold, and to his calling my attention to the doctrine of gold dissemination in granite, do I especially owe much subsequent observation, which I made to satisfy myself of the relation of the precious metal to rocks of granitic character."
28. That quotation is from Mr. Davidson's book on gold deposits? Yes.
29. What took place after the publication in the *Herald* of this article containing your letter? Nothing that I am aware of, besides the effect it is supposed to have produced in tending to deter emigration from this Colony to California.
30. How do you know that it deterred emigration from the Colony? That is inferential on my part; that I think was its obvious tendency; and an Honorable Member the other day, in replying to your speech, said that if I had deterred emigration I should have prevented persons from going to California and obtaining a knowledge of gold mining, and that the effect would have been that the discovery of gold here would have been delayed. That, however, was not the case. It will be found on reading my letter that I described the nature of the gold-bearing country, and also the mode of working it. I therefore consider that I paved the way in this Colony for what subsequently took place; as perhaps will be the more readily perceived from my second letter.
31. Can you refer the Committee to your second letter? It appeared on the 22nd of February, 1851.
32. Where was that letter written from? Sydney.
33. After you returned? Yes.
34. In what newspaper was it published? The *Sydney Morning Herald*.
35. What was the effect of the letter? I believe it produced a desirable effect in deterring emigration.
36. What was the purport of it? I explained the customs of California, and the nature of the climate, the sickness which was likely to result to persons who emigrated there, and showed that those who exercised a sound discussion would not venture to emigrate. Then I explained the method of washing gold and practically discovering it. I stated the value of the gold which might be expected to be produced, the temperature of the country, the number of tons of earth which had to be removed to procure a certain quantity of gold, and other matters connected with gold mining. Then I referred to the result of the occupation upon health, the yield of gold from various quantities of soil removed, and I particularised the results of about twelve experiments in various localities. I described the nature of the process of

NOTE (on revision):—Mr. Hargraves' name should have been added.

E. W.
Rudder, Esq.
19 Feb., 1872.

of washing, and I also referred to the diseases which were prevalent in the country, alluding particularly to insanity.

37. Do you know what effect that letter produced in the mind of the community? As far as I heard, it had the effect of determining people to look for something in their own country.

38. Was your letter written with that object? It was.

39. Do you happen to know that large numbers of persons were leaving the Colony daily and weekly? They were. I was requested by the proprietors of the *Herald* to write the letter with a view to that fact.

40. Requested by whom? By the late Mr. Kemp and the late Mr. Fairfax.

41. Did you have interviews with them on the subject? I think I must have had; I know I had often with Mr. Kemp.

42. It was at his suggestion that that letter was written? It was at his request.

43. The late Mr. Charles Kemp requested you to furnish the *Herald* with such information as would be calculated to deter the emigration which was then taking place from this Colony to California? Yes; and I took considerable pains to give such details as bore upon the subject from my own personal experience.

44. Do you happen to know from your own knowledge that that letter had the effect you desired to produce? I have every reason to believe so.

45. Will you hand a copy of it in as an appendix to your evidence? Yes. (*Vide Appendix A 2.*)

46. What did you do, after the publication of that letter, with regard to the discovery of gold? The next public step which I took was to deliver a lecture in the School of Arts with regard to California, of which I have here a copy; and during that lecture I exhibited the necessary apparatus for obtaining gold, with diagrams. I have a large diagram, which I could bring before the Committee, but those which I have here will be sufficient to show the nature of them. I thoroughly illustrated the mode of procuring gold, and any person who paid attention to that lecture could have gone from there and procured gold.

47. In this Colony? Yes, by observing the geological features of the Colony, as I described them.

48. Was that lecture well attended? It was not very numerously attended, but it was very favourably spoken of.

49. Was a report of it published in the *Sydney Morning Herald*? I do not think the lecture was published in full. The following observations were made in the *Sydney Morning Herald* with regard to the lecture the next day:—"Last evening Mr. E. W. Rudder gave a lecture at the theatre of the School of Arts upon the climate, productions, and resources of California, founded upon his experience during a sojourn of nine months in the gold country. Whilst he depicted, in graphic terms, the magnificence of the country and the splendour of its climate, during the brief vernal season, he, on the other hand, in language of eloquent warning, described the reverse of the picture during the greater part of each year. The unhealthy character of the country, in consequence of its peculiar geological formation, the dangers and risks of the mining operations, and the disappointment and disease which in so great a proportion prevails among the gold-seekers. Mr. Rudder stated that careful calculations estimated the amount of emigration since the discovery of the gold at 350,000 souls, of whom it could not be doubted that at least one-third had perished. He candidly admitted that in many instances fortunes had been made, and even health preserved, but in the vast majority of cases the result was ruin, disease, and death; and very earnestly did he implore those who, by patient industry, were pursuing their course in healthy climes to pause before they exchanged comfort for certain misery. The details of each branch of his subject were listened to with marked interest, and at its conclusion the applause was loud and universal." A similar report appeared in the *Empire* on the same day.

50. Have you the paragraph which appeared in the *Empire*? Yes.

51. Perhaps you will read it? The paragraph which appeared in the *Empire* was this: "A lecture was delivered last night at the School of Arts, Pitt-street, on the subject of California and gold-mining, by Mr. E. W. Rudder, who has lately returned from San Francisco after nine months' residence in that country, four of which were spent in active operations at the mines. The lecturer divided his discourse into four heads—first, the nature of the country and its general features; second, the gold formation; third, the nature of mining operations; and fourth, the expenses and general results of mining speculations. The lecturer gave a very eloquent description of the physical peculiarities of California, and dwelt at some length on the variable nature of the climate, which he asserted was conducive to disease in the great majority of cases. After glancing at the imperfect regulations for sanitary purposes, he stated that of the immigrants arrived in California during three years at least one-third had perished from disease and want. The lecturer then gave a very minute description of gold mining, and of the difficulties and trials attending its operations, together with an account of the regulations adopted at the mines for the protection of property, and concluded a very interesting discourse by a calculation showing the heavy losses which the great majority of persons emigrating to California had suffered, and must suffer, under the best possible view of the subject. We regret to say that the audience, though very respectable, was exceedingly limited. The lecturer however was warmly cheered at the conclusion of his discourse."

52. About the time you delivered this lecture had you any interviews with the editor of the *Empire*? Yes, I think we had several conversations on the subject.

53. Who was the editor of the *Empire* at that time? Mr. (now Sir Henry) Parkes. I have no doubt that he would recollect that we had conversations on the subject; but I have not asked him the question.

54. Will you explain the nature and objects of those interviews? With regard to this lecture I had no interview, and I had nothing whatever to do with the reports of the lecture which were published. In the other cases the editors applied to me for information. Sir Henry Parkes and I had known each other for some time, and I was frequently in the habit of calling at his office and having conversations with him; I know we had several conversations about that time, but at this long period of time I cannot recollect the particulars of them.

55. Can you give the Committee any information which led to the discovery of gold in this Colony by Mr. Hargraves? I believe it was the opinion which he formed of the country when in California with me which led to it. Previous to our leaving California I sent two of my sons from the Yuba to the Slate Range, where Mr. Hargraves was working, in order to afford him, the opportunity if he thought fit to avail himself of it, of returning to the Colony with us.

56. *Mr. Burns.*] I see that you say in your petition here, that on the 22nd February, 1851, a second letter of yours was published in the *Sydney Morning Herald*, headed "California," and that that publication took place forty-two days previous to the announcement of the gold discovery? Yes, I have given that letter in evidence.

- E. W. Rudder, Esq.
19 Feb., 1879.
57. *Chairman.*] Did you see Mr. Hargraves on his arrival? Not immediately on his arrival, but the first time I came to Sydney I saw him almost daily.
58. Was that before the discovery of gold in this Colony was made known? Yes; I had an interview with him on the day that he started at the request of Mr. Northwood. He asked me if I would be good enough to instruct a carpenter to show him how a small rocker might be made for Mr. Hargraves to take with him on his expedition in search of gold. I saw him start, and I heard that Mr. Thomas Icely intended to take the rocker with him in his carriage.
59. Had you any interview with Mr. Hargraves before he left Sydney with a view to discover gold? I saw him previous to leaving, but I had no conversation with him as to what he was to do. That would have been rather presumptuous on my part, knowing that he was as good a worker as myself, and that the knowledge which he had obtained from what he had seen while with Mr. Davidson and myself made him competent without any instructions from me.
60. On Mr. Hargraves' arrival from the country what took place between you and him with respect to his discovery? Mr. Hargraves, after he received the first five specks, brought them to me, and I examined them closely.
61. *Mr. Webb.*] What date was that? It was in April I think; either in the latter part of March or the beginning of April.
62. *Mr. Burns.*] April, 1850? 1851. Conversation ensued between us on the small amount of gold discovered. When I put the question to him as to how much he thought a person might earn in a day or a week, Mr. Hargraves expressed his opinion that it would be a very small amount, not much more than 10s. He felt very much discouraged, and expressed his intention to return to California. I battled with this feeling of his because I felt sure in my own mind that gold must exist in much larger quantities. I took the trouble to go to the Surveyor General's office, and I procured the inspection of the maps of the district where the gold had been found, and I ascertained the geological features of the country. I found that there was granite country of great extent as well as slate, and I traced that to a considerable extent on the maps as far as I could get the information I required. After that my deduction was that gold must exist over a very considerable portion of our country, and I expressed these views to Mr. Hargraves. Mr. Hargraves, however, still inclined to leave the country.
63. Did he state to you that it was his intention to leave the Colony? He stated that he thought he should do so. He did not actually say "I am going," but he said that he felt discouraged, and that he thought of returning to California—that he would do much better there than here. This caused a good deal of discussion, and ultimately I prevailed upon him to allow me to make the discovery public. Now I can tell you candidly what induced me to do that. My object was to fix Mr. Hargraves on the one hand and to bind the Government on the other so that the investigation should be carried on, for I felt perfectly certain that there was gold in the country. I never knew gold found in the way that gold was found without it existed in larger quantities.
64. Then you say you induced Mr. Hargraves to permit you to make his discovery known? I did.
65. Did you make it known at his request or with his concurrence? I made it known by his permission.
66. *Mr. Burns.*] To whom did you make it known? I made it known through the *Herald* and *Empire*.
67. *Chairman.*] You wrote a letter to both the *Herald* and the *Empire*? I did, and I can produce it.
68. Will you explain the purport of it? I wrote:—"When in California I was so struck with the similarity of the auriferous formation I inspected with that I had seen in New South Wales, that I felt perfectly assured gold would be found in this Colony in those parts where the geological features corresponded. The subject formed matter for conversation when at the mines. My companions all agreed with my views, and so perfectly satisfied were they on the subject that we determined as soon as possible after our return to New South Wales to commence a diligent search for the precious metal. It gives me the greatest pleasure to be enabled to inform you that we were not mistaken in the opinion we formed. A gold field has been discovered, extending over a tract of country about 300 miles in length. The gold resembles that of California in every respect externally, and appears equally pure. I have seen the specimens which have been procured, and from what I know I have no doubt that gold will be found distributed over as wide, if not larger space than in California. The discovery has been made by a gentleman (an old and well known colonist) with whom I had the pleasure to travel many hundred miles when in California, and knew him to be a miner of very considerable experience both in the northern and southern mines of that famed country. The facts have been communicated to the Government, and will no doubt be brought before the Government at the fitting time. At present it may be sufficient to remark that the geological features of the auriferous formations in this Colony and California are analogous. The latter was fully described in my recent lecture, together with the modes of working and the machinery in use. I trust it will not be long ere we may bid adieu to Californian emigration from these shores, and that the Government will adopt without delay such measures as shall tend further to develop the riches of this Colony, and enable its people to reap the golden harvest which now appears to invite attention."
69. What was the date of that letter? It was written on the 2nd of April, and published on the 4th. You will observe that that was written with Mr. Hargraves' full consent and knowledge.
70. Before you published that letter Mr. Hargraves had announced his intention of leaving the Colony for California? He had.
71. And he was not inclined to institute any further search for the discovery of gold? Not at that time. He himself did not do so. The further progress of the discovery was the work of Messrs. Tom and Lister.
72. After the publication of that letter did you have any communication with the editors of the newspapers? I did not have any communication direct with them.
73. You were not in frequent communication with them? No; not further than that I might have had a casual conversation with Mr. Parkes; but at that time Mrs. Rudder happened to be in Sydney transacting some little domestic business. When this letter came out she found it quite disagreeable to go along the streets of Sydney because she was so much pointed at as the lady of the gentleman who had made known the gold discovery.
74. Where were you at that time? In Sydney.
75. *Mr. Burns.*] Can you tell me the date of the first communication made by Mr. Hargraves to the Colonial Secretary on the discovery of gold? To the best of my knowledge it was about the 2nd of April.
76. The same day that your letter was written? I think so. I feel almost certain that Mr. Hargraves had an interview with the Colonial Secretary on that day. That, I think, was shown in the evidence taken before the Committee.

E. W.
Rudder, Esq
19 Feb., 1879.

77. *Chairman.*] After the publication of the letter which you have just read, did you proceed to Bathurst? I did.

78. When? I arrived in Bathurst on the 5th of May.

79. Did you have a gold-washing machine made for you at Bathurst, and did you exhibit it for the inspection of the public? I did.

80. I believe that was the first gold-washing machine made in the Colony? The first of a practical character which was made in the Colony. I produce the bill of it.

81. It appears to have been made by Mr. Walker? Yes; from my design.

82. What was the date? The 14th of May. I had been up to the gold-field and come back again.

83. Will you explain to the Committee the particular steps you took at this time on your arrival at Bathurst in connection with the gold discovery? On my arrival at Bathurst I went with Mr. Hargraves. The next day I think it was we met Mr. Stutchbury. I was present during the examination of Mr. Stutchbury, and knew his opinion on the subject with regard to Mr. Hargraves' discovery, or, more properly, Messrs. Tom and Lister's, for they were the actual discoverers. Five specks were all that Mr. Hargraves personally procured. I stayed at Guyong that night, and Mr. Hargraves put into my hand 4 ozs. of gold which he had received from Messrs. Tom and Lister; and at his request I freed it from all impurities, so as to make it presentable to the Governor. That night I met several gentlemen resident in the Bathurst district returning from a Court of Petty Sessions they had been holding, and there was considerable excitement among them at this time, and they feared that the announcement of the discovery of gold would deprive them of their shepherds, and prove a great inconvenience to them as flock-owners. I believe I succeeded in allaying their fears on that head by telling them that there would be so many persons enter upon the field that instead of depriving them of their labour there would be a redundancy of labour, and I think they found that to be the case. I subsequently saw Captain Finch and his brother, and they told me they had not experienced any loss. I know that some gentlemen sold their stations, among them Mr. Saul Samuel, who anticipated that the effect of my announcement would be that there would be such a rush to the gold mines that he would lose his shepherds, and he thought it best to sell out.

84. Did you after this draw up regulations for the management of the gold fields? I did.

85. Had they been proclaimed? Not at this time. There was then great confusion; in fact I met people coming from Bathurst with spades and picks of all descriptions, and going to the gold fields. There was also great confusion on the ground, and it occurred to me that the best step to be taken would be to draw up concise regulations for the working of the gold fields, such as I had known in California. At this time I was staying at the elder Mr. Tom's house, and I devoted the greater part of two days to this subject. When I had prepared the regulations, I thought I could not do better than to submit them to Mr. Icely and Mr. Tom for their opinion.

86. Was that the late Mr. Icely, of Coomberg Park? Yes. He was a Member of Council.

87. *Mr. Webb.*] Do you know whether he is living or dead? I believe he is dead.

88. Do you know if Mr. Tom is still living? Yes, I know Mr. Tom is living.

89. *Chairman.*] Which Mr. Tom do you refer to? I am speaking of the elder Mr. Tom. I have received a letter from him during the last few days confirming the statement I have made.

90. To which Mr. Tom did you read your regulations? To the elder Mr. Tom, who kindly undertook to have them forwarded to the address, which was the Colonial Secretary.

91. Can you produce the letter of Mr. Tom confirming the statement you have made? Yes, I have received this letter from Mr. Tom.

92. Will you read it? "Springfields, 11th February, 1879. Dear Sir,—I have but a few minutes to answer yours, by mistake, of the 12th. I well recollect your being here, and your writing a document, and reading it over to Mr. T. Icely and myself, and that it was approved by us. I believe it was given to me to post, and I never left anything committed to me in confidence undone, so I conclude it was faithfully posted. As to more of the substance of the letter, it is too long since to particularize. I have another letter from Mr. Webb which he was kind enough to send me in reply to an application I made to him to know if Mrs. Webb recollected the circumstances. At this time I was not aware whether Mr. Tom was living, and I felt great delicacy in writing to him. Having been so much on the Macleay, I did not know what had taken place in the Bathurst district, and therefore it was that I took the liberty of writing to Mrs. Webb, whose memory confirms her father's statement."

93. Do you know what became of the copy of the regulations which you forwarded to the Colonial Secretary? At the time, I presumed that they had been safely and honestly delivered; but some considerable period of time after that I was told that they had been suppressed and never reached their destination. At any rate I did not receive an acknowledgment, which I ought to have done.

94. Where were they suppressed do you suppose? I have no evidence to prove it; but I was always surprised that I did not hear anything at all about them. I was led to understand that the letter was suppressed by parties from interested motives. I should not like to mention the names of the parties mentioned to me. Mr. Tom, you may be quite sure, had nothing to do with it.

95. As far as Mr. Tom was concerned, you are quite sure that he faithfully carried out your wishes? I am sure he acted as an honorable and worthy friend.

96. What steps did you take after this? Soon after this occurred, Mr. Hardy was appointed Gold Commissioner, and there were other circumstances which I might allude to, which intervened, but perhaps they are not material. However, they are these, that Mr. Hargraves, from some motive or other, very much against my advice and I believe against the interests of Messrs. Tom and Lister, instead of placing the gold quietly in the hands of the Colonial Secretary or of the Government, took it to Bathurst, and there exhibited it publicly and proclaimed the gold field, causing a great rush and much confusion. I thought that was very injudicious, and that he ought to have retained the information until he could communicate it to the Government, and that in that way it would have been much more favourably brought out. The next step I took was when Mr. Hardy came up.

97. You are speaking of Mr. Commissioner Hardy? Yes; he and Mr. Essington King came together. The first thing they did on their arrival was to come to me, and Mr. Hardy asked my advice as an experienced miner as to what was the best course he could adopt with regard to placing the miners on the ground in such a way as would prevent confusion and secure harmonious working. I entered into this matter with Mr. Hardy, and went out with him, explained to him the nature of the country, and pointed out to him the best position in which to place the miners. He followed my advice, and the confusion

- E. W. Rudder, Esq. confusion which existed was in the course of a day or two allayed, and the ground was worked in a more systematic and regular manner.
- 19 Feb., 1879. 98. Did you afford Mr. Commissioner Hardy any further assistance? We frequently had conversations together, and sometimes we went over the field together, and I remember that I went with him on one occasion to where a man was working and showed him the waste of gold that was taking place by the imperfect plans of working adopted by the miners. There was one man who had got a sheet of bark taken from a gum-tree on which he placed his washdirt, and he swilled it down with water, allowing all the fine particles to run away. The loss from negligence of this description was surprising, and they had no more idea of procuring the gold than a blackfellow. Mr. Hardy and I watched the man washing away all his fine gold, leaving nothing but nuggets.
99. Were your suggestions acted upon by Mr. Hardy? Yes, in every instance.
100. That is with regard to the management of the gold field? Yes, I think I can say that conscientiously.
101. Was your arrival on the gold fields announced publicly as being the first experienced Californian gold-digger who had arrived? Yes, it was in an article published in the *Bathurst Free Press* on what was called "The Gold Fever."
102. Mr. Webb.] Of what date? I think about the 14th May, 1850.
103. Mr. Hurley.] That would be about the time you had the cradle made? It was a little after that. The article was headed "The Gold Fever."
104. Can you produce the article? Yes; you will observe that it is stated in this article that "Mr. Rudder, an experienced Californian gold-digger, is now at work on the diggings."
105. Chairman.] Did you discover gold in quartz, and report the same to the Government? I did.
106. What was the date of that discovery, and when was it announced? Mr. Clarke mentioned it in his book on the Southern Gold Fields. It was first communicated by me to Mr. Oakes, a Member of Council. It was published without my knowledge at the time. This is what was published under the head of "Gold in Quartz":—"We feel no doubt that in a very few months a regular system of procuring gold by crushing the quartz rock will be in operation. The following extract from a letter from Mr. E. W. Rudder gives most astonishing results. If quartz in large quantities will give one-tenth of the quantity of gold here stated it will amply repay the expense and trouble of working. 'On Saturday, the weather proving too unpropitious for work, I tried some experiments with quartz, and yesterday Mr. Samuel informed me of Mr. Clarke's letter, published in the *Herald*. I obtained a copy from Mr. Samuel. I mention this simply to show that my experiments were independent of the Rev. gentleman whose name I have mentioned. I have communicated the result of my observations to Mr. Oakes, M.C., of Parramatta, with permission to make such use of them as he might deem prudent. I wrote to him on the same day I made experiments. The first was from quartz broken out of a specimen I sold to Mr. P. C. King, which contained gold visible to the eye in portions, and invisible in others. The result was a return equal to 1½ lb. of gold in 100 lbs. weight of quartz. This kind of quartz is always, I believe, thrown away by the miners, and thereby, as you perceive, a great amount of the precious metal lost, or about £1,260 in every ton. I made two other experiments on quartz in which no gold was at all perceptible, and with results equally satisfactory, having obtained gold from both. I am indebted to Mr. Samuel for 1 oz. of mercury with which I was enabled to experiment.' That was subsequently taken notice of by the Rev. W. B. Clarke, in his Southern Gold Fields. He says in a note:—"About the same period, Mr. Rudder of the Macleay River, tried an experiment of a similar kind." Under date of 13th July, 1851, writing from Summer Hill Creek, he says: "I have observed that the quartz which is found with the gold is all thrown away. This quartz contains gold in very minute particles. I detached some from a specimen which I obtained. This I reduced to powder, and adopted the process of amalgamation with mercury, and the result was that 1-77th part was gold. I have since tried two other pieces in which no gold was visible to the eye, and again obtained gold. My experiments are, from necessity, very imperfect, not having facilities for their performance. Still, however, they satisfactorily prove the existence of gold in such minute particles as are imperceptible to the eye." In the same work Mr. Clarke also says: "In your paper of Monday last there is an allusion to some experiments made in crushing quartz by Mr. Rudder, as independent of mine. His results appear to justify my previous statement that I did not 'overrate' the value of quartz; but Mr. Rudder's experiments were not altogether tried upon quartz in which no gold is visible. When it is visible, of course the value is very much higher. But that your readers may not think it impossible for rock, with or without visible gold, to be infinitely more productive than either Mr. Rudder or your other correspondent supposes, I quote here a passage from Ward's Mexico."
107. What work are you reading from? Researches in the Southern Gold Fields, by the Rev. W. B. Clarke—a presentation copy, which he sent to me. There is a great deal more here with regard to gold in granite. Mr. Clarke considered that a very important subject, and he shows that in all parts of the Colony where granite exists, gold has been found.
108. Where you the discoverer of gold in granite? I was, in California. Mr. Davidson refers to it in his book. Sir R. L. Murchison had the same idea as I entertained; but Mr. Davidson up to that time ridiculed it, and he thought that gold was not deposited, through attrition, but that it was the effect of volcanic periods, and hence that it would occur more in slate than in granite. Mr. Davidson thereby, however, was found not to be supported; and wherever granite rock appears in this Colony there is gold.
109. Do you wish to make any further statement with respect to your discovery of gold in quartz, or with regard to your representations to the Government on the subject? I sent specimens to Governor Fitzroy, and other specimens were taken home by the officers of H.M.S. "Herald" at that time.
110. Did you publish an exposition of the loss of gold from inefficient methods of working, with instructions how to avert it? I did, in the *Bathurst Free Press*.
111. Of what date? There were several letters on that subject. I think about the 16th of July.
112. What year? 1857.
113. You described the gold formation for general information? I did.
114. And you were the first to describe it? I believe I was; I do not know of any other practical miner who did. As a proof that I understood the subject, here are some rough pen and ink sketches I took on the spot.
115. Did you again resume the subject? I did upon several occasions. I can tell you the opinion of the editor of the *Bathurst Free Press* upon the subject. I also made these sketches of underground workings.

E. W.
Rudder, Esq.
19 Feb., 1879.

116. Did you exhibit the diagrams now produced? They were seen by many people. I did not publicly exhibit them. I have other diagrams, but I did not know that the Committee would like to see them.

117. I think there is a statement in your petition to the effect that you were the first to make the discovery of gold in this Colony known in England? I was; that statement is correct.

118. How do you arrive at that? It was reported in the *Empire* in this way: "It will be remembered by many of our readers that some weeks before the public announcement of the fact that gold was being found in large quantities at Summer Hill Creek, a letter was published contemporaneously in this journal and in the *Herald*, by Mr. E. W. Rudder, affirming that a gold-field had been discovered extending over a tract of country about 300 miles in length. This letter, which was published on the 4th of April, had reference to the discovery of Mr. Hargraves which was not yet made public. The announcement of Mr. Rudder had reached England, and was creating some little sensation before the sailing of the 'Blackwall,' as may be gleaned from the following extract of a letter to a mercantile firm in Sydney, dated Birmingham, August the 18th: 'Although, as you are aware, our connections with California have been very limited, and we have not hitherto received many of their auriferous lumps, I yet anticipate, shortly, getting some through your medium, as we hear that there are accounts of large quantities being found of late in the Australian Colonies.' 'The Thomas Arbuthnot,' with the first freight of Australian gold, sailed on the 3rd of June, two months after the appearance of Mr. Rudder's letter." My wife's family connections are very largely interested in the refining of gold and silver, and it was only natural that I should communicate with them on the subject. I communicated with them, and since then I think they have had considerable transactions with the Mint in Sydney.

119. Do you know the opinion of the editor of the *Bathurst Free Press* on the nature of your published communications? I have here a letter which I received from him on the 19th November, 1851. He says: "My dear Sir,—I beg to return you my very sincere thanks for your kindness in supplying me with occasional reports of proceedings in the gold field for publication, and I appreciate your liberality the more that it is bestowed upon a person to whom you are a complete stranger. And you will perhaps permit me to express an opinion, given in all sincerity, that many of your communications display a degree of literary talent, and a power of thought alike creditable to your pen and your brain. Enclosed I return you the miners' petition, and whilst I cannot but compliment its framers upon the perspicuity with which the grievances of the diggers are stated, I will further remark that with the principles set forth therein I entirely concur. The subjects embraced in the petition shall receive my immediate attention in the shape of a leader for Saturday. Again thanking you for your kindness, I remain, yours very respectfully,—

WILLIAM FARRAND."

120. Who was that? Mr. Farrand. I think he is now a police magistrate in some part of the Colony.

121. Did you receive any other communications from him? I had many communications from him.

122. You do not produce any other? I have here several articles which I wrote about this time on the regulations and other matters connected with the working of the mines. I have not pushed myself forward by name, for I had no desire to make myself celebrated, but at the same time I did not refrain from doing what I thought would benefit the country. You will pardon me if I am a little egotistical. I took an interest in the first promulgation of public education, and I attended the first committee ever formed in this Colony in regard to it. Although we failed at that time to get the Irish system which we desired, the National system was subsequently introduced. I believe I succeeded in establishing the first school in the country out of Sydney, namely, on the Macleay River. I have taken an interest in many other matters both at Home and in this country. I assisted at Home in drawing attention to the window tax, and I believe I was instrumental in the abolition of it. I drew attention to the working of the parish rates and of the church rates.

123. You were about to enter upon the subject of the regulations? Yes. I have here a letter which I wrote on the subject.

124. Will you put it in evidence? Yes. (*Vide Appendix A 3.*) Subsequently, at the request of the committee, of which I was a member, I drew up the miners' petition, which I have here. (*Vide Appendix A 4.*)

125. Did you take any active part in the meeting held on the Turon, respecting the Government system of gold licenses? I did. I presided at the meeting of about 1,000 miners, and as chairman of that meeting I was requested to sign the petition presented to the House.

126. What was the purport of it? It referred to the state of the existing regulations, and recommended the Government to turn their attention to the abrogation of some they intended to produce, and which would have created a great deal of confusion on the gold fields. The first meeting at which I was present was attended by about 2,000 miners. They formed a committee, of which I was a member, and at the request of that committee I drew up this petition. At the next meeting which took place I was requested to take the chair. The petition was passed, and I sent it to Mr. Holroyd.

127. Who was a Member of the Legislature? Yes; and it produced next day a leading article in the *Empire* on the subject.

128. You were acquainted with the late Rev. W. B. Clarke? I was.

129. Did he ever express during his life-time any opinion in favour of your claim on the Government, for services rendered in the discovery of gold? He did. This is a letter which I received from him only a few days before he died. The first part of the letter has reference to a fossil specimen which I sent to him to ascertain his opinion in regard to its classification. He says, "I was glad to get your printed paper. I have always used to express myself in your behalf, and wish you success. Only one man has got this; all the rest have been snubbed.—Yours very truly, W. B. CLARKE."

130. Do you produce any other communications from Mr. Clarke? No, except his printed allusions to me.

131. In favourable terms? Certainly. If in this matter I refer to Mr. Hargraves, I am not doing so from any wish to detract from him; but when I am obliged to speak out I must do so. The Rev. W. B. Clarke in the work from which I have already quoted, says, "Mr. Hargraves, it appears, when a youth, lived for a time in the country somewhere between Bathurst and Wellington, and after various vicissitudes of fortune went to California in 1849, in company with Mr. Simpson Davidson, and Mr. L. Potts. Mr. E. W. Rudder, J.P., of the Macleay, was, I believe, already there. The latter gentleman had been known to me long before, and he had consulted me respecting the mineral wealth of the Colony. I have every reliance on his word, as well as in that of Mr. Davidson."

132. Mr. Hurley.] You were present at a meeting held on the Turon to raise a sufficient fund to place Mr. Hargraves beyond want? Yes, I have the requisition here.

133.

- E. W. Rudder, Esq.
19 Feb., 1879.
133. You advocated it? I did.
134. That Mr. Hargraves should be recompensed for the benefit he had done to society? I did.
135. Did you intend that the Government as well as the public should comply with the demand of the meeting? The meeting was held to get up a public subscription. Nothing was said about the Government.
136. You looked upon it as a national matter that Mr. Hargraves should be recompensed? I did. At that time I favoured Mr. Hargraves in every way in my power.
137. Do you remember an article in the Bathurst paper, stating that the fact of the existence of gold was fairly established, and that whatever credit was due in the matter Mr. Hargraves was fairly entitled to it? Yes.
138. Did you acquiesce in that? I always considered that Mr. Hargraves was entitled to the merit of the first discovery.
139. The article I refer to you is that in which your name is mentioned as a Californian digger? Yes.
140. Do you acquiesce in the principles of that article? I cannot recollect the whole of it.
141. What is the date of that article? The meeting I refer to was a meeting which took place some months afterwards.
142. This is your petition? Yes.
143. How can you reconcile the statements contained in your petition with what you have now said. How do you reconcile the statement in your petition: "Had Mr. Hargraves' services never been recognised your petitioner would have had no cause for complaint" with your action in presiding over a meeting to request the public to recompense Mr. Hargraves? I presided at a meeting held at Sofala, not at any earlier meeting.
144. *Mr. Webb.*] Did you take part in any meeting held at Sofala advocating Mr. Hargraves' claims? A requisition was sent to me to preside, and I did so.
145. *Mr. Hurley.*] You hailed it as a subject of national congratulation that Mr. Hargraves should be placed above want? We all considered that Mr. Hargraves as being the discoverer of the first five specs was entitled to public recognition.
146. How do you reconcile this statement with the statement in your petition: "Had Mr. Hargraves' services never been recognised your petitioner would have had no cause for complaint"? Mr. Hargraves' services were recognised; mine were never recognised. If Mr. Hargraves' services had not have been recognised, I should have had no cause for complaint, but seeing that they have been recognised and that mine have not I feel that I have been subjected to injustice. Mr. Hargraves has received £15,000 of public money and has been allowed a pension of £250 a year for life; but Mr. Hargraves never did as much as I did, neither probably would he have performed what he did had it not been for me, but I always considered a great national event like that—that the person who first discovered gold, whether by a mere accident or not, was entitled to be recognised as the discoverer. I never put forward the claim to be recognised as the discoverer of gold, but as one who materially assisted in it, who did more than other man in the Colony to promote it and bring it about, I consider that I have a claim for consideration.
147. At the time you advocated Mr. Hargraves' cause, did you anticipate that you would derive any benefit? There was a remark in the paper that others who had assisted Mr. Hargraves were entitled to some consideration.
148. Did you anticipate that you would receive public recompense? I always considered that I had a claim. I published this little pamphlet and distributed it among Members of the House, and I think it shows sufficient grounds for bringing it forward.
149. How long is it since you asked the Crown to bring the matter forward? About eight years ago, I think.
150. *Chairman.*] Was it not in 1861 that you published this pamphlet setting forth your claims? Yes.
151. Then that was eighteen years ago? Yes.
152. You are not a geologist? Not professedly.
153. *Mr. Hurley.*] Are you a metallurgist or an assayer? I have published a work on the subject which has been favourably received.
154. You stated that there was peculiar machinery for gold-mining constructed in this country at your instance? There was.
155. What is commonly known among the diggers as an ordinary cradle? No; it was a complicated piece of machinery.
156. But the diagram you showed us was of an ordinary cradle? Yes.
157. Was that the machine you spoke of? No. The machine which I took to California was very complicated.
158. What was its peculiarity? It consisted of a cylindrical vessel, lined with metal, the bottom of which has a valve made to work by a lever, and kept in its place by a spring; there are vertical rods in the cylinder into which water is introduced. The machine has to be worked by a crank with pinion wheels. The rods revolve with great velocity, and the consequence is that the water is thrown up in the form of an inverted cone, and the metallic particles are thrown to the bottom of the vessel. The machine is used in Germany at the present time.
159. Was the machine in use here at the time? No; but it was in Carolina.
160. You stated that you believed your lecture in California prevented an exodus of people from here to that country? That is my opinion.
161. And that your advocacy of the existence of gold in this country was the means of the gold fields of the Colony being discovered? I dealt with the subject more fully than had otherwise been done at that time.
162. From the time you first went up to Guyong, what time elapsed before the Gold Commissioner came on to the ground? I do not know exactly.
163. You went there on the 14th of May? I think it must have been fully a month afterwards.
164. From the time you gave the order for the cradle in Bathurst? It was some weeks after that.
165. Three months after? No, I think about twenty days. Mr. Hardy arrived on the 2nd of June, and I had the cradle completed on the 14th May.
166. After having gone to the diggings and seen the cradle at work? No, to the best of my knowledge and belief I never saw one there.
167. The cradle you had made at Bathurst was the first one introduced? The first to my knowledge; the first of any really properly constructed character.

WEDNESDAY, 23 APRIL, 1879.

Present:—

MR. BURNS,

MR. R. B. SMITH,

MR. WEBB.

ROBERT BURDETT SMITH, ESQ., IN THE CHAIR.

Enoch William Rudder, Esq., called in and further examined:—

168. *Chairman.*] Do you wish to make any explanation with reference to any of your answers given to the questions submitted to you on your last examination? Yes; there was a question put to me with regard to whether I was a metallurgist or an assayer. I replied that I was simply a geologist—that I wish to correct, if you please. I was not aware of the nature of the question; from my answer I do not think I was, or else I should have said at once that I should feel myself entitled to call myself a mineralogist, and also an assayer—not a quantitative, but a qualitative assayer. I was also asked with regard to a map that has been published. I have since procured it from the Public Library, and I beg to present it to you. It is a map published by the Government.

E. W.
Rudder, Esq.
23 April, 1879

169. This purports to be a geological sketch of East Kempsey, on the Macleay River? Yes; and the country around.

170. This map was presented by you to the Government? To the Paris Exhibition Commission of 1867, appointed by the Government—that book is a Catalogue of the Exhibits. On reference to that, you will see that I sent 106 geological specimens to the Paris Exhibition of 1867. There were 38 from the Macleay, 14 from Port Macquarie, 42 from the Peel River, 9 from the Clarence River, and 3 from Bathurst. There are references in the Catalogue to all my exhibits. It would take up too much time to refer to them; but, with your permission, I will read to you the mode in which they were distributed, from a note by the late Sir T. A. Murray. These twenty-four exhibits comprised as follows:—

Woods, 69 specimens ...	69
Dye materials, 15 bottles ...	15
Dyed specimens, 200 ...	200
Gums, 6 varieties ...	6
Oelagenous seeds, several varieties, say ...	6
Plaster of Paris casts ...	3
Minerals, &c., 106 specimens ..	106
Total ...	405

Had labour to have been paid for the production of the died samples of silk, woollen, and linen, £200 would not have covered it. Mr. Joubert assured me by letter that my exhibits sent to London were doing good service in the office of the Agent General in London, then Sir C. Cowper. The exhibits received from you were disposed of as follows, viz.:—

“No. in
Catalogue.

6	{ 62 73 107 110 111 131 }	Distributed amongst several literary institutions in France and in Italy, and part given to the Museum at Cracow.
2	{ 430 431 }	Anthropological Society, London.
2	{ 447 448 }	Sold.
2	{ 449 450 }	Presented to the Musée d'Histoire Naturelle Paris.
3	{ 488 489 508 }	Presented to the Minister of Commerce, France.
1	{ 511 }	Sent to the Museum of Kew.
8	{ 58 69 70 153 154 155 506 507 }	All distributed amongst museums or to bodies, to try their uses.

—
24 Exhibits.

T. A. MURRAY,
March 3rd, 1869.”

171. Do you wish to make any further reference to your previous evidence? There is a reference made to the Miners' Petition. I had not then before me the opinions of the *Empire* with respect to that, which I am now prepared to give you if you will allow me. It was published in the *Empire*, in November, 1851:—

“The Taron miners, in public meeting assembled, have addressed the Legislative Council, praying an inquiry into the operation and tendency of the Government Regulations under which the search for the precious metal is at present conducted. The petition embodies the sentiment of 2,000 in number of the mining population, and the subject of it acquires additional weight and importance from the circumstances under which it is put forth. Two thousand working men coming forth, not upon the occasion of a general holiday, to debate an abstract political question, but, leaving their picks and cradles on the mountain

E. W.
Rudder, Esq.
23 April, 1879.

mountain side, remonstrate against a grinding oppression under which they find themselves despoiled of the hard-earned fruits of their toilsome labours, demand and deserve to be heard. The principal subjects of complaint on the part of the petitioners are, the injustice of the present system of licensing, and the exorbitance of the tax (as they very justly designate it) levied upon the miners. The other grievances urged—such as the vexatious mode of collecting the license fees, the insulting and (to a British spirit) galling display of an armed Police force at the office of the Commissioners, and the prohibitory regulations regarding quartz-crushing and the drainage of water-holes. The petition is couched in terse and clear language, and its tenor is at once firm, dignified, and respectful. * * * * *

We think the mining petitioners have made out an irresistible case for the inquiry they have asked. The Legislative Council, we have little doubt, will respond to the prayer in a befitting spirit * * * and the Legislative body will raise its character in public estimation in proportion to the zeal, earnestness, and public spirit it displays in originating and carrying out the inquiry."

Then I wish, with your permission, to draw your attention to the opinion expressed by Mr. Frederick Odenheimer, engineer-in-chief at that time to the Mining Institute of Nassau. He has now retired from that office, and is a Counsellor of State of the Prussian Empire. I may mention that he is a man whose opinion is considered authoritative on all these matters on the Continent. He forwarded to me this letter before I left Cann's Plains:—

"My dear Sir,

Cann's Plains, 20 February, 1854.

"Before you leave this place I feel it my duty to express to you my best thanks for the valuable information I received from you in three weeks' excursions over part of the territory of the Peel River Land and Mineral Company's and adjoining grounds. I had every reason to be satisfied with the great experience of the rocks, minerals, and metallic ores you have acquired, certainly by uncommon exertion, during your stay at Cann's Plains, especially your knowledge of the gold fields, of gold found in detritus as well as quartz veins, afforded me such instructions as would have been difficult for me to acquire without many previous trials. The appearance of copper and antimony ore, and a great quantity of quartz veins, may lead, it is to be hoped, to richer discoveries; the best way of our first researches, by miner's work, is shown by these appearances and veins. As far as your reports, given to the A. A. Company, are present to my memory, I can only state that they are fully confirmed by the facts observed. Although I most sincerely regret your leaving Cann's Plains so soon, I am yet convinced that you showed me all your discoveries without reserve, and in the most liberal manner. I shall always highly value the remembrance of your guiding my first steps in the geological and mineralogical survey of the Peel River district. Your acquaintance afforded me the greatest pleasure, and in every respect I feel myself indebted to your kindness.

"I remain, yours faithfully,

"FREDERICK ODENHEIMER."

I submit this as bearing out what I have said in my petition. I stated that I was led by what I had seen of the geological features of the one country to infer that gold was in the other; and I think this letter tends to show that I was competent to do so. I then beg to call your attention to an extract from the *Times* newspaper, published in London on 24th July, 1854:—"Mr. Rudder, the former Superintendent of the Company's Gold Fields, has investigated with great zeal and perseverance the rocks and veins of the district; he showed with minuteness all the points of interest, and forwarded in that way in no small degree the labours of further investigation." I bring this forward to support my previous statements. Again, I call your attention to a few lines from the Rev. W. B. Clarke in his report to the Government in 1852:—"Mr. Rudder, the Australian Agricultural Company's Commissioner, has very obligingly conducted me to various points of the Company's land, and shown me his collection of rocks from the district." I have another here which I may read to you also. I had secured the Mining Laws of the Duchy of Nassau and presented them to the Government for its information.

172. When was that? In 1856.

173. Do you know whether they were adopted by the Government? No, I do not think they were; I believe some portions of them were afterwards adopted.

174. In the interest of the country you thought it desirable to communicate these laws to the Government? Yes.

175. In order to promote the mining interests of the country? Certainly.

176. Did you submit those regulations to the Government? Yes, they were forwarded to the Government. I had received a copy from Mr. Frederic Odenheimer. I have also here a letter which I wrote to the Colonial Secretary for submission to the Governor General, Sir Charles Fitz Roy, upon the discovery of gold in quartz.

177. When was that letter dated? From Summerhill Creek, 31 July, 1851. This is the letter:—

"Sir,

"I have the honor to transmit, for His Excellency the Governor General's inspection, the gold obtained from quartz to which allusion has been made in the *Morning Herald*. It is contained in paper No. 1. The weight of the triturated quartz was 1 oz. 14 dwts. It contained some minute specs of gold visible to the eye. They were few and small, and could not have exceed 1½ grain in weight. The gold procured is 13 grains, so that I feel safe in estimating the produce at 1½lb. in 100lbs. of quartz of the same quality. Having no proper instruments but such as are proper to the miner, I could not arrive at such a degree of accuracy as might otherwise have been obtained; still His Excellency will see enough to illustrate the great importance of carefully examining into the relative richness of the veins of quartz which intersects this and all other auriferous parts of this Colony. Paper No. 2 contains a minute specimen of gold obtained from quartz in which no gold could be seen after the most careful inspection; it is from a common stone found in the creek. In No. 3 is a specimen of gold obtained from 1½ dwts. of quartz, and exceeds ½ a grain. This quartz was in connection with gold, but contained none visible to the eye. It will be found that in this instance the result is equal to the experiment No. 1. As near as I could estimate, the product of gold obtained from the quartz from which my second and third experiments were made, I should think it would be equal to 1oz. per 100 lbs. The specimen from my second trial is in the possession of the Captain of "H.M.S. Herald." His Excellency will be pleased to observe that the experiments I have made have been on two distinct quantities of quartz, viz., from one in immediate contact with gold, and from another in which it could not be known to have been connected in the remotest degree, so far as the eye could detect, or from its position be calculated upon. I have also the honour to transmit two specimens of gold, Nos. 4 and 5, obtained from emery. The soil has been washed with great

care

care, and was very poor in precious metal, and every care observed in its being freed from the emery after washing. There were some few pyrites of gold visible to the eye, but it was much cleaner and freer from gold than that usually thrown away by nearly all miners. The proportion was about two grains per pound weight of dried emery; in No. 4 seven grains; in No. 4 the result must be proportionately greater, where less care has been maintained in washing. From what I have observed, I have little doubt but one penny-weight per rocker is lost daily, or 1,000 pennyweights for every 3,000 miners; or taking 3 men to each, and 312 working days for the year, an annual loss of £46,800 is sustained for every 3,000 men engaged. Having thus taken leave to call His Excellency's attention to the circumstances which have been brought under my notice, I most respectfully leave them for his consideration, and shall be happy if required to suggest a plan or plans whereby so great a loss to the Colony may be greatly mitigated if not altogether removed.

E. W.
Rudder, Esq.
23 April, 1879.

"I have, &c.,
"E. W. RUDDER."

That was the first discovery of gold in quartz in the Colony. At that time quartz mining was not known. I have here a letter to the Colonial Secretary referring to the discovery of a quartz reef, the first ever discovered in the Colony. That was in June, 1852. I believe at this time gold mining in quartz had not been carried out, and that was the first regular vein of the kind found. I have had reason to believe so, and it has never been contradicted:—

"Sir,

Cann's Plains, Peel River, June 4, 1852.

"Having during my researches on the A. A. Co.'s Peel River grant, discovered the existence of gold in the trap formation, in a vein of quartz of an unusually rich character (for the extent at present developed), and believing that it has not before been found *existing as a component part of that rock*, I have thought it proper to inform you of the fact, and to request you will do me the honor to make it known to His Excellency the Governor General. Should I prove correct in my belief that this is the first instance of the kind which has come under the notice of the Government, I shall esteem such an acknowledgment as a particular favour, and shall have much pleasure, should His Excellency desire it, to forward every particular with which I am acquainted.

"I have, &c.,
"E. W. RUDDER."

"The Hon. the Colonial Secretary.

178. Did you receive any reply? I did, acknowledging the letter and thanking me for the communication.
179. Have you the letter in reply? I have not now, it is most likely lost; it is so long ago. I was not aware I had the letter I have just read when I had the pleasure of meeting the Committee before, but I have since found it. I have here a sketch of a large moss chromic iron, showing the large abundance of the mineral. (*Exhibited.*)

180. Did you submit that to the Government? No; I showed it to Mr. Clarke, and I think it appears in his report in 1852.

181. Could you describe the nature of the report you submitted then? Mr. Clarke was then upon a geological survey, and he published a very voluminous report, and I rendered him every assistance in my power. There is one thing I would like to mention that I also discovered, and that is an immense amount of the most beautiful marble that would be an ornament to any structure. Some specimens of this marble were sent to the Continent. It is at a place called Foley's Creek, about 30 miles from Tamworth. I believe that if the Government now wished it for the Exhibition, I could procure specimens of it. It resembles and is of the same kind as the marble in the pillars of the House of Assembly at Washington.

182. *Mr. Webb.*] What colour is it? It is a pale variegated brown and white, and various shades.

183. Does it contain shell markings? No, it is veined throughout. I also found a very beautiful black and white marble. I have a list here of metals I discovered during my perambulations, if you will allow me to read it:—

Gold	...	...	...	...	Peel.
Silver	...	...	...	...	Macleay.
Platinum	...	...	...	...	Bathurst.
Tin	...	...	...	...	Macleay.
Copper	...	...	...	...	Peel and Macleay.
Antimony	...	...	...	...	Macleay and Peel.
Molybdenum	...	...	...	...	Peel.
Chromic Iron	...	...	...	...	Peel.
Manganese	...	...	...	...	New England and Port Macquarie.
Cobalt	...	...	...	...	Port Macquarie.
Graphite	...	...	...	...	Macleay.
Bismuth	...	...	...	...	Macleay.
5 species of Iron Ore	...	...	...	...	Various localities.
Quicksilver	...	...	...	...	Summer Hill.
Argentiferous Gold	...	...	...	...	Summer Hill.

184. *Chairman.*] Did you make known these discoveries to the Government? They were not made specially known to the Government; they were made known to Mr. Clarke, and were exhibited.

185. You communicated your discoveries to Mr. Clarke? Yes, Mr. Clarke knew of them. I never kept these things to myself.

186. As a matter of fact, did you forward particulars of your discoveries and samples to Mr. Clarke? I do not know that I forwarded them specially, but I sent them to various Exhibitions, at Paris and other places. I received a letter from Mr. Joubert, the Secretary to the recent Paris Exhibition Committee; I had applied to him for a catalogue, and in forwarding it he said in his letter that my exhibits were doing great service in the Agent General's Office in London. They were exhibited at the Exhibition at London, and were then placed in the Agent General's Office in London.

187. Mr. Joubert can verify your statement if necessary? Yes.

188. Do you wish to make any further explanations? There is one thing I did not mention before respecting the making of cradles. The first cradle ever made in Sydney was made under my supervision, on the 5th or 6th February, 1851.

189. Do I understand you to say you made this cradle for the express use of Mr. Hargraves? It was made at the express request of Mr. Northwood for Mr. Hargraves to take with him on his first expedition.

E. W. Rudder, Esq. 190. Could you produce any letter you may have received in verification of your statements from the late Mr. Icely, Mr. Rotton, or Mr. Tom? I have a letter from Mr. Rotton, from which I will read an extract. He says:—"I do not recollect any anxiety prevailing previous to the discovery by Hargraves, except that through the discovery in California people dreaded that this Colony would be depopulated, and the result was a terrible depreciation of all kinds of property, and more particularly of squatting property; and Hargraves's discovery was held to be a great boon, as tending to induce the return and increase of the population; and all kinds of property soon acquired its previous value, and ultimately went much beyond it. Squatters certainly had great misgivings as to the effect the discovery in the Colony would have upon their interests, but they ultimately found it was their salvation." That I read to support my statement with regard to the influence of my letters published in the *Sydney Morning Herald*. I have another letter from Mr. Rotton. I alluded to a Mr. Walker as having made the first cradle in Bathurst at my request. Mr. Walker, I find, is since dead, so that I could not get direct evidence from him. I had superintended the making of the first cradle in Sydney, as I have just said, and then in Bathurst I directed Mr. Walker how to make one, which, with my consent, was exhibited to the public. This is an extract from Mr. Rotton's second letter:—"The Mr. Walker you mention (the wheelwright) is dead. The rather celebrated Ch. of E. clergyman, Barnabas Walker, who died in Victoria about a year since, was his son. He (the wheelwright) had a brother who was connected with him in business about the time you mentioned. The last I heard of him, he was manager at Port Stephens for the old Agricultural Company. If in the Colony, his address can be easily ascertained." This is a letter from Mr. John T. Lane, of Orange, dated 11th February, 1879, in which he says:—"I have no recollection of the announcement you refer to, therefore cannot say anything about the effect produced by it. Your efforts, whilst in the district, to afford information, &c., &c., were not without producing their desired results to some extent." That is the part I desire to call your attention to. I have also a letter from Mr. T. R. Icely:—

"My dear Sir,

21st Feb., 1879.

"I am in receipt of your letter of the 7th instant, upon the subject of the discovery of gold in the Colony; and although many of the circumstances to which you allude are fresh in my memory, I cannot say that I have any recollection of the preparation of regulations in Mr. Tom's house, nor have I seen any memoranda among my father's papers which would throw any light upon the subject. I regret, therefore, my inability to to help you in this matter. In reply to the last part of your letter, there can be no doubt that the excitement produced, not only in the Bathurst district, but throughout the Colony, by the announcement of the gold discovery, was very great.

"I am, my dear Sir, faithfully yours,

"T. R. ICELY."

191. Does that refer to your announcement? I presume so, because I wrote to him respecting that.

192. You are quite sure that that reference is made to your announcement of the gold discovery in the *Sydney Morning Herald* and *Bathurst Free Press*? Yes, I believe so. You must be aware that from the lapse of time I am at a great disadvantage in appearing before you.

193. Mr. Webb.] Did you write a letter to Mr. William Tom, junior, and receive a reply? I did.

194. Do you produce that letter? No, I have not got it here. It did not bear upon the point.

195. As a matter of fact, do you know that Mr. William Tom, junior, was the person connected with Messrs. Lister and Hargraves in the discovery of gold? Yes; I have always understood so, and I have no doubt of it.

196. And you wrote a letter to Mr. William Tom on the subject? Yes.

197. Which you do not produce? No; he did not give the information I required.

198. Chairman.] You have no reason for keeping back this letter? No; I have not brought it, simply because it failed to answer the purpose I wrote to him for. I have no reason to keep it back, except that the letter is not a reply to mine, and does not contain the information I required. I obtained the information subsequently.

199. What was the information you wrote to Mr. Tom about? I really forget; I think it was something about Mr. Hargraves, when he was there, about the date and so on. I must inform you that I am possessed of information here now that I did not possess before—the Report of a Select Committee on the Gold Fields Management Bill, ordered to be printed on 20th September, 1853. As I have remarked to you, the length of time that has elapsed makes it impossible to retain upon the memory exactly what took place; but here I have evidence which cannot be contradicted. I have never had the opportunity of making what I consider a statement, and with your permission I would like to do so. In what I am about to remark, I do not intend to make a single observation I cannot prove by documentary evidence. The evidence will not be my own so much as that of other parties; and it has special reference to the announcement of the first discovery of gold. I was not at the time aware of the circumstances I am now going to allude to. In my previous evidence I stated to you that I had been instrumental in bringing the discovery before the public. Mr. Hargraves had returned from his first visit to Ophir, when his discovery amounting to only five grains of gold had been made; he returned discouraged, and announced his intention of returning to California. He was recommended by me to apply to the Government, and to bring the circumstances before them. As I have previously told you, my object was to fix both the Government and Mr. Hargraves; that is to say, by making the discovery known, the Government would be obliged to take notice of it on the one hand, and Mr. Hargraves on the other would be pledged to the Government. Mr. Hargraves's first intention was simply that it was to be a business speculation. He had no intention to make it known for the benefit of the public, but it was to be a trading speculation. When he returned he saw that it would not pay as a business speculation, and, therefore, he availed himself of my suggestion, and applied to the Government. Soon after this, in a few days, he received intelligence from Mr. Tom and Mr. Lister of further discoveries. When he learned this he went to the Government, and from that time he abandoned the parties who assisted him in it—threw them overboard, and entirely devoted his services to the Government. He was at that time in partnership with Messrs. Tom and Lister; but I do not think it was known to those gentlemen at that time that he was previously in partnership with a gentleman in Sydney, whose letter I have here—the late Alderman Northwood. This explains the transactions between him and Mr. Hargraves, and will prove that so far as Mr. Hargraves was concerned it was a business speculation and nothing more, and that the announcement to the country was my own, with his permission, or else it would have been kept private, and worked as a private company. Mr. Northwood's letter is as follows:—

"Dear

"Dear Friend Rudder,

Darlinghurst, February 21, 1861.

E. W.
Rudder, Esq.
23 April, 1879.

"I received yours of the 24th January, inquiring respecting the transactions of Mr. Hargraves and myself relating to the gold discovery. I should have wrote before, but have not been able to find my memoranda to the extent I wished to have communicated to you. However, you were cognisant to the fact of myself and Hargraves entering into a joint speculation respecting the search for gold. We had articles drawn up to the effect that I was to find all requisites, and Mr. Hargraves to give his services, and the profits were to be divided between us (if any.) He left Sydney the beginning of February, I believe about the 5th or 6th. I found horse, saddle, bridle, and, I think, about £20, with every requisite he would require, and an order or letter to Mr. Suttor, an old acquaintance, to supply him with anything he might want (although this order was not made use of). I forward you a copy of his letters; you are at liberty to make such use of them as you please. He wrote for, and I supplied him with money several times. I was deceived by him not knowing that he joined Lister, Tom, or any one but myself, until he wrote for the £10 to pay them for the piece of gold which he made a present of to Mr. E. Deas-Thomson, and it was called the "Golden Baby." He had been down to Sydney previous to this. About the 18th February he arrived, and brought a few specks, told me the speculation would be a bad one, he could not find a field of sufficient richness to be worth buying; and that it would be better to see what could be done with the Government, but I was to keep it quiet, and not discover that I had anything to do with the transaction. He drew cash from me several times while in Sydney, and when he received the £500 from the Government he would not give me half until I gave up the articles of partnership. I found that he had both Lister and Tom in some sort of league, and I lost all confidence in him, and I took the £250 and gave up the document, having spent £105 in the pursuit. When I questioned Mr. Hargraves respecting Lister and Tom, he said that two men had watched him, and he was forced to take them in partnership. I have not the date the cradle was made, but I know it was in February or the beginning of March. I must say that I always consider Mr. Hargraves does not merit the confidence I then placed in him, nor could I ever be satisfied with his integrity after. However, I made headway, and I trust honestly, and am very comfortable, while he is always in broils. If you want any further information, if in my power, I shall be very happy to supply all I know; but I think I have given all I can remember. With my best wishes for you and family.

"I remain, &c.,

"WM. NORTHWOOD."

"P.S.—Our intention when Mr. H. and self first started in pursuit of gold was to have found a good rich field, to have purchased the land, built accommodation, well stocked the same, and then opened the ball; but when vanity stepped in and fame blew the trumpet, a secret could not be kept.—W.N."

200. Do you desire to make any explanation with regard to the postscript in Mr. Northwood's letter? Simply this, that it confirms what I have stated, that at the time he made the discovery Mr. Hargraves was discouraged, and then he was induced by me to go to the Government.

201. Had it not been for you the discovery would not have been made known to the public—were you the gentleman who "blew the trumpet"? I "blew the trumpet" by making it known.

202. As a matter of fact you were the first to make it known? Yes.

203. There is no question about that? No.

204. And by making this discovery known you prevented the exodus then taking place to California? Yes.

205. Hundreds of people were then leaving the Colony for California, and your letters had the effect of checking the exodus and keeping the people in the Colony? Yes. I was applied to by the proprietors of the *Herald*, I believe with a patriotic motive on their part, to check that exodus, when the announcement of the discovery of gold in New South Wales was made.

206. And you assure this Committee that you were the first to make this discovery public through the Press. Yes.

207. As stated by Mr. Northwood, you "blew the trumpet"? That seems to be his view.

208. Will you follow up your statement? Then, gentlemen, after this announcement, I became pretty well known as the individual who had done this, and consequently—

209. Had done what? Made the announcement of the discovery of gold. Consequently, when I was on my way home, by way of Newcastle, the Manager of the Australian Agricultural Company's Works there introduced me to Mr. Blane, the deputy-governor of the Agricultural Company, as a gentleman who would probably have it in his power to give him some information with regard to their property. Mr. Blane requested me to report to him the nature of their property between Raymond Terrace and Stroud, to the Macleay River, and onward that way. I did so, and I informed him that my opinion was that it was a gold district, and gold was subsequently discovered where I pointed out the indications, and it has since turned out to be in the Barrington Gold Field. I was the first who gave any indication of gold being to be found in that neighbourhood. I have a memorandum here to this effect:—"After the events just recorded, I quitted the mining district of Bathurst and returned to the Macleay. On my way there, I met the late A. Blane, Esq., deputy-governor of the A. A. Company, and at his request reported to him my opinion as to the auriferous or non-auriferous character of that part of the Company's property on the Manning River. Gold has since been found in the locality pointed out in my report." That, I believe, is now the Barrington Gold Field. "I also subsequently, at the same gentleman's request, visited the Peel River, and reported for the information of the Company, the state of their gold field, of which I accepted the management till sold to a new company." The announcement of the discovery I made then produced a very wonderful effect in the English market upon the value of the Company's property. I believe shares which had been selling at £16 rose to £500, and the property itself sold for something like £500,000. During this time I was acting as Commissioner for the Agricultural Company, and had an arduous task to perform. The property was invaded by hundreds of men. You will see from the evidence of the late Major Innes that the Company's grant was overrun by a number of men who came there, with the view of taking gold from the property, and he estimated the number at 500. He says, "I allude to the time when the A. A. Company put a stop to working on their land," and then he goes on to state the number who were there. In answer to another question he says, "there was a large body of men at one time, I dare say 400 or 500, on the Company's gold field, but they were not allowed to work." Now, I think I may say without any presumption, that I deserve some credit for having been able to get these men off the ground without any bloodshed, and without any riot or disturbance. It was not effected without great personal risk, nor without the necessity of calling out a considerable body of police. I adopted the course

E. W.
Rudder, Esq.
23 April, 1879.

course, first of all, of endeavouring to find out who the actual perpetrators were. In doing so I sent my assistants out on the field, and they were attempted to be intimidated by the firing of pistols over their heads. With about twelve mounted police I succeeded in bringing the parties to justice, one was an educated man. The matter in dispute was referred to the Attorney General and he decided that I was right, and subsequently it was determined that the gold and minerals in the land belonged to the Company. From that time there was never any more trouble with the miners. The point was this, Her Majesty possesses the right to all minerals under the surface of the ground; but I contended that the Company had a special grant of all these minerals. The miners contested the grant, and it was arranged that they should desist from working until the matter was referred to the Attorney General. They did so, and the opinion was given in favour of the Company. I think I have now gone through the main points of the case. I think I have shown you that the interest I took in the matter, and the efforts I made, had considerable influence in producing a better state of things with regard to the working of minerals; with regard to the gold regulations that were passed by the Government, the first discovery of gold, and the announcement of it to the public; that I made it known to them specially, and without any private interest or view in the matter; and that subsequently I took a very important part in the management of a very large portion of the gold bearing country in the Peel River District, the management of which I retained for about two years; and that I have on all occasions, so far as has been in my power, promoted the interest of the Colony to which I belong. I have not a very large pecuniary interest in it, but I have an interest of a very important nature, that is a very numerous family; I think few colonists have a greater one; my family circle at the present moment amounts to about 100. I have shown you that the evidence of competent persons, Mr. Clarke and others, bears out what I have stated. You must remark, gentlemen, that I am not stating anything of myself. I have given you documentary evidence for all I have stated. I can refer you to the evidence of Messrs. Tom and Lister, Mr. Commissioner Green, and of Mr. Hargraves himself. There you will find—

210. What evidence do you refer to? The evidence taken by the Committee of the House, with regard to the whole affair of the gold discovery by Mr. Hargraves, and the part that Mr. Lister and Mr. Tom took in it—the partnership, the amount of gold procured by them, how that gold was distributed and disposed of—that Mr. Hargraves had given it up as a bad job and intended to return to California. Mr. Hargraves's evidence will show you that I published these letters, and also Messrs. Tom and Lister state that they were annoyed at the publication without their consent. When Mr. Hargraves endeavoured to obtain a gratuity from the Victorian Government he made a statement which I never read until lately. Here it is. The date of this letter of Mr. Hargraves is 9th May, 1853, wherein he states: "I was wholly dependent upon funds I had raised at the rate of cent. per cent., a rate thought not unreasonable to enable a penniless man to prosecute so laborious and hopeless an inquiry." Now, from the evidence of Mr. Tom and Mr. Lister, it appears that Mr. Hargraves was put to no expense whatever, that they found all the means for him at that time.

211. What is the date of the inquiry you refer to? The report and evidence were ordered to be printed on 20th September, 1853. I will now refer to a critique on Mr. Davidson's book, in which Mr. Hargraves's matter is referred to.

212. Are you referred to in that? No, I am not; but it sustains what I have been stating. It is a review of Mr. Davidson's work, and was published in the *Sydney Morning Herald* of 29th October, 1860. It says,—“He incidentally shows that Mr. Hargraves had no knowledge of any kind such as he has assumed and paraded; that he had never seen in California a gold-bearing quartz vein (so as to know it); that the idea of his having gone to Lewis's Ponds in 1851, on the strength of his recollection of its geological character, was a pretence; that he received £100 from Alderman Northwood to enable him to explore, on condition that the alderman should receive half of 'any reward' that might be given him; and that he made the payment of half the first reward of £500 to Mr. Northwood the ground of a statement to the Government of Victoria that he had to 'borrow money at a hundred per cent. in order to prosecute his researches for gold in New South Wales,' thereby obtaining from the Gold Committee in Victoria the undeserved acknowledgment that he opened out exhaustless treasures 'with a noble disinterestedness unexampled in history.'” Then again, “It will be seen from the above digest, that the book was written unquestionably to damage Mr. Hargraves, and that it does so irretrievably we cannot but candidly admit. It represents him as a pretender—a greedy, unconscientious person—and without any respect for treaties with others—who, by taking advantage of the knowledge imparted to him, and assuming it as his own, through the unexplained partiality of the Government, obtained just so much notoriety as to have gained, and accumulated, and retained unjustly, rewards which he had not earned, and which Government had no right to bestow.” Then again, “If the statements of Mr. Davidson are really unable to be contradicted with truth, it is very plain that the rewards bestowed for the alleged gold discovery of 1851 were a 'job' of no very creditable character to anyone concerned; for Mr. Davidson distinctly declares that they were given without due inquiry, and against the presumption of the integrity of the claims that could have been preferred.” Here is another remark, “We have no interest in the book one way or the other; but as it is a work likely to be extensively read, and is written with a great deal of talent and judgment in the arrangement of its manifold contents, and is, besides, fortified by documentary evidence, it is not a publication that can be 'pook-pook'd' with unconcern, or treated as one undeserving of consideration. As, moreover, much of its contents have been already before the Colonial public, and have not been controverted, it has a bond of prestige which carries weight.” I have only one other extract to read. I should have brought it under your notice before. I alluded in my former evidence to my having published a geological work, which is thus referred to in the *Freeman's Journal* of February, 1855. “In a late number we alluded to Mr. Rudder's valuable little work on the 'History of Transmuting Rocks,' and promised to give some extracts from the work. We now fulfil that promise, and beg to leave Mr. Rudder to explain his very correct views of geology in his own words, both in his preface and introduction, which we place this day before our readers, and hope that they may derive as much instruction and information from the perusal as we ourselves have the pleasure to state that we derived from them.”

213. Mr. Webb.] The discovery you made known to the public, respecting the discovery of gold, was a discovery of a few specks? Yes.

214. Who made known to the public the fact that payable gold had been discovered. The payable gold was found when the nugget was raised that was given to Mr. Deas-Thomson. Who made known that discovery? I think Mr. Tom, as far as I can recollect.

215.

215. You did not do it? No. Mr. Hargraves put into my hand the four ounces of gold, and asked me to free it from all impurity, so as to make it presentable to the Governor. This was on the 6th May. Mr. Hargraves arrived on the 5th at Guyong, and I arrived on the 6th. Mr. Hargraves then took the nugget with him to Bathurst. Mr. Lister and Mr. Tom particularly urged upon him not to make it known to the public, and instead of attending to their request he made it known in Bathurst, and the consequence was there was a rush immediately of the Bathurst people to the gold fields.
216. Mr. Hargraves made known the discovery of gold, then, on that occasion? Yes.
217. The amount of gold discovered previously to this, did you consider not enough to warrant the publication of a payable gold field? I consider it was sufficient to warrant the expectation of the discovery of gold in quantity.
218. As far as you remember, Mr. Hargraves made it known first in Bathurst? Yes.
219. Do you know how that gold was discovered? I believe it was discovered by Messrs. Tom and Lister when prospecting—digging and washing with a cradle.
220. Do you know who made the cradle? I only know it from this, that Mr. Hargraves was said to have given them some instruction.
221. From information you received you have reason to believe they made it themselves? Yes.
222. And they discovered this nugget of gold? Yes.

E. W.
Rudder, Esq.
23 April, 1879.

WEDNESDAY, 30 APRIL, 1879.

Present:—

MR. BURNS,
MR. GRAY,

MR. HURLEY (HARTLEY),
MR. R. B. SMITH,

MR. WEBB.

ROBERT BURDETT SMITH, Esq., IN THE CHAIR.

Enoch William Rudder, Esq., called in and further examined:—

223. *Chairman.*] Do you desire to supplement the evidence already given by you on previous occasions? I said at the last meeting that I would not make any statement that I was not prepared to prove by documentary evidence, and I wish now to adduce such evidence to support the statements I have made. If you recollect, a question was put to me with regard to the exhibits I sent to London in 1871. Since then I have found some extracts relating to them, and with your permission I will read them. The first is a very short one written by "Anglo-Australian" in the *European Mail*:—"Since my last notice of the New South Wales Court at the International Exhibition, the 'Parramatta' has arrived, bringing forty-six more packages. A considerable miscellaneous collection of the dye woods, gums, cereals, sugar, and sugar cane, &c., exhibited by Mr. E. W. Rudder, attracts much attention." The other is from the London correspondent of the *Herald*, who says:—"Another characteristic feature of the Exhibition is the collection formed by Mr. E. W. Rudder, of East Kempsey. We have not the slightest knowledge, personally or otherwise, of Mr. Rudder, but, judging from the collection which bears his name, we should assume him to be a very industrious and enterprising person—one of a class by no means too numerous. His collection includes samples of sugar grown, we think, by himself; Mr. Christian, of Summer Island; Mr. H. Woods, ditto; Mr. Fairweather, of Kinchela Creek; Mr. Sydney Verge, West Kempsey; and the Sydney Sugar Refining Company. The samples are rather coarse looking, but we have seen worse in the market. Then, there are samples of Colonial gums, emu oil (a novelty here), arrowroot, and dyes obtained from wood. These latter deserve more attention than they are likely to obtain here at present. But the most important portion of Mr. Rudder's collection are the Australian woods. The samples include the Colonial brush, lignum vitæ, yellow cedar, white cedar, &c. There is also a piece of mahogany fence which has been exposed to the weather upwards of twenty-five years, and is still thoroughly sound. There is also a piece of black-butt gum wood, equally good and sound, which has been in the ground thirty-two years, being a portion of the first fence erected on the Macleay River. We cannot help suspecting that Australia is destined to develop a great timber trade with the mother country. Sleepers of Colonial mahogany, if obtainable on sufficiently cheap terms, would be found almost as good as those of jarrah for railway purposes. Then we have samples of Colonial barks, jute, and fibre for paper-making and twine, all representing the germs of future great Colonial industries. The fibre for paper-making ought to be brought under the notice of our Society of Arts. If procurable in sufficiently large quantities, it might, assuming it to be really workable, command a ready and remunerative sale here. But we have not yet done with Mr. Rudder. He shows a sample of sole leather, made by Mr. J. Lee, of East Kempsey, from a beast eighteen months old. It is really excellent—quite fit to take its place in Messrs. Alderson's display. Then we have specimens of Colonial road metal, limestone, porphyry, granite, &c., and last, but not least, a geological map of the Kempsey and Macleay River district." Then I purpose to support the evidence produced with regard to Mr. Northwood's letter. I will now read portions of letters from Mr. Hargraves, verified by the late Rev. W. B. Clarke. These support Mr. Northwood's letter by Mr. Hargraves's own acknowledgment. You may recollect he says he supplied Mr. Hargraves with materials for his expeditions:—

E. W.
Rudder, Esq.
30 April, 1879.

Mr. Hargraves's first visit to Guyong.

Memo. of evidence in support of Mr. Northwood's statements, collected from Mr. Hargraves's letters.

Mr. Hargraves's letter from Guyong, 11 February, 1851, to Mr. Northwood:—

Corn and flour supply.—You had better send 200 lbs. flour up to the house in a fortnight.

Horse.—O.T.—I have got the horse fresh shod. The blacksmith tells me the brute will not stumble so much when his feet are short.

Money supply.—Don't forget to speak to Mr. Suttor, as I shall be regularly "stumped by the time I get to Bathurst."

Corn and hay.—Letter from Guyong dated "Prima Costra Arouya, Guyong, Die Saturni, 16th/2/ A.D. /49." I am going now to the Turon River; there is water, but no grass. I have got some corn and hay, but in all probability shall be able to get "my hall" to keep the horse alive for a few days.

Money supply.—Mr. Suttor's will be out of my way, and 20 miles for a tired man and horse is a great deal; you had therefore better enclose me a £5-note through the post to Bathurst. I shall not have a feather to fly with on my arrival there.

Gold discovered.—Be it remembered, on the memorable day, to wit, on the 12th day of February, the year of our Lord one thousand eight hundred and fifty-one, that I did, at my "Prima Costra," on Arouya, Guyong, discover gold. I knew

E. W. Rudder, Esq. I was in a gold country 10 miles before I made the discovery, but being no water I would not try the "rocker," and being near a sheep-station, and expecting the sheep to drink, I did not further disturb the earth, but carefully put up my five little specks or grains away.

30 April, 1876. NOTE.—How could sheep drink where there was no water?—E.W.R.

After these letters were written, Mr. Hargraves returned to Sydney, discouraged, and intending to go to California. (See *Evidence*, as printed.)

Mr. Hargraves's second visit to Guyong.

Purchase of gold, and partnership.—Mr. Hargraves's letter to Mr. Northwood, from Guyong, 12th May, 1851.—Mr. Lister's letter was correct. I have purchased, on our mutual account, their share of the gold-dust, and forwarded it to His Excellency the Governor. Enclose me £10 by return of post, to pay them. 4 ozs. was the quantity sent.—This letter is addressed "Northwood."

Receipt of money.—Letter dated Guyong, Bathurst, 19th May, 1851.—Northwood,—I duly received the £10. My expenses have been very heavy. The Colonial Secretary I expect shortly, and then shall come to Sydney. You must send me more money.

Company.—I bought their share to forward to the Government, and paid £10 13s. 4d. for it; our share, £6 6s. 8d., makes £16. I am no longer connected, either directly or indirectly, with any other person. (See *Wm. Tom's evidence*, p. 59, questions 27, 28, and it will be seen he did not pay them as stated, but some considerable time after.) Postscript.—The mines are inundated with traders—a surgeon has commenced practice; confectioners, cook-shops, and everything you want for money. The rich man curses and the poor man blesses the name of Hargraves.

NOTE.—The surgeon was Mr. Gilbert, my partner. There were neither confectioners nor cook-shops then on the diggings (to the best of my knowledge and belief). I was there at the time. Dr. Gilbert did not go to the diggings to practice, but work with me as my partner, and did so for some time.—E.W.R.

The next I present to you is the evidence taken before the Select Committee on the "Gold Fields Management Bill," ordered to be printed on 20th September, 1853.

224. With what object do you tender this evidence? Simply in support of what I have stated.

225. Mr. Hurley.] Do you desire to have all this reprinted? No, only the portions of it I have noted here.

226. Chairman.] Have you correctly taken out the whole of the evidence which applies to your case? Yes, I have noted it in the paper I hold in my hand.

227. And you desire these portions to be appended to your evidence? Yes.

228. Mr. Hurley.] This merely goes to show that Messrs. Tom and Lister acted in conjunction with Mr. Hargraves? Yes, that there was a partnership between them.

229. How will that assist you? I have made a statement that Mr. Hargraves went into the matter as a speculation, and finding it had failed, was going back to California. I prevented that by encouraging him to apply to the Government, and by giving my opinion to the public that there was a gold field. Then when Mr. Hargraves found that the Government would take it up, he threw over his friends and partners and stuck to the Government. This evidence shows that my statements as to these matters are borne out.

230. This evidence merely goes to prove that Mr. Hargraves had acted somewhat unjustly towards Messrs. Tom and Lister? And more unjustly to myself.

231. Your name does not appear? He purposely kept me out of it.

232. Chairman.] I would like you to explain further with regard to this matter, so as to clear up the doubt in the mind of Mr. Hurley, as to your being the first to announce the discovery of gold? At this time Mr. Hargraves wished to return to California, and intended to do so, because he believed the speculation would not pay. I battled the matter with him, and got him to allow me to bring it before the public. The Government took notice of it, and the public took notice of it, and Mr. Hargraves therefore became bound to the Government, and the Government to the public. At this time, when Mr. Hargraves was despairing of doing any good, Messrs. Tom and Lister made a discovery of payable gold, so that they were, in fact, the first discoverers of a workable gold field, found after Mr. Hargraves had gone away from the locality; and he would have returned to California but for the step I took—that was the announcement of the gold discovery to the public through the Press, in the *Empire* and *Sydney Morning Herald*.

233. Mr. Hurley.] Who was the discoverer? The name of the discoverer was not mentioned, except inferentially.

234. Who did you credit with being the discoverer? Mr. Hargraves.

235. Where did you get the information that gave rise to that article? I stated, in my previous evidence, that I wrote from my knowledge of the country. I spoke as a geologist, having taken the trouble to discover, from documentary evidence here, the nature of the country.

236. How could you say gold had been discovered, merely from your opinion as a geologist? I was quite sure gold was there from the nature of the country, and from observation of country of a similar nature in California.

237. Mr. Webb.] I think you stated in your former evidence that Mr. Hargraves showed you the first gold that was discovered? Yes, five specks.

238. You cleaned it? No, not that lot, but the lot that went to the Government.

239. When did Mr. Hargraves show you the five specks of gold? When he returned from his first visit to Guyong.

240. When was that? A little previous to the publication of my letter.

241. When was that published? On 4th April, 1851.

242. From information you received from Mr. Hargraves respecting the discovery of five specks of gold you published this letter? I did.

243. Were you not aware at that time that a man named M'Gregor had found gold on various occasions? No.

244. Had you never heard a report to that effect? I do not recollect hearing of it till afterwards.

245. Did you hear of it after the discovery had been announced by you? Yes, I have heard of it subsequently.

246. Are you aware that it was generally known by the public? No, I knew nothing at all about it at that time.

247. But after you had made the announcement, you heard that some person had previously discovered gold? Yes.

248. When did Mr. Hargraves return to Sydney, after finding the five specks of gold? If my memory serves me rightly, it was in March. My announcement was on the 4th April.

249. Do you know when Mr. Hargraves received the letter from Messrs. Tom and Lister, intimating that they had discovered gold equal in weight to sixteen sovereigns? I do not.

E. W.
Rudder, Esq.
30 April, 1879.

250. Do you know when he communicated the fact to you? On the 6th May, when he put it into my hands at Guyong.
251. When did you first visit Bathurst, after Mr. Hargraves communicated to you the fact that he had discovered a few specks of gold? I followed him the day after he left Sydney. I arrived at Guyong on the 6th May; he had arrived on the 5th.
252. Did you stop any time at Bathurst? Only one night.
253. Do you know when and where Mr. Hargraves first received the lot of gold equal to sixteen sovereigns in weight? No; except from a letter here, dated 12th May, addressed by Mr. Hargraves to Mr. Northwood, in which he mentions it:—"I have purchased, on our mutual account, their share of the gold-dust, and forwarded it to His Excellency the Governor. Enclose me £10 by return of post to pay them. Four ounces was the quantity sent."
254. Do you not know that that gold was exhibited in Bathurst, and intimation of the discovery given on the 1st of May? No.
255. Do you know, as a matter of fact, that that gold was discovered before the 8th April? I am not aware of the actual date of its discovery. There was nothing known of it at Bathurst when I was there on the 5th May.
256. Are you certain it was not known to the public on the 1st May? I did not hear anything of it.
257. Will you have the kindness to read question 35, of Mr. Tom's evidence in 1853? "Did you communicate the result of your search to Mr. Hargraves? Mr. Lister was to write the letter to him as soon as possible, and Mr. Hargraves acknowledges its receipt in a letter addressed to Mrs. Lister, dated 8th April."
258. You have stated that you visited Guyong on the 6th May. Did Mr. Hargraves then show you the gold? Yes.
259. You have stated that you cleaned it? Yes.
260. Did you go to Bathurst with Mr. Hargraves? No.
261. Do you know if Mr. Hargraves proceeded to Sydney with the gold? I understood that he gave it to Mr. Icely. It was very much against my advice that he showed it to anybody excepting the Government in Sydney; Mr. Tom and Mr. Lister also advised him in the same way, but he would do so.
262. You allude to his making known the discovery of this payable gold? Yes.
263. Was that the only payable gold discovered up to that time? Yes.
264. Who made that discovery known to the public? It was made known by Mr. Hargraves himself when he went to Bathurst—not before.
265. When he went to Bathurst he made known the fact that a payable gold field had been discovered? Yes.
266. You cannot state positively the date? No.
267. At all events the intimation to the public that a payable gold field had been discovered was made by Mr. Hargraves? Yes.
268. In a former portion of your evidence you stated that, under your instructions the first cradle was made? I did.
269. When did you first visit Ophir? I think it was soon after the 6th May; I rode over there with some gentlemen.
270. Were there any diggers there at the time? I think there were a few.
271. Did you see Messrs. Tom and Lister there? I do not recollect seeing them.
272. Did you see a cradle in their possession? No; the first cradle was made in Sydney.
273. You did not see Messrs. Tom and Lister at Ophir then? I do not recollect it.
274. When was the first cradle made in Sydney? It was made just before Mr. Hargraves started for Bathurst on the 5th or 6th February.
275. What became of it? I do not know. It ought to have gone with Mr. Hargraves. What became of it I never knew.
276. So far as you know, you cannot say it was ever used? No, I cannot say it ever was.
277. Do you know under whose instructions the cradle was made by which the first payable gold was washed out? Only from report. From the evidence, I have understood that Mr. Hargraves instructed Mr. Tom how to make it.
278. The cradle was made under Mr. Hargraves's instructions? Yes, the one that Messrs. Tom and Lister used. I only go by the evidence; I have nothing else to go by.
279. When you visited Ophir, how were they getting the gold on the 6th or 7th of May? As far as I recollect, they were doing it in prospecting pans.
280. How many people were there there? From recollection I can hardly say. I can recollect that Mr. Tom had a tarpaulin tent there, and there were some others.
281. Did you not see any other kind of cradles there? No.
282. You are certain you did not see cradles made with cedar and green-hide at work? No.
283. If such things had been at work you think you would have seen and noticed them? Yes, from the novelty of the thing as a temporary contrivance. Mr. Walker requested permission from me to exhibit the one he had made under my instructions.
284. When was that cradle made? It was paid for on the 14th May; it must have been made a few days before.
285. Where did you exhibit it? I did not exhibit it; Mr. Walker exhibited it at Bathurst, and many others were made after the model of it.
286. *Chairman.*] By Mr. Walker? Yes.
287. *Mr. Webb.*] You are not prepared to say the cradle made under Mr. Hargraves's instructions was not the first cradle ever used on a gold field in the Colony? No; he might have used that first, and not used the one made in Sydney.
288. What distance is Ophir from Bathurst? I do not know.
289. Have you any idea? No; it is so long since I was there.
290. Is it 20 miles? I should say not.
291. Are you certain it is not 30 miles? I am not.
292. Have you any idea what distance Mr. Tom's place is from Bathurst? No.
293. What distance is Guyong from Bathurst? I have a vague impression that it is about 14 miles.

E. W.
Rudder, Esq.
20 April, 1879.

294. Would you believe it was 25 miles if you were told? I should think it is not, from recollection.
295. Would you suppose Mr. Tom's place, called Springfield, is 27 miles from Bathurst? Perhaps it is.
296. Would you believe Ophir is 30 miles from Bathurst? I scarcely think it is, from recollection. I can give no answers to these questions because I really do not know the distances.
297. I am rather at a loss to understand on what grounds you consider you are entitled to compensation? As being the individual who made it known to the public.
298. What did you make known? I made known the discovery of gold, and my conviction that it extended over an area of fully 300 miles of country. I went to the Surveyor General's office, obtained a map, and ascertained the nature of the country, and from that my deduction was that it did extend over that area. The fact is Mr. Hargraves would never have announced it if I had not made it known. I knew quite well, from my experience that where a man has found three specks of gold, or five specks, if he was an industrious prospector he could not fail to find more. I knew that if I had been there at the time I would have found a payable gold-field.
299. You say just now that you knew that gold had been discovered over 300 miles of country? No; that was my conclusion from what I knew.
300. In what locality? The locality would be from the gold-field there at Ophir, where gold was discovered.
301. *Mr. Hurley.* You say from your knowledge you prophesied that gold would be got over 300 miles of country, with Ophir as a central point—had you been 150 miles in any direction from Ophir? No.
302. How then could you say gold existed over 300 miles of country? Because I knew from the strata that existed in the country that gold would be found there.
303. Did you find the strata run 150 miles without a break? No, I had not ascertained that.
304. Do you not find, as a geologist, that country will break in 5 miles? If you once get the direction of the strata you can, if you know its bearings, form a pretty correct idea of its bearings, except where interrupted by what miners term faults or intruding strata.
305. Is it not a stretch of the imagination for a person to say that auriferous land will be found to extend for 300 miles from a given point? No, I think not, when you know the strata are of a particular character, and the geological features of the country.
306. *Mr. Webb.* What information had you received, and who furnished the information that caused you to say gold would be found over an area of 300 miles of country? It was simply the information I obtained from inspection of the maps in the office of the Surveyor General—the information they gave as to the geological features of the country. Sir Roderick Murchison drew a similar inference from similar information.
307. It was not from any information you received from Mr. Hargraves? Not in the slightest.
308. *Mr. Hurley.* Your knowledge of geology is merely abstract? I had seen a good deal of geology, and had a good deal to do with mining property in England, and I had made a study of geology. Then going through California I knew what the character of the gold-bearing country there was, and I knew that we had similar country here.
309. Your letters to the *Herald* were in advocacy of the doctrine of gold dissemination through granite—that was one of your chief arguments at the time, was it not? Yes. Mr. Davison and myself had had an argument on the subject in California, and he differed from me.
310. *Mr. Webb.* In what direction from Bathurst was this 300 miles of gold-bearing country? I cannot say now, but as far as I can recollect I should take Ophir as something like a central point, and consider that the stratification would produce gold. It might have been north and south of Ophir, or north only.
311. When you speak of 300 miles of country, what are we to understand—300 square miles? 300 miles in length.
312. What width? No specified width. It would be impossible to say the width. If I had a geological map of the country, I could tell you.
313. When Mr. Hargraves returned to Sydney, did he tell you he had been prospecting from Bathurst to Wellington? No; he did not describe the country.
314. Did he give you any description of the country he had passed over? Not that I recollect. It appears in some of his letters.
315. As far as you were concerned, you were not guided by any information you got from Mr. Hargraves? No.
316. Is it not the fact that gold has been found in many places, but is not payable? Yes.
317. Is it not a fact that it has been found over nearly one-half the country of New South Wales, but only in a few places payable? Yes.
318. Is it not a fact that it has been discovered in Ireland, and yet it is not payable? I do not know about its not being payable; I have heard it was.
319. The mere fact of having discovered gold in any country is no proof of a payable gold field? It is no proof of a payable gold field; it depends upon the character of the prospector, whether he prospected as he ought to have done. It was quite evident Mr. Hargraves did not, because Messrs. Tom and Lister, after he left, made the discovery of payable gold.
320. The fact of there being payable gold in any country does not depend upon the prospector? No.
321. But the discovery of a payable gold field does depend upon the prospector's care? Yes.
322. *Mr. Hurley.* You said you made known your discovery of gold? No, the discovery.
323. Supposing you had not taken time by the forelock, and given notice through the Press that gold had been found, would it not eventually have been made known to the public? It would; but it would have been discovered as a private speculation, and kept from the public till the property had been secured.
324. Would not the public have eventually attained knowledge of the fact? I presume it could not have been kept secret long.
325. Then even if your article had not appeared, the public would soon have been in possession of the discovery? Had I been there, at the spot, I have no doubt I would have discovered it.
326. How do you reconcile your petition now to the Government of this country for a sum of money, when you advocated many years that the real discoverer, Mr. Hargraves, should be rewarded, and no one else? Simply that Mr. Hargraves's five specks entitled him to be considered the discoverer, but if it had been left to him it would not have gone beyond that; he would have gone away to California.
327. What was your reason for abstaining from making an application at the time Mr. Hargraves was being so generously dealt with? I did publish a pamphlet.

328. Did you make application to the Government? No; I published that pamphlet and sent it to every Member of the House. E. W. Rudder, Esq.
329. Did you not, at Sofala, advocate a reward to Mr. Hargraves? Yes, by public subscription. 30 April, 1879.
330. What caused you to advocate a reward to Mr. Hargraves and not your own interest? Mr. Davison and myself were his companions and friends in this matter, and we did not wish to deprive Mr. Hargraves of the credit of being the first discoverer, but we certainly thought he would have the generosity and candour to acknowledge those who helped him.
331. Did you anticipate that the "spoils," if they may be so called, would be divided? Certainly not.
332. You think Mr. Hargraves should have acknowledged you in some way, after having received the reward; in what way did you expect to be acknowledged—through the Press as being one of the persons concerned in the finding of the gold—or did you expect to receive a portion of the reward? We did not expect any portion of the reward; but we thought Mr. Hargraves should have recommended us to the Government as having rendered him assistance.
333. *Chairman.*] Before you made known through the Press in this Colony the discovery of gold, did you not communicate from California to the Press of this Colony? Yes, I did, describing the nature of the gold-bearing country. Any person who had gone by my letters would have found gold.
334. That was long before Mr. Hargraves came to the Colony? Yes.
335. That is in evidence before? Yes.
336. Do you remember the date that letter was published? July 22, 1850.

FRIDAY, 2 MAY, 1879.

Present:—

MR. BURNS, MR. R. B. SMITH,
MR. GRAY, MR. WEBB.

R. B. SMITH, Esq., IN THE CHAIR.

E. W. Rudder, Esq., called in and further examined:—

337. *Chairman.*] Do you desire to make any further statements in support of the allegations contained in your petition? I wish to refer particularly to Mr. J. H. Lister's evidence before the Select Committee on the Gold Fields Management Bill, in 1853, p. 67, question 18, to show the effect my letters from California produced. Here is Mr. Lister's evidence to show that what I have said is correct. Before I go, I wish to show you something as a proof of what I had said about the rocker. I think there has been some idea that there was a rocker made previous to this. Mr. Webb alluded to one that was made of bullock hide or something of that kind. I had no recollection of it at the time, but after what he said, I have some idea there was something of the kind. This will show you what it ought to have been. This is my diagram of the rocker exhibited at my lecture in Sydney. (*Diagram produced.*) It was from that the rocker was made at Bathurst. E. W. Rudder, Esq.
2 May, 1879.
338. What evidence do you desire to give in regard to this rocker? I merely brought that to show that the machine we heard of the other day was not a properly constructed rocker, and that the one I spoke of before was the first exhibited to the public of a proper character.
339. *Mr. Webb.*] You wrote a letter to Mr. Tom, the discoverer of gold, on the 6th of February last? Yes.
340. Have you a copy of that letter? I have not.
341. Is that a copy of it. (*Letter handed to witness.*) I believe it is.
342. Have you any objection to that letter being appended to your evidence? No. (*See Appendix A 6.*)
343. Did you receive any reply? I did.
344. Do you produce that reply? I have not got it here.
345. Will you have the kindness to read that. (*Letter handed to witness.*) Is that a copy of the reply? I believe it is. (*See Appendix A 7.*)
346. You published a letter in the *Sydney Morning Herald* of the 4th February, 1851, respecting the discovery of some specks of gold? Yes.
347. You see by the letter Mr. Tom wrote to you that he discovered a nugget of gold on the 7th April? Yes.
348. Does he or does he not intimate that up to that time he had not seen your letter in the *Herald*, and state that it had no bearing whatever upon his discovery of gold? That is quite correct; but it had very great bearing on Mr. Hargraves's conduct, inasmuch as it at once enabled him to go to the Government, and say he had accomplished what they required of him, and no doubt he did so; consequently he got the appointments he subsequently held, and he then threw over the friends who had assisted him; Messrs. Tom and Lister were abandoned, but Mr. Northwood would not abandon his claim, but insisted on being paid a portion of the reward Mr. Hargraves obtained—£500, the first instalment from the Crown. Mr. Northwood got from him £250, and then the partnership being dissolved Mr. Hargraves came in for the full amount of the reward after that. He then abandoned all his friends; instead of supporting those who had assisted him he turned round upon them. If you refer to the evidence given in 1853 you will find he turned round upon Messrs. Tom and Lister in a way that was most unbecoming.
349. In reference to the cradle making—I have a letter here, sent to me by Mr. Tom. The reason this letter was sent to me was that I wrote to him, asking him to exhibit the first cradle that was made at the Exhibition, and I pointed out that in your petition you stated that you gave instructions for making the first cradle. Now I wish you to read that letter, and if you are prepared to deny his statements you may do so? With regard to that there is evidently a mistake.
350. In what portion of it? My statement was that the cradle exhibited at Bathurst was the first one made of a practical nature, so far as I know; I knew of no other cradle; and I stated what I knew—nothing more.
351. Then, am I to understand that you now state that the cradle made at Bathurst was the first cradle you knew of as having been made of a practical nature? Yes; but the very first made was made in Sydney, about the 5th February, before Mr. Hargraves first started on his search for gold.

- E. W. Rudder, Esq.**
2 May, 1879.
352. You did not know of the existence of the cradle referred to by Mr. Tom in that letter? No, not at that time; I should be very sorry to take from Mr. Tom or anybody else any real merit. I believe Mr. Hargraves mentions that he gave them instructions how to make a cradle, and that one was made by Mr. Tom according to his instructions.
353. *Chairman.*] There is a statement here that Mr. Tom never saw you till some hundreds or thousands of diggers had visited Ophir? I think he must have been mistaken, because I was there when Mr. Stutchbury was there, and I think Mr. Tom was there at the time; I think I must have seen him. There were not very many people on the diggings at that time.
354. How many? Very few.
355. Hundreds or thousands? Nothing of the kind when I went there first. I was at Guyong on the 6th of May, and visited Ophir very soon afterwards.
356. You see, according to this letter of Mr. Tom, it appears that Mr. Tom made the first cradle? The first cradle that ever was made was made in Sydney before Mr. Hargraves started upon his discovery at all. That was the first. What became of it I never knew. Then the next, so far as I know of, was the one made to my order by Mr. Walker at Bathurst, and that was paid for I think on the 14th May. There could not, at that time, have been thousands of people on the ground. It is quite impossible, because Mr. Hargraves did not make his discovery known in Bathurst till the 7th May. I have a memorandum here:—"May 7. Cleaned and prepared 4 ozs. of gold (procured on 24th April by Tom and Lister), at Mr. Hargraves' request, for him to take to exhibit to the Governor and Colonial Secretary." Mr. Tom would be perfectly correct if he said he made the first rocker ever worked upon the gold fields.
357. *Mr. Webb.*] Having seen this letter of Mr. Tom, you are not prepared to say you are correct in saying that either the cradle made in Sydney or the one you had made in Bathurst was the first cradle ever made? No; not in Bathurst.*
358. Do you think it probable that the claim set up by Mr. Tom, as having made the first cradle used for practical purposes on the gold fields, is correct? I am not prepared at all to deny that. That was no doubt the first cradle used by them. I have a letter in my hand that I should have produced before; but as it emanates from a member of my own family, I scarcely like to bring it before you, but when I explain the circumstances perhaps you will not consider it irrelevant. At the time alluded to I was lodging in Sydney at an hotel with my wife and two of my daughters, and I thought they might perhaps be able to give me some information. Mr. Hargraves has very frequently had interviews with me in presence of Mrs. Rudder. At the time I am alluding to, our grocery business was done with Mr. Peck, and Mr. Peck introduced Mr. Hargraves and spoke about my going to California, and I know Mrs. Rudder exercised some influence with Mr. Hargraves in inducing him to allow me to make the announcement of the gold discovery. My daughter, I thought, might be able to give me some evidence. She writes to me this:—"This morning I went to see Mamma. She well remembers the circumstance of Mr. Hargraves being advised to go to San Francisco." This is what I particularly wish to draw your attention to—she further states "it was entirely through your instrumentality that Mr. Hargraves consented to give the Government what information he could respecting the gold discovery."
359. *Chairman.*] What is the date of the letter? February 26, 1879.
360. Is your evidence now complete? There is one thing I wish to call your attention to. In looking over the list of names called before the Committee in 1853, I find the following gentlemen were examined. It was rather singular, I think, that I, who had been for nine months on the gold-fields of California, and for twelve months on the Ophir and Turon Diggings, besides having been Commissioner for the A. A. Company on their gold-fields for two years, was never asked to give any evidence on that occasion, when Mr. Hemington was requested to do so, who I think only represented seventy individuals, while I had represented 2,000,—Mr. Commissioner Green, who had no previous experience till the discovery; Mr. Adam Wilson, the same; Mr. Essington King, no previous experience; Mr. William Hardy, Mr. Gideon Lang, Mr. Archibald Clunes Innes, and Mr. R. G. Massie. There is something rather singular in that. My letter to the Government, laying out regulations for the management of the gold-fields, according to my Californian experience, was suppressed. My name was connected with the gold discovery in the papers both here and in England. Why was I not asked to come forward on that occasion. There seems to me something anomalous about it.
361. You were in the Colony? Yes, and could have been called at any time.

Sedgwick Spelman Cowper, Esq., called in and examined:—

- S. S. Cowper, Esq.**
2 May, 1879.
362. *Chairman.*] What positions have you occupied in the service of this Colony? The first public position was as Associate and Clerk of *Nisi prius* to Mr. Justice Dickinson, formerly Acting Chief Justice, and subsequently to Sir Alfred Stephen. After that I acted as Secretary for the New South Wales Exhibition Commission—for 1861, locally, for 1862, in Europe; also as Secretary and Agent for the 1871 Exhibition in London. I was likewise honorarily deputed to elicit from the London Woolbrokers their trade opinions upon the Colonial Wool question. (*See their lengthy Reports.*)
363. Have you been apprised of the object of this inquiry? I have now, but not until this afternoon.
364. Can you give any evidence bearing upon the subject referred to us? I think I can. I have met Mr. Rudder to-day for the first time. With regard to the greater portion of his petition, I can give no evidence; but with reference to the latter portion, I can say that Mr. Rudder received medals in honorary acknowledgment for 1871. This last, I observe, Mr. Rudder has only mentioned as a Certificate of admission as an exhibitor for 1873; likewise Mr. Rudder received a medal. I can bear testimony to his having received these medals and honorary acknowledgment for the collections he sent Home to the different Exhibitions.
365. *Mr. Burns.*] Were they mineral collections? Mineral and otherwise.
366. *Chairman.*] Do you know what effect they had upon the public mind? I am aware that the effect upon the public mind was very substantial. I am likewise aware, not from personal but indirect knowledge, &c., &c., and that Mr. Rudder has for a considerable time bestowed a great amount of research upon the mineral resources of the Colony, and upon its indigenous resources otherwise. What he states here

* ADDED (on revision).—I also stated that I thought, had the cradle been then known in Bathurst, it was scarcely probable Mr. Walker would have requested permission from me to exhibit the one he made for me as a pattern.—E.W.R.

here is perfectly correct, that he has expended much time and much personal labour upon these researches, in addition to which he must likewise have expended considerable sums of money in getting up his collections. The catalogues of the different exhibitions will bear out what I state, that Mr. Rudder had exhibits in 1855, 1861, 1862, 1871, and 1873. Whether he exhibited in 1867, I am not aware; I think so, but I am not certain. I believe he exhibited at all the exhibitions, except the first in 1851.

S. S. Cowper,
Esq.
2 May, 1879.

367. What effect had these exhibits upon the public mind? A very great amount of attention was drawn to them. On different occasions there were exhibited 300 examples indicating various descriptions of dyes, on one occasion as many as 200 samples being shown—these attracted very great attention in Europe, as did also the minerals and other articles shown; and they afforded the opportunity of considerable interchange between the different museums. The last lot Mr. Rudder forwarded was sent as far as Moscow, where I believe they now are in the Russian Museum.

368. Where these exhibits or collections the means of doing this country any service? Yes, a very great deal of service.

369. Making the country better known? Yes; they were admired very much. In his persistent efforts in endeavouring to bring forward the indigenous resources of the country, mineral and otherwise, Mr. Rudder must have incurred a great deal of expense, and likewise spent a great deal of time.

370. Was the nature of the exhibits such as were calculated to benefit the Colony in a commercial point of view? They were most decidedly, because they afforded the opportunity of showing what our indigenous resources are, and that we merely require the capital to develop them.

371. Did the public in England seem to take great interest in these exhibits? Yes, a great deal of interest, both the poorer classes, and likewise the wealthier; they interested both descriptions of persons—the capitalist who wanted something in which to invest his money, and the operative who wanted something from which to get good wages.

PETITION OF E. W. RUDDER.

APPENDIX.

A 1.

[To the evidence of Mr. E. W. Rudder, 19 February, 1879.]

Extract from the *Sydney Morning Herald*, Monday, July 22, 1850.

CALIFORNIA.

NOTWITHSTANDING all that we have published in the shape of letters and extracts from the local journals in relation to California, it is interesting to find that the prominent position we have always taken in discouraging immigration to San Francisco, and the disappointments which we have so repeatedly mentioned as the fate of almost all gold-diggers is, in nearly every instance, confirmed by private letters which have been received. The following letter, which bears date San Francisco, May 4th, is written by a gentleman who came to this colony sixteen or eighteen years since, and who, with his two sons, left Sydney to reap a share of the golden advantages which California appeared to offer. The writer is descriptive in his account of the country, and alludes to many things which have not yet been furnished in detail, and the letter, though lengthy, will well repay the perusal:—

“Having been to the Northern Mines, worked at them, and returned, I now feel qualified to write you, since I can give you the result of my own experience and observation, both as to the interior, the city, and those I have visited during my journey. I will, for the sake of perspicuity, endeavour to methodise my communication under a few leading heads, viz., climate, towns, country (its aspects and productions), mines, laws, and general remarks. This is a memorable day for this place. At break of day I heard what appeared to me the report of cannon from the harbour, but as the reports continued long, and at irregular intervals, I remained in doubt. I was not long in suspense. A neighbour's son came to my tent-door and called out, ‘The city is on fire.’ I dressed, went out, and soon found the report too true. I found the Square on fire on two sides, and the largest and finest buildings in California one mass of devouring element; house after house ignited with surprising rapidity, and several structures I had admired for their neatness were in a few minutes reduced to a heap of ashes. The conflagration was grand; the Square was filled with groups of people, and piles of furniture and goods of all kinds, mule teams and horse teams driving in all directions to remove property. The various groups depicted as various sensations—some congratulating each other on their escape, others lamenting their loss, some panic-struck, others indifferent; some enjoying the scene, others crying. The amount of damage sustained has been very great, probably amounting to some two or three millions of dollars. All the buildings facing seven streets, with the exception of one brick house, were consumed, leaving a large blank in the heart of the city. Mr. Catton, of Sydney, who has been burnt out, informed me there could be no doubt it was fired intentionally. The reports I heard in the morning were packages of gunpowder exploding in the various burning buildings. The morning was comparatively calm, or I think the whole city, and not unlikely the shipping, would have been all destroyed. This is the second fire on the same spot within a few months. Most of the large gambling houses are destroyed. The mayor has issued a proclamation since this account of mine was written, offering 5,000 dollars reward for the apprehension of the incendiary, and the *Daily Pacific News* estimates the destruction of property at 5,000,000 of dollars.

“CLIMATE.—This is the most important subject for consideration to the emigrant, and nothing can be worse to those who have been living for any long period in a mild and equable temperature, or in a country not subject to very sudden and severe changes. It might not injure a resident from Batavia, or one from New Orleans, or one from Walcheren. Neither might it affect some iron constitutions from the North; but it is merciless to about one-third of those who stop any length of time, even to the most robust. It is impossible it can be otherwise, from the nature of things; and the testimony of many miners and others with whom I have conversed bears out the fact. Several have assured me that one-third of those who landed with them are now no more. What can be expected from a climate where, for example, in the day, from 10 a.m. to 3 p.m. the heat is from 100° to 112° in the shade; and then before evening suddenly reduced, and at night so cold that you can scarcely keep warm under a load of blankets? Here, in the morning a dense fog spreading over the city and harbour; lights are required in the public offices; from the ships the shore cannot be seen; it penetrates every pore, and chills you through. Suddenly the sun darts upon you as the mass slowly passes over, and you are scorched with heat. A respectable American captain assured me, that on one occasion, when navigating his vessel from Sacramento city—where the thermometer stood at 145° in the sun—he entered, as he neared San Francisco, one of these fog clouds—all hands were suddenly chilled, and could not, by any effort or additional clothing, regain their warmth. The result was, that in the morning every man he had on board was taken ill with the ague. At the mines the temperature is more equal, and there are no fogs; but there I was during the day obliged to dispense with my upper garment, whilst at night, with all my day clothes on, three coverings of blankets, and a heavy counterpane, I could not sleep for the cold. It was a frost. Whilst at Marysville, the American captain I have just alluded to, who considered himself acclimatized, suffered severely under my own observation. For several days previously it had been very warm indeed; suddenly the wind changed and blew cold and strong from the Sierra Nevada and over the intermediate country, then under water. He went out for a walk, and returned after an absence of about two hours laid up by an attack of ague; and I had an attack of diarrhoea. This disease attacks great numbers. I think none escape entirely. I attribute this to the sudden change. Dysentery is another disease which takes off many, and is, I believe, to be attributed to the great heat in summer at the mines. An egg can be cooked in the sand at times in 3 minutes, so I have been credibly informed. The great heat of the mines I attribute to radiation. The mines I have visited are situated on the bank of the river or on its bed—a mass of stones brought down from the mountains by the torrents; on the outskirts of this mass there is a small plain of perhaps 50 acres, some not so much; on either side the mountains rise like the sides of a basin. As soon as the sun rises he pours his rays upon one side of this basin; all the intermediate space is soon rarefied; as his rays increase in power the heated mass of rock reflects back the heat to the opposite mountains, and so on until all the walls of the basin become heated to a higher degree. As the sun approaches the zenith the stones forming the bottom of the basin absorb the heat, and add their power to that already almost insupportable, and render it quite impossible for man to move abroad without danger. At night it is very cool, because the sun soon quits the basin, its walls overtopping its rays, which still illuminate other parts. Again, all the country about Sacramento, and particularly on the San Joaquin, is flat, and either marshy or subject to inundation. I have seen it covering the prairies as far as the eye could reach from an elevation of above 1,000 feet. When this passes off a miasma rises, and subjects those exposed to it to ague and fever. I have passed through 200 miles of this kind of country with two gentlemen, one from New Orleans, and one who had visited Batavia, and was assured it resembled both in character and appearance. Such is the climate, so far as I have been able to collect from my own and other persons' experience and observation.

“TOWNS.—Their commercial situations do not appear to have been selected with regard to the healthiness of the spot so much as importance. They rise with a rapidity unknown perhaps in almost any other part of the world. The streets are laid out at right angles to each other, and are named after the letters of the alphabet, or the arithmetical numerals. Thus we have A and B streets, No. 1 and No. 2 streets. This, however, is not universal. There is also a space left along the bank of the river for the convenience of shipping, and generally a square. The houses are of all materials except stone; sun-dried bricks called *adobe*, brick, wood, zinc, iron, canvas, and wood. But almost all are of wood, and that the pine, or wooden fronts and frames, and cotton and canvas roofs and walls. I have not seen twenty brick and *adobe* buildings in the country. Intermixed

are

are numbers of tents. Many of the houses are very extensive edifices, and have a light and lively appearance. The fronts are in many instances very neat and ornamental. They are, however, from the nature of the timber, highly combustible. I can compare them to nothing but a collection of lucifer match boxes, and as easily swept off by fire, as proved to demonstration this morning. I have now seen San Francisco, Bonetia, Martineze, New York, Sacramento, Fremont, Vernon, Nicolas Plumas, Paine, Eliza, Juba, and Marysville. The augmentation of putrescent animal matter, dead carcasses of mules, horses, horned cattle, &c., exceeds all I ever beheld; and would be deemed pestilential in almost any part of the world. You will excuse detail—it would shock your modesty and stagger your credulity.

"COUNTRY.—About San Francisco and from thence to New York it is mountainous, and abounds in interesting scenery. From New York to Marysville, it is a flat and marshy country, subject to inundation, but abounding in splendid prairies, affording fine pasturage to cattle during the spring and early summer months. Nothing can exceed the beauty and richness of some spots. I have passed over a perfect carpet of the richest flowers for miles, and have seen thousands of acres of oats growing as regular and clean as if the result of art. This is all burnt up by the summer's sun, which leaves the forest alone verdant and pleasing to the eye. The oak, of which I have seen about six varieties, and the pine, of which I have seen five, are the prevailing timber. Grape vines abound on the banks of the Sacramento and other rivers I have been upon. I have also found the currant, gooseberry, plum, elder, nut, raspberry, blackberry, and chesnut. There is a plant of the bulbous kind which is an excellent substitute for soap. It washes well, as I can attest from repeated trials. The flowers and herbs are too numerous for me to enter upon, they are both rich in beauty and fragrance. Cattle and horses are plentiful and good, the latter small and the former equal to the average run of New South Wales, though not so high on the leg. Deer, elk, bears, buffaloes, wild cattle, antelopes, and sheep, fill up my list—the latter are remarkably fat about the kidney, far surpassing any I ever before observed, either in England or in the colonies of New South Wales or Van Diemen's Land. Wild fowl are to be seen in countless numbers, partridges, geese, quail, and ducks, &c.; snakes appear numerous—I have killed many—the rattlesnake is the most formidable. Flies and mosquitos are in great numbers. Excellent salmon and other fish are caught in the rivers; vegetables of most kinds can be obtained by cultivation, and there are several wild plants of use as esculents.

"MINES.—I have described previously what these are like where I have been; I will, however, go a little more into particulars. The gold is found in a rich red soil, not very tenacious, and sometimes on a very tenuous clay (upon its surface) where it has been deposited. It is distributed throughout the red soil; sometimes it is found in the ravines between the interstices of the rock in the beds of rivers, and in the banks, which have at some antecedent period formed the bed of the stream; it is found of all sizes, varying from the minutest grain to lumps of 25 lbs., and considerably above; these large masses are never perfectly pure, being intermixed with quartz; one piece of 86 lbs. has been found, but I presume not more than 30 lbs. of pure gold was in the mass, from the best information I can obtain. I have seen several specimens of the size of a man's fist, and some larger. That which I obtained was of the fine pure scale kind, which is considered the best quality. Any Australian settler who has ever crossed the bed of an Australian river, at what are termed the falls, where the water is shallow, and the adjoining land for 200 or 300 yards is composed of what is called shingle (that is, an immense bed of gravel stones of all sizes and forms, cemented together by clay), will at once understand the nature of gold digging. It was in such a place I worked. The stones varied from half a ton to the minutest grain. They have to be removed with the pick-axe, iron bar, and spade. The large stones are stacked on one side, and when too large left where they are found; all the small stones, clay, &c., are then washed in a machine of very simple construction called a "rocker." It is not unlike a child's cradle in form, and its motion is communicated in the same way. I have not time to describe the machine in detail. I and the gentleman with whom I worked obtained half an ounce in three hours. The average of the mines where we worked is estimated at one ounce per day to each man. From the nature of the ground to be removed, it can be easily imagined the labour is heavy, but I presume it is not more severe than thousands and tens of thousands undergo in England for 2s. per day. All the gold except the lump is mixed with emery, from which it can be freed with little difficulty. In short, the whole operation is simple, and requires little or no mental effort to understand. Mercury is used where the gold is very minute, but with this addition the process is very simple. The mercury and gold are placed in a small portable retort, and the former evaporated, and re-collected, leaving the gold in a mass at the bottom.

"THE LAWS.—At present the law administered here is that of the country previous to its conquest by America, viz., Mexican. It is prompt, severe, and immediately carried into execution. The people elect their chief officer from one of their own number, and he is not unfrequently the keeper of a store or restaurant. He is called the Alcalde. There is no appeal from his decision, even in case of "life and death." He has been known to take life with his own hand, where his authority was resisted. This power (except in the cities, where the Mexican law is adhered to) is arbitrary and absolute at the mines, and under such a state of things justice cannot be expected to hold even sway. It, however, answers here much better than the protracted forms of our Courts, or even those of America. An honest man has not much to fear. I question, if under our tardy legislative enactments, much more real injustice is not inflicted on the honest man. California does not as yet form an integral part of the Union, and no other laws than those respecting revenue, as observed in the States, are maintained by that power.

"GENERAL REMARKS.—The Americans are very heavy in their exactions from foreigners. Their Custom duties are very high, and a perfect system of plunder, as far as my experience and observation permit me to form an opinion. Justice is said to be blindfolded; here I think she has contrived to raise the bandage and keep one eye open,—she can see a bribe, oppress an alien, and extort fees, without compunction. The communications between the capital and the mines are very high. The dollar here is about equivalent to a shilling in Sydney. All money transactions are carried on in dollars and their decimals, viz., cents, 100 of which make 1 dollar. Carriage to the mines varies from 1 dollar to 10 cents. I paid 25 cents, or 1s. of our money, for the conveyance of my luggage, &c., by land. Steam communication is very general, and conducted with regularity for a distance of about 250 miles; the charge is 45 dollars; meals on board 2 dollars each. Most persons find their own provisions, as the time is short, and they take their own blankets. Beds are charged extra. There is frequently only room to stand, owing to the crowded state of the vessel. Provisions are at all prices, varying according to supply and distance. One dollar per lb. is sometimes a standard price for every article sold by weight. There is however no fixed rule, all depends on circumstances. Much of the meat is very bad, but in the regular butchers' shops it may be had of very good quality; game is abundant in the city; there the usual charge for a dinner is 1 dollar 50 cents. The following are the present prices of the goods named, as near as I can obtain:—

New Zealand Pork, in tierces (very good)	18 dollars. lbs.
American Prime, that is the entire wild hog	20 " 200
Ditto, prime mess, without head and feet	22 " 200
Ditto, mess, superior quality	25 " 200
Ditto, clean, with all bone taken out	36 " 200
Ditto, rump, the ham pieces cut up	36 " 200

Fine flour, per 100 lbs., 5 dollars. Hard bread very various; beef, fresh, 25 cents; butter, 1 dollar; cheese, 75 cents to 1 dollar, retail; Cognac brandy, per case, in quantity, 4½ to 6 dollars; claret, in case, 3½ to 5 dollars; brandy, in cask, of best quality, 90 cents to 1 dollar 20 cents, according to the size of package; rum, ditto, 50 cents. This will be sufficient to give a general idea. Ships are at a nominal value; lumber previous to the fire not worth the expense of landing only; clothing plentiful and cheap; vegetables of all kinds scarce and dear. Changes here are wonderfully rapid, the Americans, in all things relating to commerce, being a speculative and energetic people.

"RELIGION.—Though last, is not to me the least, but most important matter for consideration. Here, all are free to do as they please; and although many carry on their work and trade, and the gambling-houses towards midnight are crowded, the major part of the people suspend their labour on the Sabbath-day. Pious men are making efforts, and various places of worship are opened. Out-door preaching and tract distribution are also observed.

"Men of all nations are assembled here, with little exception. I have met with English, Scotch, Irish, French, Swedes, Norwegians, Aborigines of New South Wales, Native Australians, Americans from all parts of the Union, Dutch, Germans, Poles, Jews, Chinese, New Zealanders, South Sea Islanders, Negroes, Creoles, Spaniards, Portuguese, Italians, Mexicans, Chilians, &c., &c. I have much to tell you of the Americans, the manners and customs of the Aborigines, Indians, &c., which I must defer. I have also been obliged to omit all attempt at illustration of the geographical, geological, and political aspect of this part of the world, together with all places either seen or touched at on my voyage here.

"There are one or two remarks, however, I must not omit, because I hope they may influence others, so as to prevent them falling into my error in coming here. Gold is to be had by working for, and in some instances in such quantities to make

make the fortunate find a rich man at once. It is not for any prudent man to calculate upon a mere freak of nature (if I may use the expression). The question is, what can a man do possessed of common prudence and industry, and what may he calculate upon as the result? The result of my enquiry is, that the general average earnings at the mines for the year round is about 7 dollars per day, and the expense of maintenance about 2 dollars. There is much loss of time from elemental causes to be taken into account: snow, rain, flood, and heat, all have their periods during which the miner must remain idle. Then again, there is an expensive and mostly an useless outfit, the expense of passage to and from to be placed to the debit side; and when all has been fairly estimated and a just balance struck, it will be found that mining for gold is by no means so profitable as is generally supposed. I have said, as yet, nothing of the loss of comfort and risk of life; this is indeed a large and weighty item to the debtor side, one which, in my opinion, leaves a large amount which can never be repaid. Thousands of different opinions will, no doubt, be given, all emanating from the varied success of the narrator, the strength of his constitution, and the place he worked in. Few will, I presume, draw general conclusions—any man who has a comfortable home does wrong to quit it—he may meet with remunerative success, but the probability is, he will ever repent his venture, because, if for no other reason he must sacrifice all domestic comfort, which to a man long used to enjoy it, is an evil of high magnitude; but to this let him add sickness, hard labour, being an alien, and all the discomfort of one of the worst climates under the sun, with death constantly staring him in the face from this cause, and I think he will conclude it would have been good for him had he never heard of California. Necessity alone keeps me here; when that necessity no longer exists, I will not stay a needless hour."

This picture of California requires no colouring on our part. The writer when he quitted Sydney left with sanguine expectations of success, and none of his hopes have been realized, and his anxiety to return is illustrative of the difficulties, disadvantages, and disappointments, which the larger proportion of emigrants have to encounter.

A 2.

Extract from the *Sydney Morning Herald*, Saturday, February 22, 1851.

CALIFORNIA.

To the Editors of the Sydney Morning Herald.

Gentlemen,—So numerous, various, and contradictory are the accounts that appear before the public from time to time that those interested in obtaining correct information feel bewildered, if not altogether sceptical.

To account for this confliction of testimony respecting so important and interesting a portion of the globe, it must be borne in mind that the temper of the writer materially influences his views of things. We have known an individual so overcome by depression of spirits as not to be able to look upon the most beautiful Californian scenery without detracting from its merits. We have seen another possessing such energy and buoyancy of mind as to see no difficulty, but such as was retrospective, sanguine to the last. One has been successful, another disappointed. One has been a victim to climate, the other has enjoyed robust health. The nature of the operations at the mines is various, and their character for richness as fluctuating as the wind. Where the objects are various, and the medium through which they are seen equally so, can we wonder at the conflicting nature of the evidence to be derived from such sources?

To presume to say none are successful would be to state so glaring a falsehood as not for one moment to obtain credence; and, on the other hand, to say that all were prosperous would be equally untrue. There is, however, that tendency to make public fortunate events, and suppress those of an adverse character, that we hear but half the truth, and that much exaggerated. The American merchant, storekeeper, restaurant keeper, gambler, and speculator in mines are all interested in making the most of every successful "hit;" it "brings grist to the mills." A large lump of gold or the proceeds of one good mine are quickly announced through the medium of the *San Francisco*, *Sacramento*, *Marysville*, and other papers; the most glowing accounts are given, and the excitement, success, and future prospects of the miners of the district dilated upon in the most inviting terms, while all cases of distress and disappointment are carefully avoided. Thus we have arrayed against truth, without partiality, delusion, infatuation, and self-interest. Such is the information the newly arrived emigrant has laid before him. As he walks the streets of *San Francisco* he sees in all the bullion offices, banks, and gambling-houses, large lumps of gold, gold dust in basins, and heaps of coin temptingly displayed. Crowds occupy the streets or are hurrying to the steamers and boats going to the mining districts; everything is new and exciting. If he seeks for information he finds it so conflicting that the more he inquires the more he feels perplexed, till at length, perhaps, meeting with some one in whom he thinks he can confide, he shapes his course for life or death, riches or poverty. None, however, but those who have confidence in their own resources venture to the mines; the sick and cowardly return home, or remain in the city (we speak, of course, of such only as come to mine). A chivalric spirit pervades most, they do not like to be esteemed cowards, they cannot endure it should be said of them hereafter that having braved the dangers of the great deep they were not manly enough to dare the risks, partake of the fatigues, or share the hazards of a miner's life.

If left to the quiet influence of sound judgment, thousands who have ventured over the Pacific would instantly return; but to most this is impossible; to the mines or city labour they must go or perish; they have not the means to return—all their funds are exhausted—to look to friends were futile. Where are they? Though surrounded with fellow-men, they may with propriety be said to be "out of humanity's reach;" not that there are no benevolent men or institutions, for there are both, but all are so bent upon one grand object, that of gain, that no one seems to have time for a display of the kindlier feelings of our nature. Should ill-health follow change of climate (which it does most generally) they may die even before their case can meet with due attention; but if health permit to the mines they go—they meet thousands travelling the same way; those who pass them are either wandering miners traversing the country in search of better mines than those they have left, or are returning home either successful or disgusted, and with more or less shattered constitutions. Inquiries are made of all, the accounts differ in almost every case, so that not knowing what to believe or what to discredit, the mines are reached.

Let us now trace the miner's career when in the midst of gold workings—we will pass over for the present the journey itself, with all its attendant discomfort. To them all is new and strange and perplexing. The first object is to find a place either to pitch a tent (for few go without this most desirable article) or to seek a shady tree under which to repose rolled up in a blanket; or if their funds will permit, a place to lie down upon at some "restaurant" or lodging-house. This object attained, the next is to go round and see what others are doing, and, if possible, find an unoccupied spot, and learn from observation the mode of working. Here, however, disappointment awaits them. We use the plural because no one goes to work alone (or very rarely), all unite with one or more individuals. They find all worth having is pre-occupied or claimed. There may be some deserted spots abandoned for their poverty; should one of these be found, prudence will dictate the propriety of trying it. (We have frequently done so, and therefore speak from experience, and have found them produce sufficient to purchase food till a better mine was found.) This process is termed "prospecting"; it consists in procuring a portion of soil from the mine in a round tin dish about 18 inches in diameter and 4 inches deep, with sides sloped so as to reduce the diameter at the bottom to about 12 inches. The soil thus collected is taken to the river and carefully washed. This is done by first immersing the whole in the water so as to cause that fluid to mix with the soil and give it the consistency of mire; it is then stirred with the hand and shaken from side to side, giving it a peculiar motion (only to be acquired by practice) so as to allow the heavier particles to gravitate; it is next plunged into the water and raised rapidly in an inclined direction, so as to allow the lighter particles to glide away with the retiring fluid. This is repeated till all is carried off but a small residuum, and no discolouration remains from soluble substances. This residuum is usually a black substance resembling gunpowder, of great specific gravity, and is an ore of iron known commonly as emery; from this the gold is distinguished by its refulgent and metallic lustre, and is either in small lumps, very minute scales, or grains. This is carefully collected and dried, and the emery either extracted by the magnet or blown away, that is, all that remains, the greater part having been washed away. The gold thus collected is then estimated, and according to its value in cents, the mine is deemed valuable or otherwise. In some instances, after persevering for a few feet, mines previously deemed of a very trifling value, have proved remarkably rich. Should any one of these deserted mines be found sufficiently productive to support them, two of the party will go to work as soon as possible, and send the third out prospecting, to see if he can find a more lucrative spot. Should the prospector succeed, and return with a favourable report, all then proceed to the spot so found. Such, however, in most cases has been the untiring industry and perseverance of research by hundreds of their predecessors, that it very frequently happens that no new spot can be found in the vicinity; should such be the case, the party must be content to remain where they are till some favourable opening presents, or send one or two of their number to a greater distance. Thousands thus traverse the country in every direction. We never went into any part, however remote or retired, that we did not find we had been preceded. In these journeys, rocks have to be surmounted, mountains traversed,

traversed, rivers crossed, plains explored, gullies and brooks searched, in short the earth's surface examined in all likely directions, and portions of its soil upturned (sometimes for many feet in depth) and washed. We will now suppose the miner after his best efforts settled down to work at good bank diggings, either acquired by persevering individual research or by purchase. It may be perhaps requisite to a clear understanding of the miners' chances of success to state that many mines are to be purchased, the price varying according to the ascertained or supposed value, from 20 dollars to 2,000 dollars and upwards. Shares in mines are also to be purchased from retiring partners, at all imaginable rates. If the miner has money it is often his best plan to purchase. It is, however, a speculation attended with much risk—we have known 1,000 dollars to 1,200 dollars given for interests which never returned 1 cent. The following details—we pledge ourselves to be from sources which we know to be authentic—exhibit the amount of labour performed during one successful week. The company consisted of three active young men and a fourth advanced in years, all having had considerable experience. The young men, however, alone worked the mine, their senior being engaged in providing for their comfort, and occasionally working by himself at another spot. They were very energetic and persevering miners.

The temperature of the atmosphere was, when observed at 11 o'clock a.m., from 96 degrees to 98 degrees in the shade, by one of Fahrenheit's thermometers. 1,840 buckets of soil were carried to the river, a distance of 45 yards. Each bucket was at a very low estimate considered as containing 23 pounds weight or 3 gallons of soil, freed from all large stones. To obtain two buckets, which was the number carried each time, 168 lbs. of stone had to be removed and stacked up behind the miners, so as to allow sufficient room for working operations. Vast numbers of these required the united efforts of all engaged to remove them with the aid of powerful levers. Many of the stones weighed from 5 cwt. to 1 ton. The rest were of all sizes.

	Tons.
1,840 buckets of soil	23
5,520 ditto stone	69
Total weight removed.....	92

Two buckets being carried each time, 56 lbs. had to be sustained to the river, a distance of 45 yards. The number of journeys performed carrying this weight amounted to 920, which equals 23 miles and nearly one-half, and the return journey being a like distance, gives 47 miles as the number walked. The distance increasing as the mine advanced, the real number of miles would be more than that set down. In addition to this labour many thousands of gallons of water had to be lifted out of the river to wash the soil in the machine, from which again the small stones had to be emptied, after which the process of panning out and cleaning had to be performed. This, it must be observed, is an account of the actual labour performed at one of the best diggings at the time upon the Middle Yuba, within a considerable distance. The yield from the above amounted to 192 dollars, to be divided into three equal parts. The next week's produce, with an increased distance, amounted to 170 dollars 46 cents. The total amount of gold obtained by these gentlemen we are enabled to give from accounts kept at the time, commencing on the 15th of July, and terminating on the 28th of September, was 1,108 dollars' worth, or about 13 dollars 19 cents per diem, or 4 dollars 39 cents each. We have as yet, however, made no allowance for expenses, such as food, tools, clothes, and travelling; we will, therefore, reverting to the documents before us, trace out the result up to the landing of our friends in Sydney. In doing so we are assured every economy had been practised, and that the party considered themselves fortunate in the results. From these documents we find they landed with 129 dollars, or not quite 43 dollars each. Their outfit cost about 1,000 dollars; they were therefore infinitely worse off than previous to their leaving, independent of any consideration for loss of time, ill health, risk of life, or hardships endured during a period of near fourteen months' absence from home, nearly nine of which were spent in California. It can scarcely be deemed needful to remark how much better it had been for them had they remained in this colony even at the average wages of most servant men.

We will now instance the result attending the labours of three able-bodied men inured to hard work from infancy, one of them being a very powerful man, in the vigour of manhood, and therefore well qualified for the undertaking. They accompanied us to the Yuba River, and worked within sight of us. In three days the strongest man was disabled, the whole were discouraged, sold their mining implements, and returned to San Francisco. They did not obtain half an ounce of gold between them; they found the labour too severe and the heat too oppressive. Where are they now? One, the strongest, is known to be dead, a second is reported dead, and the third is in this colony. Of 150 who entered California with an intimate friend (with whom we travelled many hundred miles in the gold regions, and we know would not mislead) 50 only can now be accounted for, 100 are either dead or missing. The statement we have given in the preceding part of this account has been that of an acknowledged good mine. Thousands, however, have not met with equal success; many in September last were not making more than 2 dollars per day. The whole country was swarming with adventurers searching every corner for gold, and thousands more were anticipated. Many have we seen who have cursed the day they ever heard of California. Hundreds of domestic circles in the States have been the scene of deep mourning and anguish for loss of relatives and squandered means. The overland route last year was attended with the most disastrous results. Napoleon's retreat from Moscow was not much more dreadful—the cholera and starvation effected that amongst the immigrants which the sword and elements did among the French troops. The possession of £100 to the labouring man from the States, or this colony, or any other part of the world, is to him a fortune, which, managed with prudence, may lead to independence, and raise his family in the scale of society. Gold mining being an occupation which, in California, requiring no effort of mind, no previous education, and no capital to risk beyond the cost of a few tools, will always hold out inducements to the man who must earn his bread by manual labour only. The poorest and most illiterate is as good a miner as the most scientific employer of other men's sinews; and where all are upon an equal footing, the mines hold out inducements which will more or less allure, despite disease and death. Like the survivors after an engagement wherein they have been victorious, they will celebrate their triumph over the graves of less fortunate comrades, and be ready again not only to rush into fresh dangers, but invite others by the renown of their exploits. It in fact closely resembles a lottery; were all blanks, there would be no speculators, but one prize of large amount, and two or three minor ones judiciously distributed, overwhelm the discontent occasioned by a thousand blanks. We have known thousands of dollars expended, and Herculean tasks performed, without any return worth mention, where, from appearances, and the result of natural causes a rich harvest might with reason have been expected, while, within 100 yards of the same place, we have seen 8 dollars' worth of gold obtained in a single pan. In one instance, in prospecting a mine at the Forks, we saw gold, to the value (as near as we could estimate) of 32 dollars—the produce, as we understood, of little more than the same amount of soil; and subsequently, in or near the same spot, the three miners who held the claim obtained 27 pounds' weight of gold per diem, of the value of 5,184 dollars to the company, or 1,728 dollars per man on division, and 4,076 dollars' worth more than our three friends previously alluded to obtained in seventy-four days of equal (probably more severe) exertion. What lottery can exhibit more unequal success? Here was a prize worth a risk, the fame of which spread far and wide, gave a stimulus to exertion, encouraged the desponding, and urged the sanguine to enter upon new fields in the hope of equal success. The very fact of such success being independent of skill urged them on—each said to himself, "Who can tell but I may be equally fortunate? Who knows what is hidden beneath the surface?" Thus it is thousands are hurried on, reckless of consequences, but each hoping to be the fortunate finder of some vast amount of hidden treasure. Alas! What an amount of *real misery* does this departure from the sober realities and more regular pursuits of life produce, and how few realize the favours of fortune. Still further, to show the uncertain nature of gold distribution, the following results are given from our own mine:—

1 pan of soil yielded	5 cents' worth of gold.	38 pans of soil yielded	300 cents' worth of gold.
10 Do.	25 Do.	13 Do.	100 Do.
1 Do.	60 Do.	1 Do.	20 Do.
1 Do.	75 Do.	10 Do.	102 Do.
1 Do.	115 Do.	1 Do.	250 Do.
18 Do.	16 Do.		

The pan which contained the soil was what is termed a "prospecting pan," and held rather more than a gallon; the average yield being a little over 11 cents per pan. We have visited all the northern mines of celebrity, and prospected with untiring assiduity, and never met with so large a return as in the instance above recited—viz., 250 cents; and in that instance the mine never after yielded any return worthy of the smallest notice. We have found gold almost everywhere within the mining districts, so that, from experience, we know its distribution is very extensive; but, at the same time, we are equally certain that the general average is very small. We know, also, from indisputable authority, that the same remarks

equally

equally apply to the south, and that it is only in highly favoured localities, *pre-occupied*, that gold in large and remunerating quantities is to be found. What new discoveries may bring to light is only known to the Supreme Being; but so closely searched is every imaginable spot likely to contain the precious metal, that he indeed must be esteemed fortunate who meets with riches.

In our own mine (and we know it to be the case in other instances) we left much soil unworked which contained gold averaging above 5 cents per pan; but this would not repay the expense of working, while that yielding 10 cents could be obtained with equal facility. As the value of labour diminishes, and the price of provisions, with all other articles of human consumption, become more reasonable, all these places will be re-worked. Companies possessed of capital will then take up the mining business, and hire labourers; but not till the labour market, through the redundancy of immigration and the destitution and misery of the immigrant, has reduced him to the necessity of accepting such wages as will remunerate the capitalist for employing him. America was pouring in her thousands upon thousands by the overland route, by the Horn, and by Panama. Drought and cholera have checked this desertion of the States by land; cholera has also met them by way of Panama. Frightful have been its ravages. We have seen citizens from the States who in their journey overland have paid 5 dollars per pound for biscuit. Seventy to one hundred teams, we have been assured by eye-witnesses, have been counted deserted, and the beasts of drought all dead, within a distance of 14 miles; property of all kinds lay abandoned, and most of the owners numbered with the dead. This state of things will, of course, operate as a check for a time; but when the cause is removed, such is the buoyancy and energy of the American people, such their spirit of enterprise and taste for speculation, that a reaction will take place, and thousands of new adventurers rush into the Californian regions. The price of labour must eventually come down, but not till gold-hunting is found to be so precarious and unremunerating as no longer to compete with the ordinary sources of employment. From what we have advanced it will be seen that rapid fortunes may, and have been, made—but they are few and far between; and that misery, disappointment, disease, and death are, in the majority of cases, in the ascendant. It can certainly hold out no inducement to the man of education who is in even tolerably easy circumstances; to the poor man it is a lottery, which has for him some prizes amongst a multitude of blanks, stamped death or disease. We could say much about employment in towns, mercantile and agricultural pursuits, but must defer it to another opportunity, contenting ourselves with the remark that we have been assured it has been ascertained that, for the number of its population, more cases of insanity are to be met with in San Francisco than in any other city of equal size; and that at one time, notwithstanding every cabin passenger paid 3 dollars, and every steerage passenger and sailor paid 1 dollar on entering the harbour for hospital fees—that the Corporation had incurred a large obligation beyond the resources at their command for hospital accommodation, medical attendance, and the burial of foreigners; still, no doubt those who have succeeded will invite their friends, and that they will follow is probably equally certain, while the unfortunate will be disbelieved, the dead forgotten, and fatal experience alone convince the living. The impolitic measures of our own government are sufficient to produce that discontent which makes men look abroad for relief; but if we may be permitted to offer advice, the result of personal observation and experience, we should recommend our fellow-colonists to remain where they are, in their own beautiful climate, in a country possessing all the elements of future greatness in a degree inferior to no other and superior to most. To unite with the wise and virtuous in removing by all lawful endeavours, the evils which press upon the energies of the people, and thus discharge their duty to themselves, their children, and posterity, rather than join any foreign nation, however liberal its Government (and none is more so than the American), where they will be looked upon with distrust and jealousy, and be treated as aliens for years.

We possess all the essential elements of a free and enlightened Government; it has its imperfections, but still it is superior in our own opinion to that democracy which we can only compare to liberty run mad, which requires as great efforts to bring it within the bounds of reason as ours requires to raise it to the proper standard.

P.S.—We have said nothing about damming companies or dry diggings; their history would form the subject of another letter; the above, however, is an account of what is so familiar to all who have visited the mines; we hope it will sufficiently illustrate the miners progress to meet with general recognition and confirmation.

A 3.

ADDITIONAL GOLD REGULATIONS.

To the Editor of the Bathurst Free Press and Mining Journal.

Sir,—The importance of the new regulations now promulgated induces me to offer a few remarks upon their nature. They are of great moment, inasmuch as they are calculated to do this colony an immense amount of mischief, by preventing that influx of capital and intelligence which would undoubtedly flow from the mother country, and enrich this splendid region. What is it but establishing the hated and partially obliterated "Excise System?" They are in opposition to the spirit of the age. (These observations are particularly directed against the fourth regulation, having reference to quartz crushing.)

A door will be opened by the adoption of these measures to a system of espionage, bribery, and probably perjury, hitherto unknown in the colony. They remind us of that inquisitorial enactment which thrust an excise officer into every glass house, who was placed there to watch every action, and pounce upon every inadvertent trespasser against whom the revenue laws denounced severe pains and penalties. It was, in fact, the establishment of a Government spy upon the premises, who could, at any moment, by his acts embarrass a whole establishment, and involve the proprietor in heavy pecuniary losses. What do these additional regulations enact? That an officer whose duty it may be to collect the 10 per cent. royalty must be permitted to reside on or near the works, and have access at "all reasonable times (who is to determine this?) not only to the works, but to all books and accounts connected with the production of gold." What man in this day of enlightenment who has a spark of British spirit about him would accept of such conditions upon which to hold his tenure? Are we to revive in this rising community a system condemned and dying out at home—a trammel upon our industry—a fetter upon liberty—a check upon our rising wealth—a withering blast which must destroy all freedom of action in the control of those bounties now laid before us by a benignant Providence? No! no! Let free trade principles rule our gold regulations, and some better, more liberal, and less objectionable plan be devised, than the one now propounded. What will be their effect in England? No man of property, possessing the spirit of freedom within him, will venture to our golden region. They are against the spirit of the age in which we live, and the political atmosphere breathed by every Englishman. California will hold out brighter and fairer prospects; and our quartz veins will be left unworked, or become abandoned by those hasty speculators who may have contemplated commencing operations.

The sooner these new regulations are abandoned the better; they are all more or less defective, and are the result of inexperience—inexperience in all practical business operations. They are calculated to do immense injury to this colony, and ought as soon as possible to be withdrawn. It is only necessary to peruse the regulations to justify the remarks which have been made; in the hope that the hon. and learned member for this county will, without delay after reading this communication, bring the subject before the Legislature of the colony, and ask for a committee to consider the whole subject of gold mining regulations, with power to examine witnesses, &c.; not selected from the merchants of Sydney, the purchasers and exporters of gold, but practical miners,—men who have had home and American, as well as Colonial experience as employers of labour, and are conversant with mining operations. That our local Government has done much, and deserves the confidence of the public, for the manner in which the gold-field has been opened, all will agree; but as in all new and pressing matters, experience is required. There is no doubt but the Executive will readily co-operate in the adoption of such measures as are calculated to secure lasting benefits to the whole community, and rescind such as, upon deliberate consideration, are found to be prejudicial.

A MINER.
[E. W. R.]

A 4.

THE PETITION.

MAY IT PLEASE YOUR HONORABLE HOUSE,—

A series of Regulations having been issued by the Executive Council respecting the working of the newly discovered gold fields, we, your petitioners, being miners on the Turon, and otherwise interested in the development of the mineral resources of the country, feeling that our interests and those of the colony are vitally compromised by these Regulations, beg to call the attention of your honorable House to the subject.

During

During the operation of the first issued Regulations, your petitioners, fully appreciating the difficulty of legislating in haste, and on a subject so entirely new, have waited in silence in the full expectation that, due time having been allowed for deliberation, the Government would have come forward with measures adapted to the occasion, and equitable in their operation.

The recently issued gold Regulations being, in the opinion of your petitioners, alike impracticable and unjust, a meeting was resolved upon in order that public expression might be given to the opinion of practical men on the subject.

A public meeting was accordingly held at Sofala, on the 8th of November, at which meeting, attended by at least two thousand persons engaged in mining operations, it was unanimously resolved:—

"That the present system of licensing is unjust in principle—being a tax upon labour and not upon produce."

"That the tax paid by the diggers is exorbitant, and that the present mode of collecting it is unnecessarily vexatious."

In support of these propositions your petitioners would urge,—

That a direct tax upon labour is opposed to all sound principles of political economy.

That it is a restriction upon the power of production.

That it acts as a check on the employment of labour.

That it causes a great waste of the national wealth, as it obliges the employer of labour to work only on the most profitable portions of the soil.

That it is unequal in its distribution, no other class of labourers paying a tax upon their muscular energies or the sweat of their brow.

That its high rate is prejudicial to the revenue, and subversive of moral rectitude in the people, from its holding out strong inducements to its evasion.

With regard to the present mode of collecting the tax, your petitioners would submit that it is vexatious, inasmuch as the officers appointed for its collection requiring the miners to wait upon them, instead of consulting the convenience of the miners by collecting it as hitherto at the claims, or by fixing on convenient localities where they might meet the miners, much loss of time is incurred, which is equivalent to the imposition of an additional tax.

Your petitioners also deem it an uncalled-for and provoking display for policemen to be stationed, pistol in hand, at the Commissioners' tents during the transaction of business, or in like manner perambulating the claims amongst a peaceable and industrious population; and whilst they admit that all reasonable precautions should be taken to meet any emergency that might arise, your petitioners consider the present practice useless, whilst it is both irritating and insulting to a free and loyal people.

Your petitioners would further submit that the Regulations respecting quartz crushing and the drainage of waterholes are so utterly impracticable as to be virtually prohibitory, and are calculated to act preferentially in favour of foreign countries, where no such restrictions are imposed; and whilst they are thus likely to divert the influx of labour and capital from our shores, they confine the employment of our own capital and industry to one branch of gold mining only, viz., gold washing.

Your petitioners, in conclusion, beg to call the attention of your honorable House to the fact that a growing feeling of discontent has resulted from the promulgation of these Regulations, and they therefore earnestly pray your honorable House to appoint a committee, with power to take the evidence of practical men, as to the working and tendency of the gold Regulations upon the mining and national interests of this valuable dependency of the British Crown; and that your honorable House will adopt such measures, founded on the information so obtained, as the urgency of the case shall in your wisdom demand.

Signed on behalf of the meeting,

E. W. RUDDER,
Chairman.

Sofala, November 15, 1851.

A 5.

[Ordered by the Committee to be appended to the Evidence of Mr. E. W. Rudder, 2 May, 1879.]

EXTRACTS from the Evidence taken before the Select Committee in 1853 on the "Gold Fields Management Bill."

Mr. Hargraves's partnership with Messrs. Tom and Lister.

Mr. William Tom's Evidence:—

10. When Mr. Hargraves returned to Guyong from Dubbo, what was done? He left for Sydney.

11. He remained at Guyong some time, did he not? He did not prospect at all during that time, to my knowledge.

12. By the Chairman.] When were you admitted as a partner? I cannot say what was the date; I believe I had been out searching off and on in my brother James's place, he having to go to Adelaide, but I will state the circumstances which made me believe I was associated with him as a colleague. When he was going away to Brisbane Water, I believe on the evening immediately preceding his departure, he came to wish us farewell, at my father's place of residence, Springfield, about four miles from Guyong. When he was about to start I accompanied him to my father's stable, and, after his horse was taken out, he and I arranged that when he got home he should proceed to the Moreton Bay district, and give that country a thorough prospecting trial; he said, if he did not succeed, he intended as soon as he returned to go to California. This was his expressed intention to me while he was holding his horse at the end of my father's stable. I made precisely the same arrangement with regard to what I would do in the neighbourhood we were then in—the Guyong, or rather Ophir neighbourhood.

Mr. John H. Lister's Evidence:—

22. What did you understand him to mean by "one of ourselves"? Mr. Hargraves at the first outset, when I showed him the indications from the Turoon, said, if you will join me and find the articles I require, I will take you with me, and whatever arises from the discovery we will share in it, and, said he, it will be a very handsome thing if we find it payable.

30. Was there any understanding with Mr. Hargraves that you and Mr. Tom were to be partners with him in working for gold? I asked Mr. Hargraves whether he had any party connected with him, and he said no, no one but me.

31. I mean, were you to be partners and share in the profits? Yes; that was under an arrangement with Mr. Tom and myself. Mr. Tom came up to Mr. Hargraves and myself, after leaving the house, and Mr. Hargraves said we had found gold in small quantities, and that we only wanted to find it in larger quantities, and he would take him as one of ourselves. We then proceeded to Burrandong, on the Macquarie.

80. By Mr. Macleay.] Who were the members of your company? The two Toms and myself.

81. Mr. Hargraves was not a member? I do not know whether he considered himself so.

82. Did you suppose him to be a member at the time? Yes.

Mr. E. H. Hargraves's Evidence:—

99. By Mr. Macleay.] Would you call a guide a colleague? They were sworn to secrecy, not to divulge anything they saw me do or heard me say; they might be deemed colleagues in the secret.

100. By the Chairman.] There was a sort of compact between you as regarded secrecy? There was; and I might have used the word colleague improperly.

Mr. Commissioner Green's Evidence:—

220. Do you believe the allegations of this petition to be true? I do, from what I have heard from various parties. I think it was on the 9th or 10th of May, the day after Mr. Hargraves came into Bathurst, that I, as Crown Land Commissioner for the district, went to Summerhill Creek to call upon the people who were there to desist from digging upon Crown Lands. When I arrived there I found four or five people, among whom were the Tom's and Lister; they showed me the gold they

had

had got, and stated Mr. Hargraves was their partner. When I served them with notice, they said they had expected something of the kind, and had provided for it by getting an authority from Mr. Hargraves to dig. They produced this authority which was, as nearly as I can recollect, in these words, "I hereby authorize the Australian Gold Company," I think that was the name, but I am not quite sure, "to dig for gold on the undermentioned bar, Fitz Roy Bar, for a mile down from the junction," and some other bar a mile up, "and to prevent all other parties working within the said boundaries. (Signed) EDWARD HAMMOND HARGRAVES." I forget what he calls himself, but I think it was Gold Commissioner. I told them that this authority was of no avail, and that if Mr. Hargraves had been there I should have served him with notice.

Disappointment and intended return to California.

Mr. Commissioner Green's Evidence:—

217. Who do you think was the real discoverer of this gold—was Mr. Hargraves or were these young men? I have heard that at the time they discovered it, Mr. Hargraves had given up the search; it is so reported in the Western District; it is a matter of notoriety.

223. Do you mean that he had gone without any intention of returning? Yes, under the impression that they could not find gold in sufficient quantity to pay; so I have understood.

Mr. E. H. Hargraves's Evidence:—

1. *By the Chairman.*] There are a few supplemental questions which the Committee wish to ask you in addition to your former evidence. Since you were examined, we have had Mr. Lister before us, and one of his statements to the Committee was to the effect that, when you and he parted at Bathurst, and after having been prospecting together, you left with an intention to go somewhere to the northward, and that you intimated your intention to return to California if you did not find gold there—is that true or not? I cannot recollect the precise words I used, but to the best of my recollection I told him that I had very important business in Sydney, and I could not remain with him any longer. I believe he came a few miles on the road with me. I did not then tell him that I intended returning to California, but I recollect saying, when I first went there, that if I was not successful in my search for gold I intended to do so.

Mr. William Tom's Evidence.

10. When Mr. Hargraves returned to Guyong from Dubbo, what was done? He left for Sydney.

11. He remained at Guyong some time, did he not? He did not prospect at all during that time, to my knowledge.

12. *By the Chairman.*] When were you admitted as a partner? I cannot say what was the date; I believe I had been out searching off and on in my brother James's place, he having to go to Adelaide, but I will state the circumstances which made me believe I was associated with him as a colleague. When he was going away to Brisbane Water, I believe on the evening immediately preceding his departure, he came to wish us farewell, at my father's place of residence, Springfield, about 4 miles from Guyong. When he was about to start I accompanied him to my father's stable, and, after his horse was taken out, he and I arranged that when he got home he should proceed to the Moreton Bay district, and give that country a thorough prospecting trial; he said if he did not succeed, he intended as soon as he returned to go to California. This was his expressed intention to me while he was holding his horse at the end of my father's stable. I made precisely the same arrangement with regard to what I would do in the neighbourhood we were then in—the Guyong, or rather Ophir neighbourhood.

Mr. John H. Lister's Evidence:—

40. *By Mr. Bligh.*] What did he mean by the north ward? To the northward of Port Stephens. When I wished Mr. Hargraves good-bye, he expressed a great desire that, in case neither of us should succeed in finding gold in paying quantity, I should go to California with him.

42. Did you understand that he had given up the matter in despair? That he had quite given it up.

147. *By the Chairman.*] You say Mr. Hargraves asked you to go back to California with him if he did not succeed in his explorations here? He wished me to go.

149. Did any conversation between you and Mr. Hargraves lead you to the impression that if you and the Toms had not discovered the 4 ozs. of gold he would have gone back to California? I believe he would, if his friends had not advised him to show the small specks to the Government.

152. You say he expressed an intention of returning to California before the winter set in—did he mean the winter in California or here? Before the winter thoroughly set in in this Colony, so that he might arrive in California in summer.

153. This was in the month of May, and the winter was setting in? He was going to the northward; he thought he would be about a fortnight or three weeks to the northward, and if he did not succeed he would go to California.

Publication of Mr. Rudder's announcement of the gold discovery in the *Herald* and *Empire*, with the consent and knowledge of Mr. Hargraves.

Mr. E. H. Hargraves's Evidence:—

126. In the letter referred to, to Mrs. Lister, of the 5th of April, you say—"Tell John to write if he should make any further discovery, and say to Mr. William Tom that I am obliged to him for his favour of 24th March, and not to mention about the locality that we have been over. As for gold being found, it is of no consequence who knows it, but the localities should not be mentioned; and if I should come up to Guyong with any strangers, not to say anything about gold—I have particular reasons for it." What observations have you to make upon that? After making the arrangement, as I considered, with the Government, I did not care who knew about gold having been found; in fact, I got a friend to write a letter saying that gold had been found. I wanted to draw the public attention to the fact. I think there is a mistake in the name in that letter; it should be James Tom, for William Tom was never associated with me in any way.

Mr. John H. Lister's Evidence:—

50. Did you tell him what you had found? Yes, the exact weight of it. He never answered my letter, but, a few days afterwards, I saw in the *Herald* a paragraph stating that Mr. Hargraves had discovered a gold country of about three hundred miles in extent. We were very vexed about his putting it in the paper without consulting us. When he came up I asked him how he could do so, and he said he had shown the minute specks to some friends, and they had advised him to go to the Government.

156. *By Mr. Bligh.*] He did not tell you this till after you had seen the announcement of the discovery in the Sydney papers? It was in consequence of my saying he ought to have consulted us on the matter before he let any one know.

Effect of Mr. E. W. Rudder's letters on California.

Mr. J. H. Lister's Evidence:—

18. Was that from hearing of the success of Macgregor? From what I read in the papers about California.

Mr. Hargraves advised to show his five specks of gold to the Government.

Mr. John H. Lister's Evidence:—

155. *By the Colonial Secretary.*] You say he received certain advice from friends in Sydney to show to the Government the specks of gold he had obtained? He received advice from his friends to show them to the Government, and just after he had shown them he received my letter to say that we had discovered a workable gold field.

156. *By Mr. Bligh.*] He did not tell you this till after you had seen the announcement of the discovery in the Sydney papers? It was in consequence of my saying he ought to have consulted us on the matter before he let any one know.

Mr.

Mr. Rudder would have discovered gold.

Mr. Commissioner Green's Evidence:—

224. *By Mr. Finch.*] It would, in all probability, have been found in two or three days by Mr. Rudder, if it had not been discovered by Mr. Hargraves? Yes; Mr. Rudder, I believe, left California with the same intention as Mr. Hargraves, but was shipwrecked.

Mr. Hargraves's treatment of his friends.

Mr. Hargraves's Evidence:—

145. Was this stated in writing or verbally? It was a verbal arrangement; it was proposed as a gratuity to me for what I had done for them. I said I would accept it. I thought they were very fortunate, for they earned £20 a day, and took between £400 and £500 worth of gold into Bathurst. I went to Bathurst, and imagined that I should get one-fourth share as a gratuity for what I had done; they sold the gold, and got into wranglings and disputes in which I was called upon to interfere, and I never saw much of them afterwards, nor ever got a grain of the gold. When I was called upon by Mr. Arthur to pacify the brothers, who were fighting, their faces were covered with blood; they were making use of fearful language; eventually they were parted and locked up for safety to themselves. Shortly after this occurrence James Tom was committed to the Bathurst Circuit Court for trial, for stabbing a gentleman near Orange; the committal was from the Orange Bench.

Untruthfulness, &c.

Mr. Hargraves's Evidence:—

126. In the letter referred to, to Mrs. Lister, of the 5th of April, you say "Tell John to write if he should make any further discovery, and say to Mr. William Tom that I am obliged to him for his favour of 24th March, and not to mention about the locality that we have been over; as for gold being found, it is of no consequence who knows it, but the localities should not be mentioned; and if I should come up to Guyong with any strangers, not to say anything about gold—I have particular reasons for it." What observations have you to make upon that? After making the arrangement, as I considered, with the Government, I did not care who knew about gold having been found; in fact, I got a friend to write a letter saying that gold had been found. I wanted to draw the public attention to the fact. I think there is a mistake in the name in that letter; it should be James Tom, for William Tom was never associated with me in any way.

179. *By the Chairman.*] What do you say to this passage in the petition—"Had it not been for the persevering efforts of your petitioners, the discovery of gold would, most probably, have been delayed for years"? They assert that they made this discovery on the 7th or 8th of April, at Summer Hill Creek; and I had been in communication with the Government nearly a month previous, had recorded my views, and was then on my way to point out the gold field to the Government Geologist, at the request of the Government; so that I do not see that they have contributed to it in any way, except for their own benefit.

113. Did you receive any communication from Bathurst, from the Messrs. Tom and Lister, upon the subject of what they were doing? On my return from Brisbane Water, about the 24th April, I received a letter from John Lister, stating that they had taken the cradle to the place I had instructed them, and got 4 ozs. of gold; which letter I took to the Colonial Secretary as a further proof of the discovery.

183. Then, in fact, there is no foundation for this allegation in the petition? Not the slightest. I was, at the time of the alleged discovery by the petitioners, on the way to point out the gold fields as a matter of course.

Mr. Hargraves's Petition:—

Mr. E. H. Hargraves to The Lieutenant Governor of Victoria.

Sir,

Sydney, New South Wales, 9 May, 1853.

With a firm reliance on the Government of the Colony of Victoria, I have felt called upon to lay before your Excellency a statement of the circumstances under which I conceive I am entitled to make a claim on that Colony, from the benefits it has derived from my discovery of gold in the Australian Colonies, and to pray for your recommendation to the Legislative Council that my claim be taken into their consideration.

In making this claim, it will be necessary for me briefly to state the grounds on which I conceive I have a right to bring the subject under the notice of the Government of Victoria.

When the value of my discovery had assumed a character that was calculated very deeply to affect the destiny of the Australian Colonies, His Excellency the Governor General communicated to me his determination to submit my claims to the consideration of Her Majesty's Government in England, and he has now communicated to me the substance of a despatch in which he is directed to submit my claim to the consideration of the Legislative Council.

So far as this Colony has been benefited by my discovery, I am not entitled to doubt that the Council will discharge their duty with impartiality both to me and the Colony; but it is so obvious that a very large share of the advantages that have resulted from my labours has exclusively benefited the Colony of Victoria, that it can hardly be doubted that the Council of this Colony will think that the Colony of Victoria should bear a fair proportion of any reward my discoveries may be thought to entitle me to receive; and it is difficult to contemplate the rise in the value of land in the City of Melbourne and its neighbourhood, and to read the reports of the shipments of gold to England and New South Wales from that Colony, without acknowledging that Victoria has derived a very large proportion of the advantages that have resulted from the discovery. I am unwilling to trouble your Excellency with a history of the labours that have terminated in my discovery, but those labours have, by some persons in this Colony, been looked upon with so little consideration, and treated so lightly, that I shall, I trust, be forgiven for a brief notice of them.

When the hope of making the discovery induced me to return from California to Australia, my views and opinions were received with so little favour, that I made my first experiments almost without the barest necessities, and that exposed in the Bathurst country to the severity of the weather; and when my investigations led me to adopt energetic measures for the prosecution of my labours, I was wholly dependent on funds I had raised after the rate of upwards of cent. per cent., a rate of remuneration thought to be not unreasonable to enable a penniless man to prosecute so laborious and hopeless an inquiry.

We lightly think of the sufferings and privations that have terminated in a successful issue, but it requires no ordinary courage to persevere in an arduous and painful inquiry amidst the fears and discouragements of all those whose judgments and opinions we are bound to respect; as it was, the cold I endured in the Bathurst country laid the foundation of rheumatism, if not neuralgic affections, that make me painfully sensible of every change of weather, and which will, in all probability, accompany me to the grave.

In making this appeal to you, sir, I speak with the assurance that the investigations you have made, the journeys and personal inspection which a subject of so much importance as the production of gold in the Colonies induced you to undertake, peculiarly qualify you to judge of the importance of my discoveries; and I confidently trust that you will feel that the recommendation of my claim to the consideration of the Council of Victoria will be perfectly consistent with your duty as the Representative of Her Majesty in that Colony.

I have, &c.,

EDWARD HAMMOND HARGRAVES.

Mr. Tom's Evidence:—

77. You say in your petition, that you "paid the whole of the expense of the enterprise"? Yes, during the time of the actual search for gold in the neighbourhood of Bathurst.

78. What expenses were they? The horses and necessary provisions. Mr. Hargraves rode his own horse about once out of three times. Mr. Lister was the person who bore the chief portion of the expense; he bore two thirds of the expenses.

86. *By Mr. Macleay.*] Did Mr. Hargraves subscribe anything to the preliminary expense at all? No, he was never asked. I will not say that if he went to Bathurst he did not pay for a night's lodging, but during the actual search for gold he was not at one shilling expense.

14. *By the Chairman.*] You spoke before of a partnership which you said existed? Mr. Hargraves was not going to stop to work. The partnership existed up to this time, and he was to receive his share of what was procured, and return Mr. Lister, my brother, and me our shares. This document was drawn up, not at this time, some time after, when Mr. Hargraves returned us our shares of the gold. As regards time, I cannot say to a day or two; but it was written, Mr. Lister tells me, when Mr. Fisher was at Guyong—Alderman Fisher, I mean. This was drawn up by Mr. Hargraves, for the purpose of being signed by Mr. Lister. (*Witness handed in the same. Vide Appendix.*)

52. What is the date of that? I did not notice the date, but if the original was written on 19th May, that must be about the time we received our shares of the gold; for Mr. Fisher was shown the original, and he was at Orphir when we got our shares for the gold.

Mr.

Mr. Lister's letter to the Sydney Morning Herald:—

To the Editors of the *Sydney Morning Herald*.

Gentlemen,

A report having been spread abroad by some malicious person, who evidently is jealous of Mr. Hargraves's great discovery, to the effect that I was the party who made it and communicated it to him, I beg leave most unreservedly to contradict this false report—although having been upwards of two years searching for it, at one time with two geologists and mineralogists, who told me that there were indications, but could not find the gold. Mr. Hargraves, during his explorations, called on me, as an old friend of my late respected father, and in course of conversation he told me that this was a gold country, and if I would keep the secret he would combine with me. This I agreed to. He was as good as his word, and scarcely ever made a failure. Where he said gold was to be found, he found it. I neither understand geology nor mineralogy; but I am convinced, my friend, Mr. Hargraves, knows where and how to find gold; and all honour and reward in the late discovery belong to him alone. Indeed, few men would have done what he has—intersecting the country with blacks—sometimes alone—sometimes with my friend, Mr. James Tom—and during his explorations, had rain set in, from the imperfect manner in which we were equipped, starvation and death must have been the result.

Trusting that you will give this publicity in the columns of your valuable journal.

I am, &c.,

JOHN HARDMAN LISTER.

P.S.—I have also heard it reported that Mr. Hargraves had not acted fairly towards me. I beg most distinctly to state, that in all transactions with that gentleman he has acted strictly honorable with me and friends in the secret of the great discovery. Mr. Hargraves is now no longer connected with me or my party at Ophir; and wherever he may be, he has my best wishes, and, I believe, of all who know him in the district of Bathurst.

Mr. Lister's Evidence:—

95. Do you recollect the circumstance of a letter being published in the *Bathurst Free Press*, purporting to be signed by you? Mr. Hargraves wrote a letter, and wished me to sign it, disclaiming all credit or honour attached to the discovery, and I would not do it.

101. You refused to sign that letter? (*Mr. Hargraves's draft of the letter in question handed to witness.*) Yes, that is the document which Mr. Hargraves gave to me, and asked me to copy it and send it to the *Herald*.

102. *By Mr. Macleay.*] No portion of that is in your hand-writing? No.

112. *By Mr. Couper.*] Here is a paragraph in your petition stating "That your petitioners paid the whole expense of the enterprise, from the beginning up to the time of this announcement, and endured many days and nights of extreme hardship in establishing the above important fact, the merit of which the said Edward Hammond Hargraves so adroitly appropriated to himself"; now what do you mean by paying the whole expense of the enterprise? We found anything Mr. Hargraves wished for in the shape of horses, tools, provisions; we had to carry corn and bran for the horses while we were out, as well as provisions for ourselves.

113. What do you suppose you were out of pocket altogether? I really could not say what it cost me.

114. £10? I should think it did cost me £10.

115. Not more? It cost fully that.

116. *By Mr. Bligh.*] You incurred all the expenses whatever they were? Yes, except when he was at Bathurst on other business. All the expenses of prospecting, whatever it was, was borne by me and the Messrs. Tom. I did not value what it cost in any shape.

117. Mr. Hargraves did not go to the Turon, did he? No. At the time he reported on the Turon he had never been on it—not to my knowledge.

139. Did Mr. Hargraves at any point on the journey see the Turon country? He might have seen the junction at a distance of nine or ten miles, but he could not have told the character of the country.

140. *By the Chairman.*] He might have seen the hills upon the Turon? Yes, at a distance of eight or ten miles.

141. *By Mr. Macarthur.*] Did either you or the Toms point out the Turon country to Mr. Hargraves? We always pointed out everything we could to him.

142. Did he make the observation that it was a likely looking country? Not to my knowledge.

143. *By the Colonial Secretary.*] At the time you described the geological formation of the Turon, did he say those were strong indications of its being a workable gold field? He said there were indications of the existence of gold.

144. *By Mr. Macarthur.*] Are you quite sure he did not see the Turon country in company with you or Mr. Tom, and say that it was a likely looking country? He did not say so to my knowledge. The country is so broken that it would be impossible to tell its character at eight or nine miles distance.

Mr. Commissioner Green's Evidence:—

226. Did they bear the expense? I understand so; my information is from Mr. Tom and other parties at Bathurst.

[To the Evidence of E. W. Rudder, Esq., 2 May, 1879.]

A 6.

E. W. Rudder, Esq., to William Tom, junior, Esq., J.P., Guyong.

Dear Sir,

Erskinvile Road, Macdonald Town, February 6th, 1879.

I have often thought of addressing a few lines to you on matters connected with the gold discovery, but, till yesterday, I never obtained certain information of your present residence, when I had an interview with your brother-in-law, Mr. Webb, and I am now availing myself of his suggestion.

Permit me to call to your recollection that period in the history of Mr. Hargraves's connection with you when after the five small specks were discovered and he expressed his intention to return to California, because he did not believe in a paying gold field on the Turon—these five specks were, I believe, discovered on the 12th of February, 1851, and announced in the *Sydney Herald* of April 4th by myself, when I stated my conviction that "a gold field had been discovered extending over a tract of country of about 300 miles in length." "I had seen the specimens which have been procured, and from what I know I have no doubt it will be found distributed over as wide if not larger space than in California."

Now, what I shall be greatly obliged by is, if you will do me the favour to let me know if my letter thus published did not give such encouragement to prosecute your investigation and which led to the discovery of more gold in spite of Mr. Hargraves's desponding. The 17 grains were, I believe, discovered on the 6th or 7th of April, and the 4 oz. on 24th April, or twenty days after my announcement in the *Herald*. You, no doubt, are the party in connection with your brother, Mr. James, and Mr. Lister, who laid the foundation of Mr. Hargraves's success and world-wide reputation, and as I flatter myself I had no little to do in the matter too, I hope you will kindly aid me in making good such claim, as far as may be in your power. I saw Mr. Webb yesterday afternoon when he was quite well. With kind remembrances,

I remain, &c.,

E. W. RUDDER.

P.S.—An early reply will oblige, as I wish to obtain it before I meet Mr. Webb again.

A 7.

William Tom, junior, Esq., to E. W. Rudder, Esq., J.P.

Dear Sir,

Sunrise, Guyong, 8 February, 1879.

Yours of the 6th instant is to hand, and I would with pleasure oblige you in any way in matters having reference to the first gold discovery if I could possibly do so. I cannot say that I ever saw what you claim to having published in the *Sydney Morning Herald* of April 4th, 1851. You will see by the date (4th April, 1851) it is not *likely* I could have received encouragement from anything printed on that day in Sydney, as by the slow mode of transit at that time the *Herald* of the 4th could not have arrived at Springfield, Guyong, earlier than the 7th or 8th of April, 1851, and the first nugget of the four ounces was got by me on the 7th of that month. I left Springfield *early on the morning* of 7th April, 1851. This fact speaks for itself and will tell you plainly I could not have received information from your announcement which you say was made on the 4th April. It is certainly *possible* I could have received your information of the 4th as early as the evening of the 6th of the same month *but not at all likely*. You say:—"That 17 grains were I believe discovered on the 6th or 7th of April, and the 4 ounces on the 24th April, or 20 days after my announcement in the *Herald*." It should read the 16 (not 17) grains were got about the 23rd or 24th March, and the first nugget of the 4 ounces on the 7th April.

You will see by this note that all the discoveries made by my brother, John Lister, and me, were made before your information was at all likely to have reached us.

With kindest remembrances,

I am, &c.,
WILLIAM TOM, JUNIOR.

1878.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MINING ACT OF 1874.

(REGULATIONS.)

Ordered by the Legislative Assembly to be printed, 29 October, 1878.

NEW SOUTH WALES, } Proclamation by His Excellency Sir
to wit. } HERCULES GEORGE ROBERT ROBINSON,
Knight Grand Cross of the Most
(L.S.) Distinguished Order of Saint Michael
HERCULES ROBINSON, and Saint George, Governor and Com-
Governor. mandant-in-Chief of the Colony of New
South Wales and its Dependencies, and
Vice-Admiral of the same.

WHEREAS, under the provisions of the Mining Act, 1874, section 59, the Governor is empowered to make and proclaim Regulations for the cutting of water-races through leased lands: Now, therefore, His Excellency the Governor, by and with the advice of the Executive Council, in exercise of the powers conferred as aforesaid, doth make and proclaim the Regulations following, that is to say:—

1. It shall be lawful for any person authorised under the Mining Act, 1874, to take and divert or to conserve water for mining purposes, who desires to cut a race through land held under mining lease, to enter upon such land and to mark out by pegs the line of race proposed to be constructed.

2. Notice of intention to construct such race shall be served upon the Warden of the district in which the land is situated, and upon the lessee or lessees of the land through which the race is to be cut, calling upon them—(1) To consent to the cutting of the race without compensation; or (2) To consent to the cutting of the race subject to the payment of compensation, naming the amount thereof, and such other conditions as may be necessary to protect the lessee or lessees; or (3) To show cause why the race should not be cut through the leased land, or why it should take a different direction from that indicated by the pegs aforesaid.

3. Within ten days after service of the notice aforesaid, the lessee or lessees shall forward to the Warden of the district an answer in writing to such notice, consenting without compensation or conditions, or showing cause why the race should not

be cut, or why the direction thereof should be changed; and in the event of the lessee or lessees of any parcel of land failing to forward an answer as aforesaid, he or they shall be deemed to consent without compensation or conditions, but in such case the Warden may, if he think the race as marked out will interfere with the enjoyment of, or injure the property of, the lessee or lessees, order that the direction of the race or the method of constructing it be changed.

4. In the event of the lessee or lessees claiming compensation or showing cause as aforesaid, and the person desiring to cut the race, not concurring therein, the Warden shall appoint a time and place for hearing the matter in dispute, and shall cause notice thereof to be served upon the parties; and after hearing the parties then present, and the evidence, if any tendered, shall thereupon decide whether or not the race may be cut through such land, and, if it may be cut, in what direction and subject to what conditions and what compensation, if any, shall be paid to the lessee or lessees, and how and when the same shall be paid.

5. No person shall be entitled to cut a race through leased lands without the consent of the lessee or lessees, until he shall have obtained an order from the Warden of the district permitting him to do so.

6. For the protection of any race cut through any leased land the owner of such race shall be entitled to ten feet on each side of such race; and for the purpose of inspecting, cleansing, or repairing such race, such owner, his agents, servants, or workmen may at all times enter upon such leased land, but so as not unnecessarily to interfere with or impede the roads of the lessee or lessees.

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

By Command,
W. H. SUTTOR.

GOD SAVE THE QUEEN!

1878.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

DYKE AT RUSHCUTTERS' BAY. (CORRESPONDENCE.)

Ordered by the Legislative Assembly to be printed, 5 December, 1878.

[Laid upon Table in accordance with promise made in answer to Question 1, Votes No. 46, 5 December, 1878.]

SCHEDULE.

NO.	PAGE.
1. Abstract of Tenders received on the 17th September for construction of stone dyke	1
2. Engineer-in-Chief recommending fresh tenders be invited for same	1
3. Offers received from lowest tenderers previous to tenders being invited the second time	2
4. Duxbury and Co. tender as above	2
5. Buckle and Greenfield, do.	2
6. Phillip Ronan, do.	2
7. Charles Saunders, do.	2
8. Carr, Lee, and Dixon, tender for stone dyke	2
9. Abstract of tenders received on the 5th November, for construction of stone dyke	3
10. Engineer-in-Chief, recommending Charles Saunders' tender be accepted for supply of ballast for stone dyke.....	3

No. 1.

Abstract of Tenders received on the 17th September, 1878, for the construction of a Stone Dyke at Rushcutters' Bay.

* Phillip Ronan, for the sum of 5s. per 24 cubic feet.
 Buckle and Greenfield, do., 5s. do.
 Adam Sharpe, do., 6s. 8d. per ton.
 Charles Saunders, do., 5s. do.
 Duxbury and Co., 5s. 3d. do.

* If the Government agree to reclaim land 200 feet long x 30 feet wide to give contractor access to dykes, this tenderer will do the necessary reclamation at 2s. per yard, and reduce the price for stone delivered in dyke.

No. 2.

Engineer-in-Chief for Harbours and Rivers recommending calling for fresh Tenders.

I CONSIDER the tenders too high, and would therefore recommend that fresh ones be invited, to be opened on the 5th proximo.
 For E.O.M., J.S., 22/10/78.

B.C., Under Secretary, Public Works.

Approved.—J.S., 24/10/78.

2

No. 3.

Offers, &c.

List of offers which were asked and received from the three lowest tenderers previous to tenders being invited the second time.

No. 4.

Duxbury & Co.'s Tender, &c.

Tender for Rushcutters' Bay.

To the Engineer-in-Chief, Harbours and Rivers,—

Sir,

15, Change-alley, Pitt-street, 25 September, 1878.

We have the honor to submit the following tender for the supply of material at the proposed dyke, Rushcutters' Bay.

We will supply material according to specification at Rushcutters' Bay, Government finding punts, at 3s. 8d. per ton, or we will deliver the stone into the Government punts at 2s. 6d. per ton to pay us for rent of quarry, tools, and labour, as we estimate the cost discharging to be 1s. per ton, and towage at 2d. per ton.

The quantity to be not less than 300 tons a week.

We have, &c.,

DUXBURY & CO.

No. 5.

Buckle & Greenfield's Tender.

Tender for Stone Dyke.

We will agree to place the stone on dyke, as directed, Government to level the stone; will supply the whole of the stone for dyke at 3s. 11d. per ton, or 24 cubic feet, and agree to deliver 300 tons per week.

BUCKLE & GREENFIELD,
POTTS & PAUL,
Erskine-street.

No. 6.

P. Ronan's Tender.

Sir,

8 October, 1878.

I now have got permission to go through the private land from my quarry to the bay. I will reduce the price of the work at the following rate, that is, to fill up with ballast and quarry rubbish at 1s. 6d. per yard of 24 cubic feet to the yard, and the stone ballast dyke at 4s. 6d.

I am, &c.,

PHILIP RONAN.

No. 7.

C. Saunders' Tender.

Pymont, 17 October, 1878.

Revised Tender for Dyke, Rushcutters' Bay.

I do hereby offer to deliver in above bay for dyke, ballast to any quantity required, for the sum of 3s. 6d. per ton, providing you lend me two punts for above work.

CHARLES SAUNDERS,
Harris-street, Pymont.

Or I am willing to supply to any quantity on wharf, City Iron Wharf, or close handy at my own wharf, at 2s. per ton; the wharf is able to hold 500 tons, very easy to load at high water or low water.

CHARLES SAUNDERS,
Harris-street, Pymont.

Or complete according to specification for 4s. 8d. per ton.

CHARLES SAUNDERS,
Harris-street, Pymont.

No. 8.

Carr, Lee, & Dixon's Tender.

To A. Williams, Esq.,—

Sydney, 29 September, 1878.

We do hereby offer to do the ballast work at Macquarie-street extension and take the same to Rushcutters' Bay for the sum of 4s. per ton, the Government to find punts and do all towage to and from the above places.

JOHN CARR.
THOMAS LEE.
F. B. DIXON.

No. 9.

No. 9.

Abstract of Tenders received on the 5th November, 1878.

Buckle and Greenfield, for the sum of 4s. 9d. per ton.			
Ralph Richardson,	do.	do.	do.
John Hughes,	do.	4s. 6d.	do.
Adam Sharpe,	do.	4s. 8d.	do.
Stewart & Smith,	do.	6s.	do.
Philip Ronan,	do.	4s. 6d.	do.

If the Government agree to pay the contractor for filling in approach 40 or 50 feet wide at the rate of 1s. 6d. per cubic yard, Tenderer will reduce the price of stone delivered in dyke.

No. 10.

Engineer-in-Chief for Harbours and Rivers, recommending acceptance of
C. Saunders' Tender.

THE Tenders for this work are still in my opinion too high. I think now the best course to adopt will be to accept Mr. Chas. Saunders' offer of the 17th ultimo (78/4,052) to deliver ballast at a convenient wharf at the rate of 2s. per ton, with the following conditions added, viz.:—That the stone be delivered free of all wharfage or other dues, and that the contract be terminable at any time on a week's notice to that effect. It will probably cost us from 1s. 3d. to 1s. 6d. per ton to deposit the stone in the dyke.

For E. O. MORIARTY,
JOHN SKINNER, 19/11/78.

Under Secretary, Public Works, B.C. Approved.—J.S., 21/11/78. Tender accepted, 21/11/78.

1878.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

RUSHCUTTERS BAY.
(PETITION FROM RESIDENTS OF.)

Received by the Legislative Assembly, 26 November, 1878.

To the Honorable Members of the Legislative Assembly.

May it please this Honorable House,—

We, the undersigned residents of and about the vicinity of Rushcutters Bay desire to bring under your special notice a deplorable nuisance arising from foul and badly polluted drains crossing from the neighbourhood of Glenmore, and which empty into the said bay, to the annoyance, contamination, and dread of the inhabitants round about.

2. We fear that unless something is done to eradicate the stench and filth now complained of, that it will result in the breaking out of some fearful disease.

3. We therefore pray your Honorable House to take this Petition into your immediate consideration, and your Petitioners will ever pray, &c., &c.

[Here follow 67 signatures.]

1878.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

RUSHCUTTERS' BAY.

(PETITION FROM RESIDENTS OF THE EASTERN SUBURBS OF SYDNEY.)

Ordered by the Legislative Assembly to be printed, 22 October, 1878.

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 SUBMITTETH:—

That your Honorable House will take into consideration the desirability of the resumption by the Government of the low-lying land in Rushcutters' Bay, situated south of the New South Head Road, in order to prevent the possibility of its ever being used for building sites.

That your Petitioners view with feelings of alarm the consequences that must at no distant date result from the deposit on the land referred, of all the sewage from the houses situated on the heights of Paddington, Woollahra, Darlinghurst, and part of Surry Hills, as well as from the large number of houses now being erected on other lands of the surrounding slopes which have hitherto been unoccupied, the natural features of the ground rendering this result inevitable.

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 956 signatures.]

1878.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

RECLAMATION OF LAND, PORT JACKSON.

(PARTICULARS RESPECTING.)

Ordered by the Legislative Assembly to be printed, 10 September, 1878.

RETURN (*in part*) to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 1st May, 1877, That there be laid upon the Table of this House,—

- (1). “A Return giving the names of persons who have had permission, “previous to the passing of the Crown Lands Alienation Act of 1861, to “reclaim land in front of water-side properties, in that part of the City of “Sydney, from the west end of Liverpool-street round to the Circular Quay, “giving in each case the date when permission was so granted, the area of “land reclaimed, the amount paid for the same, and when; the names of “the persons who have had permission and have not paid for the land “reclaimed by them; likewise the names of persons in the occupation of “reclaimed land unpaid for, and without authority for holding the same.
- (2). “A Return to the 20th March, 1877, giving the names of owners of “water-side property along the before-mentioned distance, who have “reclaimed and purchased land in accordance with the 9th clause of the “Crown Lands Alienation Act of 1861, stating in each case the date of “permission, the area, amount of valuation, and time of payment.”

(*Mr. Hurley, Hartley.*)

RECLAMATION OF LAND, PORT JACKSON.

RETURN—PART 1.

Locality.	Alienated Reclamations before 1861 (with permission).				Unalienated Reclamations under permission, prior to 1861.		Unalienated Reclamations without permission.		Reclamations alienated under 9th clause Crown Lands Alienation Act of 1861.				
	Name.	Area.	Date of Grant.	Amount paid.	Name.	Area.	Name.	Area.	Name.	Area.	Date of permission.	Amount paid.	Date of completion.
North of Liverpool-street	George Cox, trustee of late Richard Brooks.	a. r. p. 1 0 10	14 May, 1855	Annual Quit Rent. £ s. d. 4 5 0	.....	a. r. p.	.....	a. r. p.	.....	a. r. p.	.....	£ s. d.	.....
Do.	James Murphy	0 0 14	.....	.....	.....	.....	.....
Barker's Wharf	Thomas Barker	0 0 7 1/2	8 April, 1853	0 3 10	.....	.....	.....	.....	.....	.....	.....	.....	.....
Do.	Thomas Barker	0 0 3 1/2	8 April, 1853	0 15 10	.....	.....	.....	.....	.....	.....	.....	.....	.....
Do.	Thomas Barker	0 1 4 1/2	8 April, 1853	1 2 4	.....	.....	.....	.....	.....	.....	.....	.....	.....
Do.	Thomas Barker	2 1 12 1/2	8 April, 1853	9 6 1	.....	.....	.....	.....	.....	.....	.....	.....	.....
Near Barker's Wharf	Miller and Harrison	0 0 19	Purchase not completed	.....	.....
Do.	Miller and Harrison	0 0 15	Purchase not completed	.....	.....
Russel's Foundry	John Russell, George Russell, and Alexander Murray	0 1 21	21 Feb., 1863.	200 0 0	14 Oct., 1860.
Near Russel's Foundry	Land fronting Bathurst-st. ....	.....	Joseph Wearne	0 0 10	29 June, 1874.	10 0 0	6 Mar., 1875.
Bathurst-street	J. T. Wilsbire (in part)	0 3 8 1/2	.....	.....	.....	.....	.....	.....	.....
Between Bathurst and Drutt Streets.	J. H. Seamer do.	.....	.....	.....	.....	.....	.....	.....	.....
Between Bathurst and Drutt Streets }	C. E. Jennerett, in Estate of Raynes, Treve, and Co. ....	.....	Revd. A. Wayn, in part. T. B. Dearin do.	0 3 2	.....	.....	.....	.....	.....
Drutt-street	Land fronting Drutt-st. ....	.....	.....	.....	.....	.....	.....
North of Drutt-street	William Charles Wentworth.	2 0 9	1 Nov., 1861.	50 0 0	15 Sept., 1862.
Street's Wharf	Street Brothers	0 2 11	.....	.....	.....	.....	.....
Near Street's Wharf	James Taylor and Ellen Rosetta McMullen, as trustees of late Esther Hughes.	0 1 16	17 Sept., 1875.	48 0 0	22 May, 1876.
Do.
Adjoining Market Wharf	Thomas Buckland, in the estate of late James Cooper Thomas Buckland and John Williams, executors of William Northwood.	0 0 12 1/2	.....	.....	.....	.....	.....
Market Wharf	Municipal Council and Market-street.	0 0 28 1/2	.....	.....	.....	.....	.....
H.R.N.S.N. Co's Wharf	H. D. and A. L. Bray	0 3 7 1/2	.....	.....	.....	.....	.....
Struth's Wharf	John Struth	0 1 28 1/2	26 Aug., 1863.	75 0 0	29 Nov., 1864.
Commercial Wharf	Francis Mitchell and George W. Allen, trustees of late Francis John King	0 2 21 1/2	21 Feb., 1863.	150 0 0	26 July, 1864.
King-street	Land fronting King-st.	0 1 17	.....	.....	.....	.....	.....
Caledonian Wharf	James Edrop	0 1 1 1/2	6 May, 1863.	105 0 0	7 Nov., 1864.
Patent Slip	John Cuthbert	0 1 34	23 Aug., 1870.	210 0 0	10 May, 1871.
Patent Slip Wharf	Executrs. of Jno. N. Palmer	0 1 4 1/2	.....	.....	.....	.....	.....	.....	.....
Lime-street Wharfs	Municipal Council and Lime-street.	0 2 10 1/2	.....	.....	.....	.....	.....
South side, Erskine-street.	Municipal Council	0 0 4 1/2	.....	.....	.....	.....	.....
Erskine-street	Land fronting Erskine-st.	0 0 8 1/2	.....	.....	.....	.....	.....
Victoria Wharf, and Phoenix Wharf.	George Allen	0 2 5	None	12 10 0	29 Feb., 1865.
Adjoining Phoenix Wharf	Ilwarrwa S.N. Company	0 0 2	John Hughes	0 0 4	None	14 0 0	29 July, 1866.
.....	Sarah Brown, John McMaster, Johanna Frances Amelia McMaster, Colin Ross, and Rosanna Mary Ross.	0 0 28	13 Aug., 1869.	84 0 0	6 Oct., 1871.

Locality.	Alienated Reclamations before 1831 (with permission).				Unalienated Reclamations under permission, prior to 1861.		Unalienated Reclamations without permission.		Reclamations alienated under 9th clause Crown Lands Alienation Act of 1861.				
	Name.	Area.	Date of Grant.	Amount paid.	Name.	Area.	Name.	Area.	Name.	Area.	Date of permission.	Amount paid.	Date of completion.
		a. r. p.		Annual Quit Rent. £ s. d.		a. r. p.		a. r. p.		a. r. p.		£ s. d.	
Adjoining Phoenix Wharf							Mrs. Piper	0 0 0½	William Webb	0 0 14	30 Jan., 1861.	21 0 0	14 July, 1865.
Between Phoenix Wharf and Sussex-street							W. Speer and Hy. Clarke Sussex-street	0 0 28 0 1 36½	William Marshall	0 0 15½	Purchase not completed		
Sussex-street									Municipal Council of Sydney (Sewerage Reserve).	0 0 13		Dedicated	19 May, 1868.
Fronting Sussex-street, near Margaret Place							{ James Gagen, in part McMillan "	0 0 16					
Fronting Sewerage Reserve							William Day "	0 0 9½					
Fronting Sussex-street, near Margaret Place							Unknown	0 0 9½					
Day's Wharf							Sir Daniel Cooper	0 0 9½					
A.S.N. Co's Brisbane Wharf	John Kellick	0 0 13	10 Nov., 1849	0 6 4			William Day	0 0 5					
Margaret Place	John Kellick	0 1 21	19 May, 1849	1 10 6			William Day	0 1 24					
A.S.N. Co's Wharf							Land fronting Margaret Place	0 1 1½					
A.S.N. Co's Melbourne Wharf									Australian Steam Navigation Company	0 1 5½	30 Dec., 1862	113 15 0	26 May, 1865.
C. & R.R. Co's Wharf									Thomas Chaplin Breillat	0 0 9½	26 Aug., 1863	23 15 0	12 July, 1865.
									Robert Graham Breillat and Narcissus George Argimbeau, trustees of T. C. Breillat	0 1 17	8 Aug., 1873	50 0 0	24 June, 1874.
Grafton Wharf									Charles Smith	0 1 34½	30 May, 1863	185 12 6	9 Feb., 1865.
									Do.	0 0 18½		46 5 0	
									Charles Smith and John Henry Challis	0 0 1	24 Mar., 1863	1 8 9	11 July, 1874.
									Ralph Mansfield, for the Australian Gas Light Company	0 0 15	" "	21 11 3	8 Dec., 1864.
Gas Co's Wharf									Do.	0 2 13	18 April, 1863	302 5 0	10 Sept., 1869.
									Do.	0 2 32	24 Mar., 1863	166 0 0	8 Dec., 1864.
									Francis Hely and Alex- ander Harper	0 2 24	21 Feb., 1863	156 0 0	4 Nov., 1865.
Rowntree's Floating Dock									Do.	0 1 28	" "	102 0 0	" "
Cureton's Wharf							Jacob Reeh	0 0 18					
Paton's									Theophilus Paton	0 0 16½	Purchase not completed		
Buckley's Boat Shed									Staunton Spain	0 0 17½			
McLean's Wharf									Representatives of late Henry Osborne	0 0 17½	14 Mar., 1876	70 0 0	16 May, 1877.
Craig's Wharf									John Craig, Robert Craig, George Craig, and Robert Foster Scott	0 0 14½	25 May, 1876	25 0 0	31 Oct., 1877.
Langford's Boat Shed									William Langford	0 0 10	9 Oct., 1863	15 0 0	11 Jan., 1866.
Clyde-street									William Langford	0 0 0½			
Dibb's Wharf									Land fronting Clyde-st. ..	0 0 3			
Smith's Wharf									G. R. Dibbs and Co.	0 0 17			
Duke's Wharf, now Smith's, near Miller's Point									John Cuthbert	1 1 7½	30 May, 1863	75 0 0	27 July, 1863.
									Charles Smith	0 1 2	31 Jan., 1863	63 0 0	23 Sept., 1864.
									Do.	0 0 38	24 July, 1876	Purchase not completed.	
									Do.	0 1 9			

[3*d.*]

Sydney : Thomas Richards, Government Printer.—1878.

1878.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

ALIENATED CROWN LANDS, PORT JACKSON.

(ALIGNMENT OF, ABUTTING ON WATER FRONTAGE.)

Ordered by the Legislative Assembly to be printed, 10 September, 1878.

FURTHER RETURN (*in part*) to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 22 February, 1876, That there be laid upon the Table of this House,—

“(1.) A Return and Plan showing the alignment or limit-line of the lands
“alienated by the Crown to private persons, and abutting on the water
“frontage of Port Jackson, from the western end of Liverpool-street, along
“the eastern side of Darling Harbour, and of the shores of Port Jackson
“to the City boundary at Rushcutter’s Bay.

“(2.) A Return and Plan showing the alignment or limit-line of the lands
“alienated by the Crown, and abutting on the waters of Port Jackson,
“between Glebe Island Bridge, along the western, northern, and eastern
“sides of Pyrmont, Ultimo, and Darling Harbour, to the western end of
“Liverpool-street.

“(3.) A Return showing the several parcels of land covered with water
“held on sufferance, and on what terms, from the Crown by private
“persons, along the said alignment or limit-line of lands described in
“sections one and two.”

(*Mr. Macintosh.*)

ALIENATED CROWN LANDS, PORT JACKSON.

RETURN—PART 2.

Locality.	Reclamations purchased from the Crown.	Reclamations not yet purchased. (Areas approximate.)	Wharfs and Jetties on piles. (Areas approximate.)			
	a. r. p.	a. r. p.	a. r. p.			
A.S.N. Company's Wharf.	Australasian Steam Navigation Company.	0 1 5½	Wharf and jetty on piles in front of the Company's purchased reclamation of 1 rood 5½ perches. Permission given to A.S.N. Company, 65/12,091 S.G.	0 0 29		
Margaret-place.		Land filled in fronting street	0 1 1½	Boat stairs fronting street and part of wharf on piles, occupied by A.S.N. Company.	0 0 1½	
A.S.N. Company's Brisbane Wharf (Kellick's Wharf)	{ John Kellick John Kellick	0 0 13 0 1 21		Wharf and jetty on piles; no permission traceable.	0 0 21½	
Day's Wharf.		Occupied by William Day	0 1 24	Wharf and jetties on piles; no permission traceable.	0 0 8	
		Occupied by William Day	0 0 5			
		Occupied by Sir D. Cooper.	0 0 9½			
		Occupant unknown	0 0 9½			
Fronting Sussex-street.		Occupied by William Day (in part)				
		Occupied by Wm. McMillan (in part)	0 0 16			
		Occupied by James Gagen (in part)				
Sussex-street		Sussex-street	0 1 36			
Fronting Sussex-street.		Occupied by William Speer and Henry Clarke.	0 0 23			
		Applied for by William Marshall, under 9th section of Crown Lands Act of 1861, and approved; purchase not yet completed.	0 0 15½			
Near Illawarra Company's Wharf.						
Adjoining Illawarra Co.'s Wharf.	William Webb	0 0 14				
	Sarah Brown, Jno. McMaster, Johanna Frances Amelia McMaster, Colin Ross, and Rosanna Mary Ross.	0 0 28	Occupied by Mrs. Piper	0 0 0½		
Victoria Wharf and Illawarra Company's Wharf.	George Allen	0 2 5	Occupied by Illawarra Steam Navigation Company.	0 0 2	Sheds, wharfs, and jetties on piles; no permission traceable.	0 1 0
Erskine-street	John Hughes	0 0 4				
		Land filled in fronting street	0 0 9½	Wharf on piles, and boat stairs.	0 0 18	
		Occupied by Municipal Council of Sydney.	0 0 4½	Wharf and jetty on piles; permission given to Frederick Horswill, 18th September, 1846.	0 0 8	
Lime-street Wharf.		Occupied by Municipal Council of Sydney and Lime-street	0 2 10	Jetties on piles; no permission traceable	0 0 25	
Adjoining Patent Slip		Occupied by the executors of John Nottingham Palmer.	0 1 4½	Sheds and jetty on piles; permission by terms of lease to Alexander Fotheringham.	0 0 20	
Patent Slip	John Cuthbert	0 1 34		Wharf on piles; permission by terms of lease to Alexander Fotheringham.	0 0 0½	
Caledonian Wharf (north side King-street.)	James Edrop	0 1 1½		Sheds and jetty on piles; permission given to James Edrop, 64/13,820 S.G. Further extended without authority, and contrary to Gazette notice of 9th July, 1867. Mts. 75-9,570.	0 0 10½	
King-street		Land filled in fronting street	0 1 17	Waiting-room and landing stage on piles; permission given. 63-14,212 S.G.	0 0 10	
Commercial Wharf.	Francis Mitchell and George Wigram Allen, trustees of late Francis John King.	0 2 21½		Wharf and jetties on piles fronting purchased reclamation of 2 roods 21½ perches; no permission traceable.	0 0 30	
Struth's Wharf	John Struth	0 1 28½		Wharf and jetties on piles fronting purchased reclamation of 1 rood 28½ perches; permission given, see Colonial Secretary's letter, 45-275, of 14th August, 1845.	0 0 21	
				Jetty on piles; no permission traceable.	0 0 13½	
H.R.N.S.N. Co.'s Wharf (adjoining Market Wharf)			Occupied by H. D. and A. L. Bray.	0 2 14		
Market Wharf			Occupied by Municipal Council of Sydney, Market-street, and Pyrmont Bridge Company.	0 3 7½	Boat stairs and wharfs and jetties on piles; no permission traceable.	0 2 2
			Thomas Buckland and John Williams, executors of William Northwood.	0 0 28½	Wharf and jetties on piles; permission given. See Colonial Secretary's letter No. 45-375, of 1st November, 1845.	0 0 13½
South of Market Wharf.			Thomas Buckland, in estate of late James Cooper.	0 0 12½	Jetties on piles and small wharf; permission given, 17 June, 1850. See J. Cooper's letter to Colonial Secretary, No. 50-4,372, of 2nd May.	0 0 30½
Adjoining Street's Wharf.	James Taylor and Ellen Rosetta M'Mullen, trustees of late Esther Hughes.	0 1 16		Wharf and jetties on piles fronting the purchased reclamation of 1 rood 16 perches; occupation, "on sufferance only," assented to. Mts. 76-3,829.	0 0 16	
Street's Wharf			Occupied by Street Brothers	0 2 11		
North side Druiitt-street	William Charles Wentworth	2 0 9	Land filled in fronting street (partly occupied by T. B. Dearin.)	0 2 7½	Jetty on piles; no permission traceable	0 0 10½
Druiitt-street			Occupied by Rev. Arthur Wayne (in part)		Jetty on piles (occupied by T. B. Dearin); no permission traceable.	0 0 5
			Occupied by T. B. Dearin (in part)	0 3 2		
			Occupied by J. T. Wilshire (in part)			
			Occupied by J. H. Seamer (in part)	0 3 3½	Wharf on piles; no permission traceable	0 0 8
			Occupied by C. E. Jeannerett in the estate of Raynes, Treve, & Co. (in part)			
Bathurst-street			Land filled in fronting street	0 0 20½		

Locality.	Reclamations purchased from the Crown.	Reclamations not yet purchased. (Areas approximate.)	Wharfs and Jetties on piles. (Areas approximate.)
	a. r. p.	a. r. p.	a. r. p.
Barker's Wharf	Thomas Barker 0 0 7½	.....	.....
	Thomas Barker 0 0 31½	.....	.....
	Thomas Barker 0 1 4½	.....	.....
	Thomas Barker 2 1 12½	.....	Wharf on piles; no permission traceable 0 0 15½
Russell's Foundry	Joseph Wearne 0 0 10	.....	Wharf on piles; no permission traceable 0 0 1
	John Russell, George Russell, and Alex. Murray. 0 1 21	.....	Wharf on piles and part of slip; no permission traceable. 0 0 6½
	.....	Applied for by Miller and Harrison, under 9th section of Crown Lands Act of 1861, and approved; purchase not yet completed.	Row of piles; permission given. Mis. 76-10,493
Adjoining Russell's Foundry.....	.....	Applied for by Miller and Harrison, under 9th section of Crown Lands Act of 1861, and approved; purchase not yet completed.	.....
	.....	Occupied by James Murphy	.....
North side Liverpool-street	George Cox, trustee of late Richard Brooks. 1 0 10	0 0 14	Wharfs, jetty, and slip; no permission traceable. 0 0 20½

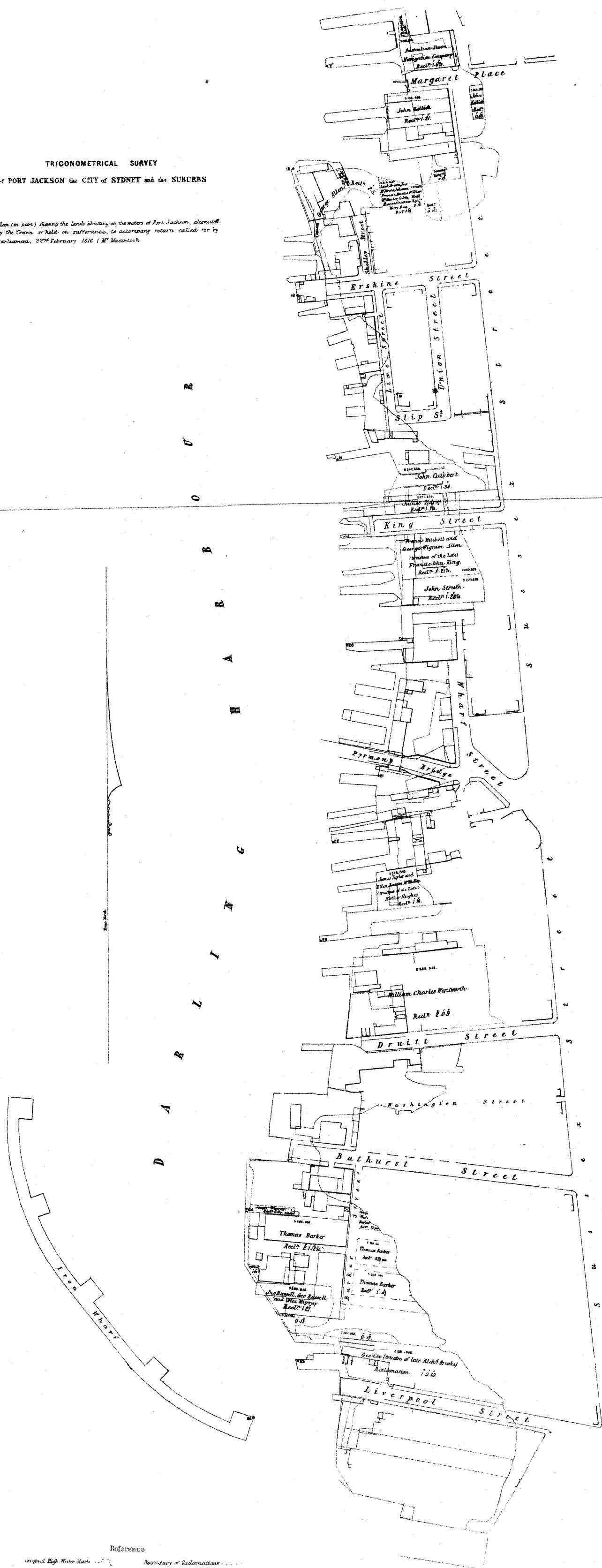
[One plan.]

Sydney: Thomas Richards, Government Printer.—1878.

[1s.]

TRIGONOMETRICAL SURVEY
of PORT JACKSON the CITY of SYDNEY and the SUBURBS

Plan (in part) showing the lands abutting on the waters of Port Jackson, ascertained by the Crown, or held, on sufferance, to accompany returns called for by Parliament, 22nd February 1876 (Mr Macintosh)



1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

DOUBLE BAY.

(CORRESPONDENCE.)

Ordered by the Legislative Assembly to be printed, 10 April, 1879.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 26 November, 1878, That there be laid upon the Table of this House,—

“Copies of all Documents, Correspondence, Reports, and Plans, from
 “Surveyors or other persons, with all Minutes, of whatsoever nature, thereon,
 “that have taken place with the Government, from 1830 to date, having
 “reference to the purchase, or exchange for other land, of that parcel of
 “land situate between the Steyne, Double Bay, and the western boundary
 “of the land granted to Captain Piper, and abutting on the Marine
 “Parade.”

(Mr. Macintosh.)

SCHEDULE.

NO.	PAGE.
1. Mr. M. Gregson to Colonial Secretary, requesting, on behalf of Messrs. Cooper & Levey, that the several small grants composing the Point Piper Estate may be consolidated in one deed, to be prepared in favour of these gentlemen as the purchasers. Sketch enclosed, with minutes thereon. 25 January, 1830	4
2. Colonial Secretary to Mr. Gregson, in reply to above. 25 February, 1830	4
3. Colonial Secretary to Surveyor General, relative to the description of the land in question. 8 March, 1830	5
4. Surveyor General to Colonial Secretary, in reply to letter No. 3, transmitting amended description of Messrs. Cooper & Levey's land at Rose Bay, with minutes and enclosures. 15 March, 1830	5
5. Colonial Secretary to Surveyor General, transmitting deed of grant of 1,130 acres of land, executed in favour of Messrs. Cooper & Levey. 22 March, 1830	6
6. Colonial Secretary to Mr. M. Gregson, in reference to letter No. 1. 22 March, 1830	6
7. Mr. Gregson to Colonial Secretary, in reference to letters Nos. 2 and 6, with minutes thereon. 26 March, 1830	7
8. Surveyor General to Colonial Secretary, transmitting amended description of Messrs. Cooper & Levey's land, with enclosures. 13 May, 1830	7
9. Colonial Secretary to Surveyor General, requesting him to furnish a sketch showing the difference between the description enclosed in letter No. 8 and that from which the deeds were prepared. 27 May, 1830	7
10. Surveyor General to Colonial Secretary, transmitting sketch as above, with minutes thereon. 1 June, 1830	8
11. Colonial Secretary to Surveyor General, with reference to stoppage of road to Belle Vue. 4 June, 1830	8
12. Colonial Secretary to Surveyor General, asking him to explain the discrepancy between the two descriptions furnished by him of the lands recently granted to Cooper & Levey. 26 June, 1830	8
13. Colonial Secretary to Surveyor General, requesting him to expedite the explanation called for in above letter. 4 August, 1830	8
14. Surveyor General to Colonial Secretary, furnishing the required explanation, with minute thereon. 12 August, 1830	8
15. Surveyor General to Colonial Secretary, with reference to his letter of 4th June, with minutes thereon. 2 September, 1830	9
16. Colonial Secretary to Mr. Daniel Cooper, with reference to the road to Belle Vue being reserved for the public. 6 September, 1830	9
17. Memo. with reference to a missing paper of date 11 September, 1830	9
18. Gazette notice. Plan of the Village of Double Bay approved. 11 August, 1834	9
19. Gazette notice. Allotments for sale, Village of Double Bay. 20 October, 1834	10
20. Mr. James Holt (attorney for the late firm of Cooper & Levey) to Colonial Secretary, with reference to the allotments advertised for sale in the Village of Double Bay, with minute thereon. 17 January, 1835	10
21. Colonial Secretary to Surveyor General, requesting report on letter No. 20. 24 January, 1835	10

NO.	PAGE.
22. Surveyor General to Colonial Secretary, transmitting report as above. 27 January, 1835	11
23. Minute on the case. 5 February, 1835	11
24. Colonial Secretary to Surveyor General, transmitting copy of deed of grant to Messrs. Cooper & Levey, together with correspondence relative thereto. 5 February, 1835	11
25. Surveyor General to Colonial Secretary, relative to the title of Messrs. Cooper & Levey to the land they claim at Double Bay, with minute thereon. 12 February, 1835	11
26. Colonial Secretary to Crown Solicitor, transmitting papers respecting the claim of Messrs. Cooper & Levey to certain land at Double Bay, with minutes thereon. 26 February, 1835	12
27. Colonial Secretary to Mr. James Holt, informing him that all papers relating to the claim of Messrs. Cooper & Levey have been transmitted to the Crown Solicitor. 26 February, 1835	12
28. Colonial Secretary to Surveyor General, stating that all papers relating to the claim of Messrs. Cooper & Levey have been sent to the Crown Solicitor. 26 February, 1835	13
29. Mr. James Holt to Crown Solicitor, laying before him the grounds of Messrs. Cooper & Levey's claim to certain land at Double Bay. 6 March, 1835	13
30. Surveyor General to Crown Solicitor, enclosing sketch of the land claimed by Messrs. Cooper & Levey at Double Bay. 25 March, 1835	13
31. Colonial Secretary to Crown Solicitor, with reference to letter No. 26. Minute thereon. 22 May, 1835	14
32. Crown Solicitor to Colonial Secretary, in reply to No. 31. Minute thereon. 25 May, 1835	14
33. Colonial Secretary to Crown Solicitor, urging him to bring the matter speedily to a final settlement, with minute thereon. 3 June, 1835	14
34. Surveyor General to Colonial Secretary, showing the importance of coming to some decision relative to the claim of Messrs. Cooper & Levey, with minute thereon. 29 August, 1835	14
35. Mr. John Stuart to Surveyor General, applying for permission to purchase land at Double Bay, with minutes thereon. 4 June, 1840	14
36. Surveyor General to Civil Crown Solicitor, transmitting tracing, copy of original order by Governor Macquarie, and copy of description of deed. 4 February, 1841	15
37. Surveyor General to Colonial Secretary, forwarding report on claim of Messrs. Cooper & Levey. Minutes thereon. 8 March, 1841	15
38. Civil Crown Solicitor to Colonial Secretary, relative to claim of Messrs. Cooper & Levey. Minutes thereon. 3 February, 1842	16
39. <i>Précis</i> of the case. Minutes thereon. 7 April, 1842	16
40. Colonial Secretary to Mr. James Holt, transmitting copy of Civil Crown Solicitor's reply. 18 April, 1842	17
41. Colonial Secretary to Surveyor General, with reference to letter 37. 18 April, 1842	18
42. Mr. James Holt to Colonial Secretary, in reply to letter No. 40. Minute thereon. 27 May, 1842	18
43. Colonial Secretary to Mr. James Holt, informing him that His Excellency upholds the decision already given. 1 June, 1842	19
44. Surveyor General to Colonial Secretary, informing him of the action taken by Mr. Holt in the matter. Minute thereon. 14 October, 1842	19
45. Colonial Secretary to Mr. James Holt, threatening legal proceedings. 20 October, 1842	19
46. Colonial Secretary to Surveyor General, with reference to letter No. 44. 21 October, 1842	20
47. Surveyor General to Colonial Secretary, in reference to letter No. 41. Minutes thereon. 2 November, 1847	20
48. Colonial Secretary to Surveyor General, in reply to letter No. 47. 20 November, 1847	20
49. Surveyor General to Colonial Secretary, with reference to letter No. 46. 7 December, 1847	20
50. Memoranda on the case of Messrs. Cooper & Levey's encroachment on land at Double Bay. Minutes thereon. 3 January, 1848	20
51. Summary of proceedings of the Executive Council relative to the dispute in question. 21 January, 1848	21
52. Memorandum on above case. 6 March, 1848	21
53. Colonial Secretary to Surveyor General, in reply to letter No. 49. 13 March, 1848	21
54. Surveyor General to Colonial Secretary, relative to letter No. 53. Plan and tracings enclosed. 23 March, 1848	22
55. Colonial Secretary to Messrs. Cooper and Holt, repeating the offer made in letter No. 16. 22 April, 1848	22
56. Mr. James Cooper (attorney for Daniel Cooper) to Colonial Secretary, relative to letter No. 55. Minutes thereon. 4 May, 1848	22
57. Mr. James Cooper to Colonial Secretary, with reference to letter 56. Minutes thereon. 13 November, 1848	22
58. Colonial Secretary to Mr. James Cooper, in reply to letter No. 57. 4 December, 1848	23
59. Colonial Secretary to Surveyor General, in reference to letter No. 54. 4 December, 1848	23
60. Mr. James Cooper to Colonial Secretary, relative to letter No. 58. Minutes thereon. 8 December, 1848	23
61. Surveyor General to Colonial Secretary, in reference to letter No. 59. Minutes thereon. 13 December, 1848	23
62. Colonial Secretary to James Cooper, Esq., relative to letter No. 60. 15 December, 1848	24
63. Colonial Secretary to Surveyor General, in reply to letter No. 61. 3 January, 1849	24
64. Surveyor General to Colonial Secretary, in reference to letter No. 63. Minutes thereon. 15 February, 1849	24
65. Colonial Secretary to James Cooper, Esq., with reference to letter No. 58. 17 March, 1849	25
66. Colonial Secretary to Surveyor General, relative to letter No. 64. 17 March, 1849	25
67. Mr. James Cooper to Colonial Secretary, in reply to letter No. 65. Minutes thereon. 21 March, 1849	25
68. Colonial Secretary to James Cooper, Esq., with reference to letter No. 67. Minute thereon. 2 April, 1849	25
69. Surveyor General to Colonial Secretary, regarding immediate survey of land in dispute at Double Bay. Minute thereon. 21 June, 1849	26
70. Colonial Secretary to James Cooper, Esq., relative to letter No. 68. 30 June, 1849	26
71. Civil Crown Solicitor to Colonial Secretary, with reference to the deed in course of preparation. Minutes thereon. 17 July, 1849	26
72. Colonial Secretary to Civil Crown Solicitor, transmitting papers asked for in letter No. 71. 26 July, 1849	26
73. Colonial Secretary to Civil Crown Solicitor, relative to letter No. 72. 23 January, 1850	26
74. Civil Crown Solicitor to Colonial Secretary, in answer to letter No. 73. Minutes thereon. 24 January, 1850	26
75. Colonial Secretary to Civil Crown Solicitor, with reference to letter No. 74. 12 March, 1850	27
76. Surveyor General to Colonial Secretary, in reference to letter No. 66, with minute thereon and enclosures. 14 March, 1850	27
77. Civil Crown Solicitor to Colonial Secretary, with reference to letter No. 75. Minutes thereon. 15 March, 1850	28
78. Colonial Secretary to Civil Crown Solicitor, relative to letter above, No. 77. 23 March, 1850	28
79. Civil Crown Solicitor to Colonial Secretary, in reference to letter No. 78. Minutes thereon. 17 April, 1850	28
80. James Cooper to Colonial Secretary, informing him of the arrival, by the "St. George," of the deed of surrender, duly executed by Mr. and Mrs. Cooper. Minutes thereon. 26 December, 1850	28
81. Civil Crown Solicitor to Colonial Secretary, with reference to letter No. 79. 4 January, 1851	29
82. Colonial Secretary to Civil Crown Solicitor, in reply to preceding letter. 18 January, 1851	29
83. Colonial Secretary to James Cooper, Esq., with reference to letter No. 80. 20 January, 1851	29
84. Civil Crown Solicitor to Colonial Secretary, relative to letter No. 82. Minute on above. 22 January, 1851	29
85. James Cooper, reviewing the entire correspondence in the case. Minutes on the above. 3 February, 1851	30
86. Colonial Secretary to James Cooper, Esq., with reference to preceding letter. 27 February, 1851	31
87. James Cooper to Colonial Secretary, relative to preceding letter, No. 86. Minutes thereon. 28 February, 1851	31
88. Colonial Secretary to James Cooper, Esq., with reference to letter preceding. 28 March, 1851	32
89. Mr. James Cooper to Colonial Secretary, relative to the report of Surveyor General. Minutes on above. 7 April, 1851	32
90. Surveyor General to Colonial Secretary, relative to blank cover report on letter No. 87. Minute thereon 7 April, 1851	33
91. Colonial Secretary to James Cooper, Esq., with reference to letter No. 89. 19 May, 1851	34
92. James Cooper to Colonial Secretary, relative to letter No. 91, with minutes thereon. 22 May, 1851	34
93. Colonial Secretary to James Cooper, Esq., in reply to preceding letter, 92. 30 June, 1851	35
94. James Cooper to Colonial Secretary, in reply to preceding letter. Minutes thereon. 7 July, 1851	35

NO.	PAGE.
95. Colonial Secretary to James Cooper, Esq., in answer to letter No. 94. 21 July, 1851.....	35
96. Colonial Secretary to James Cooper, Esq., complying with request contained in letter 94. 6 August, 1851	95
97. James Cooper to Colonial Secretary, in reply to preceding letter. Minutes on above. 9 August, 1851.....	35
98. Proceedings of Executive Council with reference to a correspondence relating to a proposed grant to Mr. Daniel Cooper of land at Double Bay, in lieu of other land at Belle Vue, to be surrendered by him to Government. Schedule enclosed. 28 August, 1851	36
99. Colonial Secretary to James Cooper, Esq., with reference to letter No. 97. 22 September, 1851	37
100. James Cooper, to Colonial Secretary, in answer to preceding letter, 99. Minutes on above. 26 September, 1851	38
101. Proceedings of the Executive Council relative to a letter from Mr. James Cooper, as agent for Mr. Daniel Cooper, of London, objecting to the reservation of a certain right-of-way through land at Double Bay. 7 October, 1851	38
102. Colonial Secretary to James Cooper, Esq., with reference to letter No. 100. 31 October, 1851	38
103. James Cooper to Colonial Secretary, in reply to letter preceding, No. 102. Minute on above. 5 November, 1851	39
104. James Cooper to Colonial Secretary, informing him that he has received instructions from Mr. Daniel Cooper to bring the question to a close. 22 November, 1852.....	39
105. James Cooper to Colonial Secretary, asking when Government can let him have the original deed of grant of land at Double Bay. 22 December, 1852.....	39
106. James Cooper to Colonial Secretary, referring to preceding letter, and requesting an answer to same. Minute on above. 23 February, 1853.....	39
107. Memoranda on the subject of grant of land to Daniel Cooper in compensation for land surrendered for road at Belle Vue. 30 March, 1853	40
108. Memorandum in the case. 1 April, 1853	40
109. Colonial Secretary to James Cooper, Esq., with reference to letter No. 106. 18 April, 1853.....	40
110. Colonial Secretary to Civil Crown Solicitor, informing him that the deed is now prepared, and about to be forwarded to the Colonial Treasurer. 18 April, 1853	40
111. Colonial Secretary to Colonial Treasurer, stating that the deed of certain land at Double Bay is prepared, and about to be forwarded to him for delivery to Mr. Daniel Cooper. 18 April, 1853.....	40
112. Civil Crown Solicitor to Colonial Secretary, relative to letter No. 110. Minutes thereon. 30 June, 1853	41
113. Colonial Secretary to Acting Deputy Surveyor General, in reference to letter No. 76. 30 August, 1853	41
114. Colonial Secretary to Acting Surveyor General, with reference to letter No. 113. 5 April, 1854.....	41
115. John Macintosh, Esq., M.P., to the Secretary for Lands, urging the restoration of the Marine Parade and the Steyne at Double Bay to the residents of that village, an error having been committed in the description of the land granted to Sir Daniel Cooper in 1853. Minutes on the above. 19 February, 1879	41
116. Under Secretary for Lands to John Macintosh, Esq., M.P., in reply to letter No. 115	41

DOUBLE BAY.

No. 1.

Mr. M. Gregson to The Colonial Secretary.

Sir,

No. 81, George-street, Sydney, 25 January, 1830.

Not with the
papers.

I have the honor to transmit to you under this cover a letter from the firm of Messrs. Cooper & Levey, of this place, communicating to you, that in consequence of circumstances which have arisen in their co-partnership, they have found it advisable to delegate to me the conduct of some of their affairs, and requesting that you will receive and accredit as their own such communications as I may have the honor of addressing to you on their behalf, or as their agent.

See enclosure.

1. On the part of Messrs. Cooper & Levey, I beg leave now to represent to you, that in the months of February and March, 1826, and shortly after the accession of His Excellency General Darling, Captain Piper, then naval officer, having to pay to Government considerable arrears of revenue—arrears which it is not too much to say accumulated from the liberal credit for duties which, upon his own responsibility, he afforded to the mercantile world—he (Captain Piper) obtained from Messrs. Cooper & Levey considerable sums of money by the sale of his lands and property at Point Piper and the immediate vicinity thereof.

*Appendix A.

I do myself the honor to annex a rough sketch of the lands which were thus sold to Messrs. Cooper & Co., and which are shown in red and green. Of that portion alone coloured red, and which consists of 190 acres, being the small promontory called Point Piper, or formerly Eliza Point, Captain Piper held and has transferred to Messrs. Cooper & Levey the original deeds of grant. Of the adjoining lot of 500 acres, and marked on the sketch as a grant to Captain Piper, in lieu of land on the Church Hill, Sydney (the site near to St. Philip's Church), of the several original grants to Bradley, 60 acres, Brine, 60, Hall, 80, Partridge, 80, Benson, 80, Galvin, 40, Foster, 80, Piper, 80, Jenkins, 40, altogether 1,120 acres, in ten original grants, the deeds have never been delivered to the grantees or to their assigns. The whole however was measured by Assistant Surveyor Harper, by order of the late Surveyor General, somewhere about the year 1824, for the purpose of being consolidated into one general deed of grant, which, I am informed, His Excellency Governor Brisbane directed should be made out in the name of, or in favour of, John Piper, Esq., who had become possessed by purchase from time to time of these contiguous properties.

The object of my present application is to request on behalf of Messrs. Cooper & Levey that you will be pleased to move His Excellency the Governor to complete (and that as early as possible) the intention and the promise of His Excellency Governor Brisbane as to one deed of grant for the whole. This, it has been mentioned, was promised in the name of Captain Piper. His transfer of the lands to Messrs. Cooper & Levey being produced (should that be thought necessary), I have further the honor to request that you will obtain the order of His Excellency the Governor that the abovementioned general deed of grant may be made to the firm in which Messrs. Daniel Cooper and Solomon Levey are co-partners.

In making this latter request, there are some public grounds upon which I respectfully submit that Messrs. Cooper & Levey may have claim to favourable consideration, in the event of the concession of my request being a departure from an established rule.

The considerable sums of money which they (Messrs. Cooper & Co.) thus advanced for the purchase of these lands went forthwith into the public coffers, averting at a time of great commercial distress the necessity of the late naval officer suing his numerous debtors for unpaid duties to the Crown, and which must have added materially to the pecuniary calamities which, it may be within your recollection, at that time visited the Colony.

Requesting the favour of your early attention.

I have, &c.,

M. GREGSON.

(On behalf of Messrs. COOPER & LEVEY.)

Minutes on No. 1.

May the deed of the small grants be made out in the name of Messrs. Cooper & Levey as requested, i.e., one deed for the whole. The description appears to me to be very imperfect. I understood that you waited for correct description from Major Mitchell. The one enclosed was received to-day.

Surveyor General, for report, B.C, 25th January, 1830.

Inform Mr. Gregson that his letter of the 25th of January has been referred to the Surveyor General, and that when the report of that officer is received no time will be lost in complying with his request as far as may appear to be practicable. Description transmitted herewith.—T.L.M., 4th March, 1830. Amended description requested.—8th March, 1830.

No. 2.

The Colonial Secretary to Mr. M. Gregson.

Sir,

Colonial Secretary's Office, Sydney, 25 February, 1830.

See No. 1.

I have duly received and submitted to the Governor your letter of the 25th ultimo, requesting, on behalf of Messrs. Cooper & Levey, that the several small grants composing the Point Piper Estate may be consolidated in one deed, to be prepared in favour of these gentlemen as the purchasers.

In reply, I am directed by His Excellency to inform you that your letter has been referred to the Surveyor General, and that when the report of that officer is received no time shall be lost in complying with your request, as far as may appear to be practicable.

I am, &c.,

T. C. HARINGTON.

(For the Colonial Secretary.)

No. 3.

No. 3.

The Colonial Secretary to The Surveyor General.

Sir,

Colonial Secretary's Office, Sydney, 8 March, 1830.

In returning to you the accompanying description of the lands on Rose Bay, sold by Captain Piper to Messrs. Cooper & Levey, I am directed by His Excellency the Governor to point out to you that that part of it which is contained in the subjoined extract is so extremely indefinite, neither bearings, distances, nor permanent objects being stated, that in the course of a few years it must become nearly useless, and to request therefore that you will cause it to be amended accordingly. Not apparently with papers.

"By the boundary of that grant to its south-west corner at a bridge; thence by a road to a garden; on the east by that garden and the road called Piper's Road to its junction with the South Head Road."

At the same time I do myself the honor to point out that by the sketch accompanying the original application of Messrs. Cooper & Levey's agent, which is herewith returned, the sum of the grants therein laid down appears to be (perhaps erroneously) 1,120 (eleven hundred and twenty) acres only, instead of 1,130 (eleven hundred and thirty), as stated in the description. See enclosure to No. 1.

I have, &c.,
ALEX. McLEAY.

No. 4.

The Surveyor General to The Colonial Secretary.

Sir,

Surveyor General's Office, Sydney, 15 March, 1830.

Herewith I have the honor to transmit to you an amended description of the lands on Rose Bay sold by Captain Piper to Messrs. Cooper & Levey, and to return the original application of Messrs. Cooper & Levey's agent, in compliance with the request conveyed by your letter of the 8th instant. Enclosed A. Original returned—description enclosed. See No. 3.

I have, &c.,
T. L. MITCHELL,
Surveyor General.

Minutes on above.

Deed executed in consolidation of certain small grants, dated 22 March, 1830, entered in Register No. 21, page 1. See enclosure B.

Transmitted to Surveyor General.

Mr. Gregson, agent for Cooper & Levey.

Collector of Internal Revenue and Auditor General.

Cooper & Levey,—In what way shall the deed be worded so as to show that it comprises the following grants, viz.:—

Jenkins...	...	...	...	...	...	40
Piper ...	...	...	...	...	...	80
Foster ...	...	...	...	...	...	80
Galvin ...	...	...	...	...	...	40
Benson ...	...	...	...	...	...	80
Partridge ...	...	...	...	...	...	80
Hall ...	...	...	...	...	...	80
Brine ...	...	...	...	...	...	60
Bradley...	...	...	...	...	...	80
Piper ...	...	...	...	...	...	500
						1,120
And apparently surplusage ...						10
						1,130 acres.

In whose names shall the deed be prepared?
From what date the quit-rent to commence?

[Enclosure to No. 4.]
DESCRIPTION OF LAND.

No.	Name.	No. of acres.	Date of Order.	Date of Order of.	Situation, boundaries, &c.	Conditions.	Whether the conditions have been complied with, and to what extent.
1	Messrs. Cooper & Levey	1,130	...	...	County of Cumberland and parish of Alexandria, eleven hundred and thirty acres. Bounded on the north by Breakwell's grant, commencing at the South Head Road five chains southerly of the six mile-stone, west thirty-four chains to Rose Bay, by that bay to Piper's grant (called Point Piper) south thirty-five chains, west forty-seven chains to Double Bay Creek, and by sixteen chains of a road bearing west; on the west by a line south seventeen chains, and thence by a line west fourteen chains to Point Piper Road, by that road to its junction with the South Head Road, which bears east ten chains from Gordon's north-east corner; and on the south and east by the South Head Road to the south-east corner of Breakwell's grant.		

Surveyor General's Office,
Sydney, 13 March, 1830.

T. L. MITCHELL,
Surveyor General.
No. 5.

No. 5.

The Colonial Secretary to The Surveyor General.

Sir,

Colonial Secretary's Office, Sydney, 22 March, 1830.

See No. 4.
See enclosure.

With reference to the description furnished in your letter of the 15th instant, I am directed by His Excellency the Governor to transmit to you the accompanying deed of grant of 1,130 (eleven hundred and thirty) acres of land in the parish of Alexandria, county of Cumberland, which has been executed in favour of Messrs. Daniel Cooper and Solomon Levey, being a consolidation of certain small grants by former Governors, therein specified (of which no deeds have been previously given); and to request that when it has been duly registered in your office, you will forward it to the Collector of Internal Revenue for the like purpose and delivery upon payment of the accustomed fees and any quit-rent which may be due thereon.

I have, &c.,

T. C. HARINGTON.

(For the Colonial Secretary.)

[Enclosure to No. 5.]

County Cumberland, 1,130 acres.

By His Excellency Lieutenant General Ralph Darling, Captain-General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice-Admiral of the same, &c. &c. &c.

BE it known unto all men by these presents, that in order to promote the due settlement of the said Colony of New South Wales, and in fulfilment of certain promises made on or before the first day of December, one thousand eight hundred and twenty-one, by His Excellency Major-General Macquarie and his predecessors, as Governors thereof, and in consideration of the quit-rent hereinafter reserved, and of the price of the redemption of the same, I, the said Lieutenant-General Ralph Darling, in pursuance of the powers by His Majesty the King vested in me, as Governor of the said Colony and its Dependencies, do hereby grant unto Daniel Cooper and Solomon Levey, of Sydney, their heirs and assigns, subject to the reservations and conditions hereinafter mentioned, one thousand one hundred and thirty acres of land, more or less, situated in the county of Cumberland, parish of Alexandria: Bounded on the north by Breakwell's grant; commencing at the South Head Road 5 chains southerly of the 6-mile stone, west 34 chains to Rose Bay, by that bay to Piper's grant (called Point Piper) south 35 chains west 47 chains to Double Bay Creek, and by 16 chains of a road bearing west; on the west by a line south 17 chains, and thence by a line west 14 chains to Point Piper Road, by that road to its junction with the South Head Road, which bears east 10 chains from Gordon's north-east corner; and on the south and east by the South Head Road to the south-east corner of Breakwell's grant,—being a consolidation of the several grants made to the following individuals (but for which no deeds have been executed), viz.:—Jenkins, 40 acres; Piper, 80 acres; Foster, 80 acres; Galvin, 40 acres; Benson, 80 acres; Partridge, 80 acres; Hall, 80 acres; Brine, 60 acres; Bradley, 80 acres; and John Piper, Esq., 500 acres—the whole of which became vested in the said John Piper, and were subsequently purchased of him by the said Daniel Cooper and Solomon Levey, the present grantees to be called _____, with all the appurtenances whatsoever, saving and reserving all such parts of the said land as may hereafter be set out for a highway or highways by any person lawfully authorized in that respect; together with the right of taking and removing all stone and gravel, all indigenous timber, and all other materials, the produce of the said land, which may be required at any time for the construction and repair of highways and bridges, for naval purposes, and for public works: To be held, with the appurtenances, reserving as aforesaid, to the said Daniel Cooper and Solomon Levey, their heirs and assigns for ever, on condition of paying therefor yearly, to His Majesty, his heirs and successors, or as he or any of them shall appoint, the quit-rent or sum of £1 2s. sterling, for ever, from the 1st day of January, 1827, unless the same shall be redeemed by the said grantees, their heirs or assigns, within twenty years from that date, at the rate of twenty years' purchase: And further, on condition that no part of the said land be alienated by the said grantees, or their heirs, within the term of five years from the date (of the promise) first above-mentioned; and that in the course of the said term of five years from the said date 80 acres thereof be cleared and cultivated, or buildings or fences be erected, or other permanent improvements be made thereon, to the value of £400 sterling, and that proof thereof be produced whenever required by the proper officer on His Majesty's behalf: Provided always, that if the said quit-rent be at any time unpaid twenty days after the same shall become due, or if any one or more of the aforesaid clauses or conditions be not duly observed, then this grant shall be void, and it shall be lawful for His Majesty, or any of his successors, or any person duly authorized in that behalf, to re-enter into the said lands, or any part thereof, and thence to remove the said grantees, their heirs and assigns, and to hold or regrant the same, these presents notwithstanding.

Given under my hand and the seal of the Colony, at Sydney, in New South Wales, this 22nd day of March, in the year of our Lord, 1830.

R. DARLING,

Governor-in-Chief.

Signed and sealed in the presence of—

H. DUMABESQ.
H. COULSON.

Entered on record by me, this 22nd day of March, 1830.

ALEX. McLEAY.

No. 6.

The Colonial Secretary to Mr. M. Gregson.

Sir,

Colonial Secretary's Office, Sydney, 22 March, 1830.

See No. 1.

With reference to your letter of the 25th January last, on behalf of Messrs. Cooper & Levey, requesting that the several grants of land (of which deeds had not been given) constituting the Point Piper Estate, in the parish of Alexandria, may be consolidated in one deed, in favour of those gentlemen, who have purchased the property from Captain Piper, I am now directed by His Excellency the Governor to inform you that a deed of grant of the same, consolidating (1,130) eleven hundred and thirty acres, which appears to be the actual quantity contained in the several portions in question, has been duly executed in favour of Messrs. Daniel Cooper & Solomon Levey, and this day transmitted to the Surveyor General, for registration in his office, with instructions to forward it to the Collector of Internal Revenue for the like purpose, and delivery upon payment of the accustomed fees, and any quit-rent which may be due thereon.

I am, &c.,

T. C. HARINGTON.

(For the Colonial Secretary.)

No. 7.

No. 7.

Mr. M. Gregson to The Colonial Secretary.

Sir,

81, George-street, Sydney, 26 March, 1830.

I beg leave to acknowledge, with many thanks, your communications to me of the 25th ultimo and 22nd instant, the latter notifying the transmission to the Surveyor General of the deed of grant in favour of Messrs. Cooper & Levey, consolidating 1,130 acres of land, part of the Point Piper Estate, purchased by them from its former proprietor. See Nos. 2 & 6.

Having received Messrs. Cooper & Levey's directions to redeem the quit-rents on the whole estate, which consists, besides the portion above specified, of 190 acres, a grant, of date 10th February, 1820, by Governor Macquarie to Captain Piper, I have further to solicit, on behalf of Messrs. Cooper & Levey, that you will be pleased in this particular case to obtain and forward to the Collector of the Internal Revenue the authority of His Excellency the Governor for permission to redeem the quit-rent thereon, as allowed by the clauses in deeds of grant at the present time.

I have, &c.,
M. GREGSON.

Minutes on No. 7.

What are the quit-rents, and what are the conditions of purchase?

Mr. N.—The quit-rent on the 190 acres in question is 4s., but there is no clause for its redemption, nor indeed in any of Macquarie's grants. The redemption of quit-rents is however allowed in the deeds now executed of grants by former Governors at 20 years' purchase.

NOTE.—The above minute is written in pencil.

Request of the Surveyor General to inquire and report by what authority the road to the spot called Belle Vue, on the South Head Road, has been stopped up, and at whose expense that piece of road was originally made.

No. 8.

The Surveyor General to The Colonial Secretary.

Sir,

Surveyor General's Office, Sydney, 13 May, 1830.

I have the honor herewith to transmit to you an amended description, by Mr. Hoddle, of the lands belonging to Messrs. Cooper & Levey lying between the South Head Road, Double Bay, and Point Piper; also a letter from Mr. Hoddle, stating the grounds on which he assumes that the land in question was intended to extend to Double Bay, as claimed by the present proprietors. See enclosure B. Transmitting amended description of Messrs. Cooper & Levey's land. See enclosure A.

I have, &c.,
T. L. MITCHELL,
Surveyor General.

What is the difference between this and the former description; a sketch showing the difference is necessary.

[Enclosure A to No. 8.]

Mr. Robert Hoddle to The Surveyor General.

Sir,

Sydney, 12 May, 1830.

In consequence of the representation made by Messrs. Cooper & Levey that the consolidated deed recently made out for 1,130 acres does not extend to Double Bay, which they state was measured to them by Mr. Harper, in obedience, therefore, to your orders I went to the ground and found that the map from which I made the description was extremely incorrect, and from a document apparently in the handwriting of Mr. Harper, which they produced, have no doubt that the land was intended to extend to Double Bay. I have therefore written an amended description of the same. See enclosure B.

I have, &c.,
ROBERT HODDLE,
Surveyor.

[Enclosure B to No. 8.]

DESCRIPTION of Messrs. Cooper & Levey's land as granted on 22nd March, 1830, by General Darling: County of Cumberland, parish of Alexandria; bounded on the north by Breakwell's grant, commencing at the South Head Road, 5 chains southerly of the six-miles stone, west 34 chains to Rose Bay, by that bay to Piper's grant (called Point Piper) south 35 chains west 47 chains to Double Bay Creek, by that creek to Double Bay, and by that bay; on the west by a line south 19 chains, and thence by a line west 14 chains to Point Piper Road, by that road to its junction with the South Head Road, which bears east 5° north 9 chains from Gordon's north-east corner; and on the south and east by the South Head Road to the south-east corner of Breakwell's grant—being a consolidation of the several grants made to the following individuals, but for which no deeds have been executed, namely, Jenkins, 50 acres; Piper, 80 acres; Forster, 80 acres; Galvin, 40 acres; Benson, 80 acres; Partridge, 80 acres; Hall, 80 acres; Brine, 60 acres; Bradley, 80 acres; and John Piper, 500 acres,—the whole of which becomes vested in the said John Piper, and were subsequently purchased of him by the said Daniel Cooper and Solomon Levey, the present grantees, containing 1,130 acres.

No. 9.

The Colonial Secretary to The Surveyor General.

Sir,

Colonial Secretary's Office, Sydney, 27 May, 1830.

With reference to your letter of the 13th instant, transmitting an amended description of the lands near Point Piper recently granted to Messrs. Cooper & Levey, I am directed by His Excellency the Governor to request that you will furnish me with a sketch showing the difference between this description and that from which the deeds were prepared. See No. 8.

I have, &c.,
(For the Colonial Secretary),
T. C. HARINGTON.

No. 10.

No. 10.

The Deputy Surveyor General to The Colonial Secretary.

Sir,

Surveyor General's Office, Sydney, 1 June, 1830.

See No. 9.

Sketch enclosed.

Appendix B.

In compliance with the request conveyed by your letter of the 27th ultimo, I have the honor herewith to transmit to you a sketch* showing the difference between the amended description of the lands near Point Piper recently granted to Messrs. Cooper & Levey and that from which the deeds were prepared.

I have, &c.,

S. A. PERRY,

Dy. Surveyor General.

Minutes on No. 10.

If the former description contained the quantity stated, the present must contain more by the two pieces marked *a, b*. The chart which accompanied Mr. Gregson's application excludes these two pieces. Will it not be best to execute no more grants without previously advertizing the boundaries? Three errors in executed deeds have come under notice to-day. To explain why the aggregate quantity is the same as in the former description, although the present one includes two additional portions of land.—Surveyor General, 26 June, 1830. Write again.—Surveyor General to expedite explanation, 4 August, 1830.

No. 11.

The Colonial Secretary to The Surveyor General.

Sir,

Colonial Secretary's Office, Sydney, 4 June, 1830.

I am directed by His Excellency the Governor to request that you will ascertain and report to me, for his information, by what authority the road to the spot called Belle Vue, on the South Head Road, has been stopped up, and at whose expense that piece of road was originally made.

I have, &c.,

ALEX. McLEAY.

No. 12.

The Colonial Secretary to The Surveyor General.

Sir,

Colonial Secretary's Office, Sydney, 26 June, 1830.

See Nos. 8 and 10.

With reference to your letters of the 13th May and the 1st instant—the former transmitting an amended description, and the latter an illustrative sketch, of the lands near Point Piper recently granted to Messrs. Cooper & Levey—I am directed by His Excellency the Governor to request your explanation of the circumstance, that although by the amended description two small portions are added to this property, the aggregate quantity is the same as that stated in your former description, from which the deeds were prepared, namely, 1,130 acres.

I have, &c.,

ALEX. McLEAY.

No. 13.

The Colonial Secretary to The Surveyor General.

Sir,

Colonial Secretary's Office, Sydney, 4 August, 1830.

See No. 12.

I am directed by His Excellency the Governor to request that you will expedite the explanation called for by my letter of the 26th June, relative to the discrepancy in the two descriptions furnished by you of the lands near Point Piper recently granted to Cooper & Levey.

I have, &c.,

(For the Colonial Secretary),

T. C. HARRINGTON.

No. 14.

The Surveyor General to The Colonial Secretary.

Sir,

Surveyor General's Office, Sydney, 12 August, 1830.

See Nos. 12 and 13.

In reply to your letter dated 26th June, and to that dated 4th August, requiring an explanation of the circumstance that Cooper & Levey's lands are made to contain the same aggregate quantity in both descriptions, although the boundaries have been altered, I have to inform you, for the Governor's information, that grants are usually made in a given number of acres, and that although slight alterations may take place in the boundaries, it is not usual to alter the superficial extent.

The grant in question includes the following:—

Jenkins	...	...	...	...	...	...	...	50
Piper	...	...	...	...	...	...	...	80
Forster	...	...	...	...	...	...	...	80
Galvin	...	...	...	...	...	...	...	40
Benson	...	...	...	...	...	...	...	80
Partridge	...	...	...	...	...	...	...	80
Hall...	...	...	...	...	...	...	...	80
Brine	...	...	...	...	...	...	...	60
Bradley	...	...	...	...	...	...	...	80
Piper	...	...	...	...	...	...	...	500
								1,130

The

The alteration took place in the 500-acres grant, the boundaries of which, as first measured by Mr. Hoddle, did not exactly correspond with the original measurement, a memorandum of which, in Mr. Harper's handwriting, was sent to this office by Messrs. Cooper & Levey.

I have, &c.,
T. L. MITCHELL,
Surveyor General.

Minute on above.

Prepare a new deed.

No. 15.

The Deputy Surveyor General to The Colonial Secretary.

Sir,

Surveyor General's Office, Sydney, 2 September, 1830.

In compliance with the request conveyed to me by your letter of the 4th June last, I have the honor to report to you, for the information of His Excellency the Governor, that the road to the spot called Belle Vue, on the South Head Road, has been stopped up by Mr. Daniel Cooper, and was originally made by Major Druitt, while Chief Engineer. See No. 11:

I have, &c.,
S. A. PERRY,
Deputy Surveyor General.

[Minutes on No. 15.]

Does it appear that Mr. Cooper has a right to stop this road?

Mr. N.,—The land recently granted by deed to Messrs. Cooper & Levey is bounded by the South Head Road, and consequently includes Belle Vue.

Application has been made for the land to be extended to Double Bay, and the deed is ordered to be prepared accordingly, in which Belle Vue can be reserved to the public, but the former deed must be delivered up.

Mr. Cooper to state if he is willing to allow this spot to be reserved to the public, provided the Government admit his claim to the extension of the boundaries of the Point Piper Estate.—6 Sept., 1830.

No. 16.

The Colonial Secretary to Mr. D. Cooper.

Sir,

Colonial Secretary's Office, Sydney, 6 September, 1830.

His Excellency the Governor being desirous of obtaining for the public the use of the spot called Belle Vue, situated on the South Head Road, the road to which, it has been represented, you have recently stopped up, I am directed by His Excellency to request that you will inform me whether you are willing to allow of that spot, and the road to the same, being reserved for the public, provided the Government will admit the claim you have made for an extension of the boundaries of the estate formerly Captain Piper's, but lately conveyed to you by deed.

I have, &c.,
ALEX. McLEAY.

No. 17.

(Missing Paper.)

From Daniel Cooper, 11th September, 1830.

SUBJECT: Having thrown open Belle Vue to the public, requests that the Government replace the fence, or lend a carpenter to do it. Papers referred to Mr. Hely, 13th September, 1830. Request allowed. Papers mislaid.

An alleged communication from D. Cooper, of about 11th September, 1830, conveying consent to an offer from the Government for grants of land at Double Bay, on condition of Mr. Cooper reconveying to the Crown land at the summit of Belle Vue, cannot be traced at Colonial Secretary's Office.—6 Dec., /78.

No. 18.

Gazette Notice.

Colonial Secretary's Office, Sydney, 11 August, 1834.

Village at Double Bay—Allotments for Sale.

His Excellency the Governor directs it to be notified that the plan for the village at Double Bay having been approved, the same may be seen at the office of the Surveyor General, where also every information may be obtained by persons desirous of becoming purchasers of allotments, in order to enable them to make their applications in the prescribed form through that officer.

By His Excellency's Command.
ALEXANDER McLEAY.

No. 19.

Gazette Notice.

Colonial Secretary's Office, Sydney, 20 October, 1834.

Sale of Town Allotments.

At 12 o'clock of Friday, the 13th day of February next, the Collector of Internal Revenue will put up to auction, at the Police Office, Sydney, the undermentioned town allotments, on the conditions authorized by Government.

Further particulars respecting the allotments may be obtained from the Surveyor General, and respecting the conditions from the Collector of Internal Revenue.

7. Cumberland ($\frac{1}{2}$) half an acre, village of Double Bay, parish of Alexandria, allotment No. 38; applied for by David Poole. Price, £40 per acre.
21. Cumberland ($\frac{1}{2}$) half an acre, more or less, village of Double Bay, parish of Alexandria, allotment No. 39; applied for by Thomas Ryan. Price, £40 per acre.
22. Cumberland ($\frac{1}{2}$) half an acre, more or less, village of Double Bay, parish of Alexandria, allotment No. 40; applied for by Thomas Ryan. Price, £40 per acre.
23. Cumberland ($\frac{1}{2}$) half an acre, more or less, village of Double Bay, parish of Alexandria, allotment No. 41; applied for by Thomas Ryan. Price, £40 per acre.
24. Cumberland ($\frac{1}{2}$) half an acre, more or less, village of Double Bay, parish of Alexandria, allotment No. 42; applied for by Thomas Ryan. Price, £40 per acre.
25. Cumberland ($\frac{1}{2}$) half an acre, more or less, village of Double Bay, parish of Alexandria, allotment No. 44; applied for by Thomas Ryan. Price, £40 per acre.
27. Cumberland ($\frac{1}{2}$) half an acre, more or less, village of Double Bay, parish of Alexandria, allotment No. 46; applied for by William Macdonald. Price, £40 per acre.
28. Cumberland ($\frac{1}{2}$) half an acre, more or less, village of Double Bay, parish of Alexandria, allotment No. 47; applied for by William Macdonald. Price, £40 per acre.
29. Cumberland ($\frac{1}{2}$) half an acre, more or less, village of Double Bay, parish of Alexandria, allotment No. 48; applied for by William Macdonald. Price, £40 per acre.
31. Cumberland ($\frac{1}{2}$) half an acre, more or less, village of Double Bay, parish of Alexandria, allotment No. 36; applied for by P. G. Verge. Price, £40 per acre.
32. Cumberland ($\frac{1}{2}$) half an acre, more or less, village of Double Bay, parish of Alexandria, allotment No. 37; applied for by P. G. Verge. Price, £40 per acre.
35. Cumberland ($\frac{1}{2}$) half an acre, more or less, village of Double Bay, parish of Alexandria, allotment No. 49; applied for by P. G. Verge. Price, £40 per acre.
36. Cumberland ($\frac{1}{2}$) half an acre, more or less, village of Double Bay, parish of Alexandria, allotment No. 50; applied for by P. G. Verge. Price, £40 per acre.
70. Cumberland ($\frac{1}{2}$) half an acre, more or less, at Double Bay, parish of Alexandria, allotment No. 45; applied for by William Wilson. Price, £40 per acre.

By His Excellency's Command,
ALEXANDER McLEAY.

No. 20.

Mr. J. Holt to The Colonial Secretary.

Sir,

Waterloo Warehouse, Sydney, 17 January, 1835.

See No. 19.

Fourteen allotments.

With reference to the Government notice of the 20th October last, advertizing sundry allotments of land in the village of Double Bay and parish of Alexandria for sale by public auction, on the 13th proximo, I beg leave respectfully to state that numbers 36, 37, 38, 39, 40, 41, 42, 44, 45, 46, 47, 48, 49, & 50 of the said allotments are of land constituting a portion of the estate of "Point Piper," which records in the Surveyor General's Office will fully prove, so well as other evidences. The site of the western portion of the said intended village is ground which was originally reserved by the Crown for a botanical garden, and numbered out accordingly by Mr. Harper (late a Government surveyor), at the period he measured the abovenamed estate for John Piper, Esq., the original possessor, when he made the eastern and southern boundaries thereof part of the boundaries of the said grant of land.

I therefore respectfully solicit His Excellency the Governor will be pleased to order the suspension of the sale of the abovenamed allotments of land for the reason herein stated.

I have, &c.,

JAMES HOLT.

(As attorney for the late firm of COOPER & LEVEY.)

Minute on above.

Surveyor General to report.

No. 21.

The Colonial Secretary to The Surveyor General.

Sir,

Colonial Secretary's Office, Sydney, 24 January, 1835.

See No. 20.

See No. 19.

I am directed by His Excellency the Governor to request your report upon the enclosed letter of Mr. James Holt, on behalf of Cooper & Levey, claiming as a portion of the Point Piper Estate part of the site of the village of Double Bay, including the allotments Nos. 36 to 50 inclusive, advertized for sale in the notice of the 20th October last to be put up on the 13th proximo.

I have, &c.,

(For the Colonial Secretary),

T. C. HARRINGTON.

No. 22.

11

No. 22.

The Surveyor General to The Colonial Secretary.

Sir,

Surveyor General's Office, Sydney, 27 January, 1835.

In attention to your letter, in which you inform me that you are directed by His Excellency the Governor to request my report upon the enclosed letter of Mr. James Holt, on behalf of Messrs. Cooper & Levey, claiming as a portion of the Point Piper Estate part of the site of the village of Double Bay, including the allotments Nos. 36 to 50 inclusively, advertized for sale on the 13th February next, I have the honor to state, for the information of His Excellency the Governor, that subsequently to your letter with which you transmitted to me the deed of grant of the Point Piper Estate for registration, I transmitted to you an amended description of this estate in my letter, and which was accompanied by a letter from Mr. Hoddle, stating the grounds on which he assumed that the land in question was to extend to Double Bay, as claimed by Cooper & Levey. In reply to this communication, you requested by your letter an illustrative sketch; this was forwarded in my letter. You then, in your letter, required some explanation about the quantity, to which I replied in my letter; and here it appears that the matter rested, and that no decision was made, or at least communicated to me. If therefore reference be had to the letter of Mr. Hoddle before alluded to, I conclude that a sufficient explanation of the subject in question will be afforded.

I have, &c.,

T. L. MITCHELL,
Surveyor General.

No. 23.

Minute on the case.

[Immediate.]

SEND to the Surveyor General all the enclosed papers, which include all the letters referred to in his of the 27th of last month; and as a deed, of which the enclosed is a copy, was made out in favour of Messrs. Cooper & Levey, and sent to him (the Surveyor General) on the 22nd March, 1830, and no other deed has ever been executed, request of him to report whether the boundaries as described in that deed include the proposed site of the village of Double Bay, or what other title Messrs. Cooper & Levey have, or are supposed to have, to the land which they now claim.—5 Feb., /35.

No. 24.

The Colonial Secretary to The Surveyor General.

Sir,

Colonial Secretary's Office, Sydney, 5 February, 1835.

With reference to your letter of the 27th ultimo, relative to the land claimed by Messrs. Cooper & Levey, at Double Bay, I do myself the honor to transmit herewith a copy of the deed which was made out in favour of the abovementioned parties, and forwarded to you on the 22nd March, 1830, and no other deed has since been executed. I also forward all the correspondence relative thereto, for your information.

I am directed by His Excellency the Governor to request you will report whether the boundaries described in that deed include the proposed site of the village of Double Bay, or what other title Messrs. Cooper & Levey have, or are supposed to have, to the land which they now claim.

I have, &c.,

ALEX. McLEAY.

No. 25.

The Surveyor General to The Colonial Secretary.

Sir,

Surveyor General's Office, 12 February, 1835.

In attention to your letter of the 5th February, in which you refer to my letter relative to the land claimed by Messrs. Cooper & Levey, at Double Bay, and transmit to me a copy of the deed which was made out in favour of the above-mentioned parties, stating that no other deed has been issued, and likewise transmit to me all the correspondence on the subject, informing me that you are directed by His Excellency the Governor to request me to report whether the boundaries described in that deed include the proposed site of the village of Double Bay, or what other title Messrs. Cooper & Levey have, or are supposed to have, to the land which they now claim, I have the honor to state, for the information of His Excellency the Governor, that the deed above alluded to does not include the site for the village, but it appears that Messrs. Cooper & Levey have a claim to a portion of that site. It is not possible for me to remember the particular circumstances, a period of five years having elapsed; but it would appear that after Mr. Surveyor Hoddle had prepared a description from some general map of the estate in question, and the deed thereof had been issued in accordance therewith, some application was made, either personally or otherwise, by Cooper & Levey, or their agents, relative to their claim to a portion of land fronting Double Bay. I called Mr. Hoddle's attention to this, and, after examining the ground, and likewise examining a document, apparently in the handwriting of Mr. Harper, he stated to me his belief "that the representations of Messrs. Cooper & Levey were correct, and that a portion of the frontage of Double Bay had been originally measured to them." This is gathered from Hoddle's letter of the 12th May, 1830, which is as follows:—

Sir,

Sydney, 12 May, 1830.

In consequence of the representation made by Messrs. Cooper & Levey that the consolidated deeds recently made out for 1,130 acres does not extend to Double Bay, which they state was measured to them by Mr. Harper, in obedience, therefore, to your orders, I went to the ground and found that the map from which I made the description was extremely incorrect, and from a document, apparently in the handwriting of Mr. Harper, which they produced, have no doubt that the land was intended to extend to Double Bay. I have therefore written an amended description of the same.

I have, &c.,

ROBERT HODDLE, Surveyor.
The

The amended description which accompanied Mr. Hoddle's letter, and which included the portion in question of Double Bay, appears, after communications with this office about the area, a sketch; and Belle Vue to have been so far entertained by Governor Darling (this is apparent from the correspondence) that a fresh deed was offered to Messrs. Cooper & Levey, provided they would give up Belle Vue to the use of the public and return the deed already issued; and here it appears the matter rested, and was of course lost sight of in this office, the existing deed being considered as a permanent arrangement, as no intention of the issue of another having been intimated to me. I have referred to the original order for this land, from which it appears that the frontage to be allowed on the bay was only 8 chains, about the half of what is at present claimed; that order, however, extended the land across the road, including some of the allotments at Mrs. Darling's Point. This land was probably surrendered in consequence of the present quantity being minus by 170 acres the quantity originally ordered, viz., 1,480 acres, and which quantity Captain Piper could not perhaps make up by purchases. The original arrangement having been thus partially invaded, the bay frontage may have been extended, as now claimed, as far as the garden by some subsequent survey or understanding, for Mr. Hoddle founds his new description on a document of Mr. Harper's shown to him by Cooper & Levey, and which document these parties might be called upon to produce, and by a comparison with the original order it could then be more satisfactorily ascertained whether the claim is good for the whole or the half of the frontage, provided His Excellency the Governor should think proper to entertain the claim; and if His Excellency does so, it will be preferable that a deed of the small portion on the bay should be issued to Messrs. Cooper & Levey than that an entirely fresh deed, as originally proposed, should be prepared. All the correspondence and documents transmitted to me in your letter are herewith returned.

I have, &c.,

T. L. MITCHELL,
Surveyor General.

Minute on above.

From some of the circumstances stated in this letter it seems possible that Messrs. Cooper & Levey may have some equitable claim on the Government for a greater portion of land at Double Bay than is contained in the grant. It may therefore be proper so far to entertain their present claim as to call upon them to lay before the Attorney General the grounds upon which they have made the statement contained in their letter of 17th January last, and to request that officer's report, transmitting to him this letter and such other documents as may be required, and directing the Surveyor General to give him any further information in his power when called on by him.—R.B., 14 February.

No. 26.

The Colonial Secretary to The Crown Solicitor.

Sir,

Colonial Secretary's Office, Sydney, 26 February, 1835.

In transmitting to you the papers enumerated in the accompanying list, I am directed by His Excellency the Governor to request you will obtain the opinion of the law officers on the claim therein mentioned of Messrs. Cooper & Levey to certain land at Double Bay, calling on Mr. Holt, the attorney of Messrs. Cooper & Levey, and the Surveyor General for any further information which may be required.

I have, &c.,

T. C. HARINGTON.
(For Colonial Secretary).

List of papers transmitted to the Crown Solicitor with the Colonial Secretary's letter of 26th February, respecting the claim of Messrs. Cooper & Levey to certain land on Double Bay:—

1. 1830, January 25. Mr. Gregson, agent to Messrs. Cooper & Levey, to the Colonial Secretary.
2. " March 15. Surveyor General to Colonial Secretary.
3. " May 13. Do.
4. " June 1. Do.
5. " August 12. Do.
6. 1835, January 17. Mr. Holt, attorney to Messrs. Cooper & Levey, to Colonial Secretary.
7. " February 12. Surveyor General to Colonial Secretary.

Minutes on No. 26.

Mr. Holt and Surveyor General written to 14th March, 1835.

Mr. D.,—Write again to Mr. Holt for Mr. Harper's memorandum and to call on me to explain, for I cannot suggest the propriety of adding to the land described in the former deed unless I am satisfied as to Mr. Harper's having included the piece now claimed.—D.C.

Mr. Holt written to accordingly.—20 June.

This should now go to the Civil Crown Solicitor, to obtain the opinion of the Attorney General on the point submitted.—B.C., November 10/35 (for Col. Sec.), T.C.H.

No. 27.

The Colonial Secretary to Mr. J. Holt.

Sir,

Colonial Secretary's Office, Sydney, 26 February, 1835.

With reference to your letter of the 17th January, I do myself the honor to inform you that all papers in this office relating to the claim of Messrs. Cooper & Levey to certain land in Double Bay have been transmitted to the Crown Solicitor for the purpose of obtaining the opinion and report of the law officers; and I am directed by His Excellency the Governor to request that you will therefore lay before that gentleman the grounds upon which you have made the statements contained in the letter above alluded to.

I have, &c.,

T. C. HARINGTON.
(For the Colonial Secretary).

No. 20.

No. 28.

13

No. 28.

The Colonial Secretary to The Surveyor General.

Sir,

Colonial Secretary's Office, Sydney, 26 February, 1835.

In acknowledging the receipt of your letters of 27th January and 12th February, I do myself the honor to inform you that all the papers in this office connected with the claim of Messrs. Cooper & Levey to certain land in Double Bay have been transmitted to the Crown Solicitor for the purpose of obtaining the opinion and report of the land officers; and I am directed by His Excellency the Governor to request that you will furnish those gentlemen with any further information they may require.

I have, &c.,

(For the Colonial Secretary),

T. C. HARRINGTON.

No. 29.

Mr. J. Holt to The Crown Solicitor.

Sir,

Waterloo Warehouse, 6 March, 1835.

In obedience to the request of His Excellency the Governor, contained in a letter from the Colonial Secretary's Office, dated the 26th ultimo, in reply to mine of the 17th January last, relative to a certain piece of land at Double Bay, formerly a portion of the estate named Point Piper, the property of the late firm of Messrs. Cooper & Levey, and therein entrusting me to lay before you the grounds upon which I claim the same,—

I do myself the honor to state, from information I have received from undoubted authority, that during the administration of Governor Macquarie, the late Mr. James Meehan, Deputy Surveyor General, measured a piece of land as a reserve for a botanical garden, the boundaries of which were duly described and marked in the Government maps of the day. This circumstance was fully confirmed by Mr. Harper, late a Government surveyor, now living on his estate at Hunter River, while measuring 500 acres for Captain Piper, the original grantee. After describing the eastern portion thereof agreeably to a memorandum in his own handwriting, which I hold possession of, states as follows:—"On the south by that (alluding to the South Head) road to its junction with the road leading to Point Piper; on the west by Point Piper Road to the south-west corner of the garden reserved for Government, and by this garden bearing east 14 chains and north 19 chains to Rose Bay; and on the north by the waters of Port Jackson, &c."

Although in the said description Rose Bay is written, it must be distinctly evident Double Bay was intended, which the antecedent portion of the description fully bears out. In the deed of grant from Governor Darling to Messrs. Cooper & Levey this particular description of the south and east boundary of the said reserved gardens is fully recognized, with the exception that in place of stating the east boundary bearing north to the bay, it names it to bear to Point Piper Road. Now, the road was originally formed and made by Captain Piper through that convenient portion of his estate, as to him seemed best—had Government formed it, the case would perhaps have been considered different. It was therefore evident, agreeably to Mr. Harper's original and last survey of the 500 acres constituting a portion of Point Piper Estate, that all that the Crown at that date claimed was 14 chains from the said described road in an east direction and 19 chains in a north bearing to the bay, where it terminated. The road, I beg to state, is between 6 and 7 chains from the bay. I have not the least doubt if the field-books and original maps of Messrs. Meehan & Harper, in the office of the Surveyor General, were carefully examined, the doubt on the part of the Crown would be fully removed, and it would be ascertained that the right of the late firm of Messrs. Cooper & Levey, as the assigns of the original grantee, to the small piece of land (about 6 or 7 acres) now in their possession, claimed by Government, clearly established; and that some unforeseen clerical error must have been committed in making out the description contained in the deed of grant above alluded to, as at the period the 500 acres (forming a portion thereof) was measured by Mr. Harper it decidedly included the same; and at such date the value thereof was not considered to be worth five shillings per acre, it having remained then nearly forty years without being selected, consequently considered not worthy of acceptance.

A recent communication I have received from Mr. Daniel Cooper, from London, emboldens me thus to state, and consider the claim perfectly legitimate, as his memory fully bears out the particulars I have herein enumerated; and also that a correspondence between him and the Colonial Secretary transpired on the subject immediately after he received the deed of grant, expostulatory of the clerical error in the description; therefore if the same had not at that date been considered correct, why leave it to a period of nearly five years before attempting to claim it?

Thus, sir, I have endeavoured in as clear and concise a manner as possible to state my grounds for retaining possession of the piece of land at Double Bay as part of the original estate of Point Piper, and feel confident you will give it that mature consideration it deserves, and render to His Excellency the Governor that fair and impartial report of the case as in your opinion is considered just and equitable.

I have, &c.,

JAMES HOLT.

(As attorney for the late firm of COOPER & LEVEY).

No. 30.

The Surveyor General to The Crown Solicitor.

Sir,

Surveyor General's Office, 25 March, 1835.

In compliance with request contained in your letter of the 17th instant, referring to my letter to the Colonial Secretary of the 12th ultimo, I have the honor to transmit herewith a sketch showing the portion of land claimed by Messrs. Cooper & Levey as part of the Point Piper Estate, distinguishing that portion from the land described in their deed of grant.

I have, &c.,

(For the Surveyor General),

S. A. PERRY,

Deputy Surveyor General.

* Not with the papers.
See No. 25.
† Sketch enclosed.

† The sketch above alluded to is similar to the one enclosed in No. 10.

No. 31.

No. 31.

The Colonial Secretary to The Crown Solicitor.

Sir,
 Colonial Secretary's Office, Sydney, 22 May, 1835.
 I do myself the honor to request your early attention to the following letter, to which no reply appears to have been received.
 I have, &c.,
 (For the Colonial Secretary),
 T. C. HARINGTON.

See No. 28.

1835, February 26th. Respecting the claim of Messrs. Cooper & Levey to certain land at Double Bay.

Minute on above.

Mr. B.—State that I wrote to Mr. Holt for information on the 14th March, 1835, and that he has not attended to my letter. See that letter, and mention its contents.—D.C.

No. 32.

The Crown Solicitor to The Colonial Secretary.

Sir,
 Crown Solicitor's Office, 25 May, 1835.

In answer to your letter of the 22nd instant, requesting my reply to your letter of 26th of February last, respecting the claim of Messrs. Cooper & Levey to certain land at Double Bay, I have the honor to inform you that on the 17th March last I wrote to Mr. Holt, the agent of Messrs. Cooper & Levey, requesting that he would furnish me with the document apparently in the handwriting of Mr. Harper, which was produced to Mr. Surveyor Hoddle, on behalf of Messrs. Cooper & Levey, when he surveyed the ground in 1830; and also that he would explain why that deed has remained since 1830 without any alteration in the description, which, I understood, did not include the portion now claimed. I further requested Mr. Holt would give me a personal interview on the subject, to which letter I have not at present received any reply. I have again written to Mr. Holt, requesting his attention to that letter.
 I have, &c.,

D. CHAMBERS,

Crown Solicitor.

Minute on above.

Request of him to take measures for bringing the matter to a final settlement speedily.

No. 33.

The Colonial Secretary to The Crown Solicitor.

Sir,
 Colonial Secretary's Office, Sydney, 3 June, 1835.

With reference to your letter of 25th May, reporting the applications you had made to Mr. Holt respecting the land at Double Bay claimed by Messrs. Cooper & Levey, I do myself the honor to request that you will take measures for bringing the matter speedily to a final settlement, and not lose sight of it until this is done.
 I have, &c.,

(For the Colonial Secretary),
 T. C. HARINGTON.

Minutes on above.

Mr. B.—Write to Mr. Holt, referring to my former letters, and say that, in the absence of such information as I required, I must act upon the document in my possession. Ask for his answer immediately.—D.C. Mr. Holt written to accordingly, in terms of above minute.—10 June, 1835.

No. 34.

The Surveyor General to The Colonial Secretary.

Sir,
 Surveyor General's Office, 29 August, 1835.

I have the honor to request that you will represent to His Excellency the Governor that it is highly important that some decision should be come to relative to the claim of the late firm of Cooper & Levey to land at Double Bay Village, as the protracted delay of such matters leads to further embarrassments, and, moreover, causes unnecessary trouble, as the whole subject has to be gone through and mastered every time it is revived.
 I have, &c.,

S. A. PERRY,
 (In absence of the Surveyor General),
 Deputy Surveyor General.

Minute on above.

Copy of this to Mr. Fisher, referring him to the late acting Crown Solicitor, and request of him to report on the subject as soon as possible.

No. 35.

Mr. J. Stuart to The Surveyor General.

Sir,

Being desirous to purchase the following three allotments of land, I request you will obtain the Governor's authority that they may be put up to sale at the price determined by the Government.
 4 June, 1840.

Nos.

Nos. 8, 9, and 10 of allotments in the village of Double Bay, parish of Alexandria, bounded on the north by South-street and the rear by land of Messrs. Cooper & Levey.

I am free, and arrived in the Colony by the ship "North Briton," in the month of March, 1836.

I have, &c.,

JOHN STUART.

Minutes on above.

These allotments form part of the village as laid out, but they are among those claimed by Messrs. Cooper & Levey, and until some decision is arrived at they must remain undisposed of. This matter should be brought forward, that it may be finally got rid of.—25 July, 1840.

No. 36.

The Surveyor General to The Civil Crown Solicitor.

Sir,

Surveyor General's Office, Sydney, 4 February, 1841.

In acknowledging the receipt of your letter of the 13th January, by which you forward to me the papers relating to the land at Double Bay claimed by Messrs. Cooper & Levey, and request my report thereon, I have the honor to point out that my report for the information of the Government is contained in a letter of the 12th February, 1835, and that in consequence the whole of the papers connected with the case were referred to your office, and were, to a certain extent, acted upon, as appears by several minutes in the handwriting of Mr. David Chambers; but in order to put you in full possession of all the facts connected with the case, I enclose a tracing* from an original survey by Meehan, a copy of the original order by Governor Macquarie, which followed upon the said survey, and a copy of the description prepared for a deed of the 690 acres.

Not with the papers.

Tracing enclosed A. See enclosures B and C. *Appendix C.

I have, &c.,

S. A. PERRY.

[Enclosure B to No. 36.]

JOHN Piper, Esq., 1,480 acres, in the district of Sydney. Bounded on the south side by the road leading to the South Head; on the east side by Breakwell's farm, bearing east 34 chains to Rose Bay; on the north side by the harbour of Port Jackson until it passes 8 chains west of the present bridge to the intended botanical gardens, west to the road, along the present road 7 chains 80 links; then a south line of 15 chains, being the intended botanical gardens; thence a west line to Thomas's farm; on the west side by that farm bearing south 20 degrees east, and a south line to the South Head Road, reserving the present road leading to the botanical gardens and Point Piper, of 1 chain wide.

J. OXLEY,

Surveyor General.

JAMES MEEHAN,

Deputy Surveyor General.

Approved.—L. MACQUARIE, Sydney, 24th November, 1821.

This farm comprises 500 acres in lieu of a house purchased by Government, 80 acres gift, 700 acres exchanged, and 190 acres already granted to this grantee—both grants being hereby cancelled.

[Enclosure C to No. 36.]

JOHN Piper, Esq.—690 (in the copy of the description erroneously written 80) acres. Bounded on the east side by a line south 35 chains, bounding Benson's farm, commencing at the original north-east corner of Point Piper farm; then west 4 chains and south 70 chains to the South Head Road; on the south by that road to its junction with the road leading to Point Piper; on the west by the Point Piper Road to the south-west corner of the garden reserved for Government, and by that garden bearing east 14 chains and north 19 chains to the water of Port Jackson; and on the north by the water to the first corner, including the original grant of Point Piper, containing 190 acres.

No. 37.

The Surveyor General to The Colonial Secretary.

Sir,

Surveyor General's Office, Sydney, 8 March, 1841.

The subject of the dispute between the Government and the firm of Messrs. Cooper & Levey relative to the land at Double Bay having been brought under my notice recently by the Civil Crown Solicitor, who forwarded to me all the papers in the case, and requested my report thereon, I have the honor to state, for the information of His Excellency the Governor, that although five years have elapsed since my report was sent in, very little has occurred to alter the aspect of the case. There is, however, one fact which I beg to bring under His Excellency's notice, in order that it may be made known to the Civil Crown Solicitor, should His Excellency think proper.

Messrs. Cooper & Levey rest their claim entirely on a memorandum in the handwriting of Mr. Harper, which is mentioned in the latter part of my report, wherein it is recommended that Messrs. Cooper & Levey should be called on to produce the said memorandum, but a document has been since discovered in this office which throws some light on the memorandum in question, as it shows the manner in which the arrangement of which it forms a part originated.

It will be observed that the Point Piper Estate consists of a grant under the seal of 190 acres to John Piper, of a promise of 500 acres to John Piper, and various small orders which the said John Piper had purchased. The present arrangement is that the deed of grant of the 190 acres is untouched, and a deed of grant embracing the 500 acres and the small purchases has issued. The original intention, as authorized by Governor Macquarie, was to cancel the deed of the 190 acres, and to issue one grant deed of the whole, but it appears that a different arrangement was contemplated about 1824-5, but not carried into effect. This was to issue one consolidated deed of the 190 and 500 acres (total 690 acres), and separate deeds of the small purchases; and with the view to effect this, descriptions were made out, and it is in the description prepared for the proposed deed of the 690 acres that the passage occurs which would give to Cooper & Levey the whole of the frontage to the bay now sought by them. The words are, "On the west by the Point Piper Road to the south-west corner of the garden reserved for Government, and by that garden bearing east 14 chains and north 19 chains to the waters of Port Jackson; and on the north by the water."

The

The question therefore is, was this arrangement ever authorized? Mr. Harper might certainly have given to Cooper & Levey a memorandum which would point out something proposed, but as it does not appear that this was ever carried into effect, it may be concluded that the measure was not approved; at all events it would appear incumbent on Messrs. Cooper & Levey to show on what representation of theirs the original arrangement so specially provided for in the order signed by Governor Macquarie was departed from. In order to illustrate this new feature in the case, I enclose a tracing from the original survey by Meehan, a copy of the original order by Governor Macquarie which followed upon the said survey, and a copy of the description prepared for a deed of the 690 acres.

The papers handed to me by the Civil Crown Solicitor have been returned to him, and he has been furnished with copies of the three documents above alluded to.

I have, &c.,
T. L. MITCHELL,
Surveyor General.

Minute on No. 37.

Transmitted to the Civil Crown Solicitor, for his information and guidance.—E.D.T., B.C., 17 March, 1841.

[Enclosure to No. 37.]

DESCRIPTION.

13 March, 1841.
JOHN Piper, 680 acres, county of Cumberland, parish of Sydney. Bounded on the east side by a line south 35 chains bounding Benson's farm, commencing at the original north-east corner of Point Piper farm, then west 4 chains and south 70 chains to the South Head Road; on the south by that road to its junction with the road leading to Point Piper; on the west by the Point Piper Road to the south-west corner of the garden reserved for Government, and by that garden bearing east 14 chains and north 19 chains to the waters of Port Jackson; and on the north by the waters to the first corner, including the original grant of Point Piper, containing 180 acres.

No. 38.

The Civil Crown Solicitor to The Colonial Secretary.

Sir,

Civil Crown Solicitor's Office, Sydney, 3 February, 1842.

With reference to your minute,* 2nd April, forwarding the papers connected with the claim of Messrs. Cooper & Levey to land at Double Bay, I have the honor to inform you that the papers have been laid before the Solicitor General, who is of opinion with me that Messrs. Cooper & Levey are entitled only to the land as described in the grant of 22nd March, 1830, and that that description should be abided by.

I have, &c.,
G. C. TURNER,
Civil Crown Solicitor.

Minutes on No. 38.

It will be seen by the papers that the claim of Messrs. Cooper & Levey was considered so satisfactory that a new deed embracing the portion of land was actually ordered to be prepared. This, however, does not appear to have been done.

It will also be seen that the claim was subsequently in some way acknowledged by the parties being asked if they would allow a certain spot of land included in the grant to be reserved for the public, provided the land at Double Bay was accorded to them. This letter was replied to, I believe, but it cannot now be traced, nor other papers connected with the subject. The law officers give no reason for coming to their present conclusion. Nor does it appear that the Surveyor General has seen the explanation of Cooper & Levey, of date 6th March, 1835, addressed to the former Crown Solicitor, or the Crown Solicitor communicated with the parties upon the points referred to by the Surveyor General in letter of 8th March, 1841.—30th March. (No Signature or Initial.)

Let a *précis* embracing the whole points of the case be made for the Governor. It may be necessary then to refer back the papers to the Civil Crown Solicitor to ascertain the grounds upon which the Solicitor General has given his decision, as communicated in 42/988. From a perusal of the papers, particularly of the report of the Surveyor General, Messrs. Cooper & Holt would appear to have a claim to a part at least of the frontage on Double Bay, and which formed the ground apparently of the late Governor's consent to a reference to the law officers. Further search should also be made for the reply to the Colonial Secretary's letter to Messrs. Cooper, of 6th September, 1840, of which the number is erroneously given as 35/6,890. (Enclosed in 42/988.) 31st March.

Mr. Raymond,—You will perceive that several papers are missing, but I can only give you the following register numbers:—30/6,890: This relates to road to Belle Vue; 8,472 relates to Jenkins's land at Rose Bay. 35/3,755. You will also see by your pencil memo. on 41/2,963 that some were sent to Crown Solicitor in November, 1840. None, however, apparently of the enclosed.—1 April.

35/3,955 was sent to the Solicitor General on 22nd June, 1835, and not returned. It is a letter from the Solicitor General for information, which was endorsed on it and returned. I send herewith some old papers referring to an encroachment of Cooper & Levey.

Mr. Raymond,—You don't send 30/6,890. It is the letter required by the Colonial Secretary.—5th April.

30/6,890 is from Mr. Cooper for men to repair and fence road to Belle Vue, which he has thrown open to the public, sent to Mr. Hely on 13th September, 1830.

No. 39.

Précis of the case.

In the year 1830 a deed of grant of certain land comprising a portion of the Point Piper Estate was executed in favour of Messrs. Cooper & Levey, and which included a number of small locations purchased by Capt. Piper. This deed issued immediately afterwards, without however, it would seem, the grantees being

See enclosures A and B to No. 36. For description see enclosure.

17 March, 1841. See No. 37.

See No. 29.

See No. 37.

See No. 38.

Missing.

being aware of the particular spot included in the deed. Shortly afterwards the Surveyor General sent in a fresh measurement of the land, as furnished by the surveyor who surveyed the ground, on which the former description was made out, representing that the map on which he then acted was extremely incorrect. The amended description gave a frontage to Double Bay, and a fresh deed was ordered to be prepared accordingly.

The new deed was not, however, made out, in consequence apparently of its coming under the notice of the Government that the Point Piper Estate had recently fenced in a road to a small spot of ground on the South Head Road called Belle Vue, originally made by the Government (although, I think, included in the deed to Cooper & Levey). Upon this Messrs. Cooper & Levey were asked whether they would allow the spot in question to be reserved to the public, provided the Government admitted their claim to the land on Double Bay.

This was answered apparently in the affirmative, with a request that men might be lent for the purpose of opening the road. The letter was accordingly sent to the Principal Superintendent of Convicts of the time, but nothing done further in the matter, nor the letter returned. Notwithstanding the claim of Cooper & Levey, it appears that the Surveyor General inadvertently measured for sale certain allotments in Double Bay on the very land, but on this being represented the intended sale was put off.

By the Surveyor General's report it is stated that Cooper & Levey were entitled to a portion of the frontage claimed by them and included in the amended description for the new deed. The surveyor recommended that the parties should be called upon to produce the documents alluded to by them as the foundation of their claim; and the correspondence was accordingly sent to the Crown Solicitor, in order that the law officers might ascertain the merits of the case. In 1841 the Surveyor General represented that, in consequence of the Crown Solicitor having made reference to him upon the subject, a certain fact had come under notice, which he describes, as appears to me, in some way to militate against the claim; but whether to the whole frontage or a portion I am not surveyor enough to make out, but I believe only to a portion. This letter was sent to the Crown Solicitor, who now reports that having laid the papers before the Solicitor General, that officer agrees with him that the parties are entitled only to the land included in the deed of grant. He gives, however, no reason for this opinion, nor does it appear whether they obtained from Cooper & Levey the documents on which their claim rests, which seems important. It appears to me that this is not a case for the law officers, but more properly for the Surveyor General, who should call upon Messrs. Cooper & Holt for their evidence, and report thereon with reference to the records of his office.—7 April, 1842.

Minutes on above.

The whole case rests upon 30/6,093, which (though not supported by the initials even of General Darling) seems to have sanctioned the preparation of a new deed in consequence of Mr. Hoddle's report. It now appears, however, that Mr. Hoddle was wrong, and that the memorandum of Mr. Harper, on which he proceeded, had reference to a proposed grant of 690 acres, which was never acted on, and altogether void.—G.G., 8 April, 1842. See No. 14.

Let a copy of the Crown Solicitor's letter of the 3rd February last be sent to Mr. Holt; and inform him in so doing that although the question between Messrs. Cooper & Levey and the Government may not be one which should be decided by the strict rules of law, still I feel bound to adhere to the advice given to me by the law officers of the Crown, and that therefore I cannot admit their claim to any greater quantity of land at Double Bay than is secured to them by the deed which they hold from the Crown. It certainly does appear that General Darling in 1830 so far entertained their claim as to consent to the issue of a new deed, which would have given to them some extension of their grant, provided they complied with a proposal made by the Government that they should lay open to the public certain lands, or a certain road, near Belle Vue, which was then a place of resort much used for purposes of pleasure or recreation by the inhabitants of Sydney, but the consent thus given by General Darling led to no result; and it moreover appears that he was induced to give his consent to it strictly by a report from Mr. Hoddle, which, though it might have been in accordance with the loose practice which prevailed at the time in all matters relating to land, appears to me to have been formed on an erroneous conception of the case. I cannot admit that the Government of the present day is in any way bound to complete an agreement to which General Darling's consent was conditionally given twelve years ago, the conditions on which it was given having, moreover, never been performed.—G.G., 13 April. See No. 38.

No. 40.

The Colonial Secretary to Mr. J. Holt.

Sir,

Colonial Secretary's Office, 18 April, 1842.

It will have come to your knowledge that in the year 1830 a deed of grant was executed in favour of Messrs. Cooper & Levey for one thousand one hundred and thirty acres of land, forming a part of the Point Piper Estate, and being a consolidation of a number of orders for small grants which had been purchased by Captain Piper, and by him transferred to Messrs. Cooper & Levey; and that subsequently to the execution of the deed a claim was set up by the said grantees to a further portion of land embracing a small extent of frontage to Double Bay; and finally, that their claim to such frontage was in part entertained by Sir Ralph Darling, on condition that they should thereon open to the public a certain road leading to Belle Vue, which had then recently been fenced in by them, and supposed to be included in their deed.

This matter having remained in abeyance for some years, was lately brought under the notice of the Government by an application to purchase land in the village of Double Bay, and, with a view to its final investigation, was referred to the law officers of the Crown.

I now enclose a copy of the Civil Crown Solicitor's reply; and in so doing I have the honor to inform you that although the question between Messrs. Cooper & Levey and the Government may not be one which should be decided by the strict rules of law, still the Governor feels bound to adhere to the advice given to him by the law officers of the Crown, and therefore His Excellency cannot admit the claim of Messrs. Cooper & Levey to any greater quantity of land at Double Bay than is secured to them by the deed which they hold from the Crown. It

It certainly does appear that General Darling, in 1830, so far entertained their claim as to consent to the issue of a new deed, which would have given to them some extension of their grant, provided they complied with a proposal made by the Government (as already stated) that they should lay open to the public certain lands or a certain road near Belle Vue, which was then a place of resort much used for purposes of pleasure or recreation by the inhabitants of Sydney, but the consent thus given by General Darling led to no result; and it moreover appears that he was induced to give such consent chiefly by a report from Mr. Surveyor Hoddle, which, though it might have been in accordance with the loose practice which prevailed at the time in all matters relating to land, appears to have been made from an erroneous conception of the case.

His Excellency cannot admit that the Government of the present day is in any way bound to complete an arrangement to which Sir Ralph Darling's consent was conditionally given twelve years ago, the conditions on which it was given having moreover never been performed.

I have, &c.,

E. DEAS-THOMSON.

No. 41.

The Colonial Secretary to The Surveyor General.

Sir,

Colonial Secretary's Office, 18 April, 1842.

With reference to your letter of the 8th March, 1841, respecting the claim of Messrs. Cooper & Levey to certain land near Double Bay, in addition to the 1,130 acres for which a deed issued in their favour in 1830, I do myself the honor to enclose a copy of a letter which, by direction of His Excellency the Governor, has been addressed to Mr. Cooper's agent on the subject.

I have, &c.,

E. DEAS-THOMSON.

No. 42.

Mr. J. Holt to The Colonial Secretary.

Sir,

Waterloo Warehouse, Sydney, 27 May, 1842.

In reply to your letter of the 15th ultimo (which press of business has prevented from being answered before), on the subject of the claim of Messrs. Cooper & Levey to a piece of land lying between the Point Piper Old Road and Double Bay, commencing on the eastern boundary of the village, which has been in possession a series of years—that is, since it was purchased from Captain Piper, the original grantee.

I beg to state, for the information of His Excellency the Governor, that immediately the consolidated deed of grant of 1,300 acres was received, a correspondence took place between Mr. Daniel Cooper and the Government on the clerical error which appeared in the description of that part of the grant, which terminated in an order for a new deed to be prepared, and the other one to be cancelled, which affirmation is fully borne out in the correspondence which transpired at that date; and as a proof that Mr. Cooper was desirous to oblige the Government, he, after such a step on the part of the Crown had been decided upon, at the solicitation of Sir Ralph Darling, in September, 1830, actually opened the spot called Belle Vue, on the South Head Road, for the recreation of the inhabitants, at which date he solicited the Governor would either fence it in or assign him a carpenter. To this an answer was received from your office stating the latter part of the request would be acceded to, but which, I beg to state, was never complied with; consequently the Crown failed in their contract or agreement on this head, which was the cause, after a considerable period had elapsed, of the same being closed again to prevent the estate suffering from trespassers, which from its contiguity to Sydney would have been of a very serious nature.

Nothing then transpired on the subject until January, 1835, when the Government advertised to sell this piece of land as part of the village of Double Bay, in allotments, to which I protested; and at the request of Sir Richard Bourke, the Solicitor General, in March following, was furnished with a full history of the legitimacy of the justness of Mr. Cooper's claim thereto, which was so satisfactory that the sale was rescinded. In the said letter it appears there was transmitted the copy of a description in the handwriting of the original surveyor (Mr. Harper), at that date in the possession of Mr. Cooper, the part of which relating to the piece now in question is as follows:—

"On the south by that road (meaning the South Head) to its junction with the road leading to Point Piper; on the west by the Point Piper Road to the south-west corner of the garden reserved for Government, and by this garden bearing east 14 chains and north 19 chains to Rose Bay; and on the north by the waters of Port Jackson, &c., &c."

Although in the said description "Rose Bay" is written, it is distinctly apparent "Double Bay" was the place. Thus it is clear that the said land is part and parcel of the 500 acres grant, otherwise it would have had no water frontage at all, a thing unprecedented at the period. The same was measured when the land was not worth 5s. per acre, and all that was required by the Government at the time is fully defined in the east line of 14 chains and north line 19 chains to the bay, now forming the village.

I have no doubt that the old records in the Surveyor General's Office will fully bear out every assertion that has been made during the twelve years correspondence on the subject; and I am informed that Mr. Deputy Surveyor General Meehan was the person who originally marked out the land for a garden (now the village of Double Bay), consequently his maps and field-books were the guidance to Mr. Harper when he measured the 500 acres as an additional grant to Captain Piper; and again, the documents of these two latter persons combined together enabled Mr. Surveyor Hoddle, during the administration of Sir Ralph Darling, to report the piece of land now attempted to be claimed by the Crown as constituting a part and parcel of the aforesaid additional grant of 500 acres, consequently requiring a new deed to be made out including the same.

Thus, I think, it will plainly be discerned that the statement made in your letter that the condition on which the new deed was to be prepared, the opening of Belle Vue, was not really so, but for the purposes of causing a correction in the description after the various indisputable and satisfactory proofs adduced on the occasion.

I,

No. 37.

See No. 40.

No. 40.
* 18 April, 1842.

I, therefore, am induced respectfully to request His Excellency the Governor will be pleased to reconsider the case, and recognize the legitimacy of Mr. Cooper's claim to the land in question (as Sir Ralph Darling and Sir Richard Bourke, in their official capacities, were pleased to admit of), by ordering a new deed to be prepared; and if the Government think proper, I have no objection to the reopening of Belle Vue, and having the same reserved by the Crown as a spot of recreation for the inhabitants of Sydney: Proviso, the same is fenced in, or otherwise, as proposed and mutually agreed to in the year 1830.

I have, &c.,

JAMES HOLT.

Minute on above.

Mr. Holt must be informed that I regret I cannot alter the decision, which was not adopted without a very deliberate consideration of the case, and a careful perusal of every existing document connected with it.—G.G., May 30th.

No. 43.

The Colonial Secretary to Mr. J. Holt.

Sir,

Colonial Secretary's Office, Sydney, 1 June, 1842.

Having laid before the Governor your letter of the 27th ultimo, praying a reconsideration of the claims of Messrs. Cooper & Holt to a portion of land at Double Bay in addition to that for which they hold the deed of grant, I have the honor to inform you that His Excellency regrets he cannot alter the decision communicated to you in my letter of the 18th April, which was not adopted without a very deliberate consideration of the case, and a careful perusal of every existing document connected with it. No. 42.
See No. 40.

I have, &c.,

E. DEAS-THOMSON.

No. 44.

The Surveyor General to The Colonial Secretary.

Sir,

Surveyor General's Office, Sydney, 14 October, 1842.

In reference to your letter of the 18th April last, conveying to me the decision of His Excellency the Governor against the claim of Messrs. Cooper & Levey to portions of ground appropriated as the village of Double Bay, I have the honor to state, for the information of His Excellency, that since such decision was communicated to Mr. Holt (the agent of Messrs. Cooper & Levey) it appears that he has blocked up the principal street of the village, called William-street, and destroyed the bridge at the eastern end of William-street, near where it abuts on the Cooper & Levey grant. Seeing that this street affords the only access which the inhabitants have in an easterly direction to the New South Head Road, I would submit that it is desirable that the Government should see that this street is kept open towards the new road and the coast, in justice to the buyers of allotments, according to the original plan; and considering that the road through Double Bay village has been in use for twenty years, I do not see, even supposing the land through which it passes did belong to Messrs. Cooper & Levey, that they had any right to stop up the road. No. 41.

I would take leave to suggest that possession of this land would be best preserved to the Crown by offering for sale some of the allotments fronting the bay, which have long been marked with the names of applicants anxious to purchase them. I have no doubt that they would even now realize a good price, but that it would be better economy to make a good way over the sandy descent called Ocean-street first, by which I should say their value, and that of all land there, would be increased three or four hundred per cent.

The only access to the village is Ocean-street, leading from the South Head Road, and, unfortunately for the inhabitants, Ocean-street is a bed of sand, next to impassable; and I cannot but consider that, in justice to the original purchasers, as well as to enhance the value of the allotments still remaining to the Crown (twenty-seven in number), it would be very desirable that the repairing of Ocean and William Streets and the restoring the bridge, so unwarrantably destroyed by Mr. Holt, should be undertaken by the Government at once; at all events, the bridge should be repaired, and some understanding had with Mr. Holt to prevent his destroying it again.

I have, &c.,

(For the Surveyor General),

S. A. PERRY,

Deputy Surveyor General.

Minute on No. 44.

The proposals herein contained appear to me reasonable and proper; but the whole matter is one in which we must proceed with caution. Whether or not it may be worth while to make Ocean-street into a good road must depend in a great measure on the quantity of land remaining unsold. A plan or sketch of the land should therefore be prepared, and the Surveyor General should confer with Colonel Barney as to the employment of a gang of men upon Ocean-street. In the meantime let a letter be written to Mr. Holt, informing him that unless the bridge be replaced and the road which he has stopped up reopened, I shall be under the disagreeable necessity of desiring proceedings to be taken against him.—G.G., October 18.

No. 45.

The Colonial Secretary to Mr. J. Holt.

Sir,

Colonial Secretary's Office, 20 October, 1842.

It having been represented to the Government that since the decision on the claim of Messrs. Cooper & Levey to a portion of the village of Double Bay was communicated to you by my letter of the 18th April and 1st June last, you have blocked up the principal street of the village, called William-street, and destroyed the bridge at the eastern end of that street, near where it abuts on the grant of Messrs. Cooper & Levey, I am directed by His Excellency the Governor to inform you that unless the bridge be replaced and the road which you have stopped up reopened, His Excellency will be under the disagreeable necessity of desiring proceedings to be taken against you. See Nos. 40 & 43.

I have, &c.,

E. DEAS-THOMSON.

No. 46.

No. 46.

The Colonial Secretary to The Surveyor General.

Sir,

Colonial Secretary's Office, 21 October, 1842.

No. 44. In acknowledging the receipt of your letter of 14th instant, stating that since the Government decision against the claim of Messrs Cooper & Levey to a portion of the village of Double Bay was communicated to you, it appears that their agent, Mr. James Holt, has blocked up the principal street in that village, called William-street, and destroying the bridge at the eastern end of that street, near where it abuts on the Cooper & Levey grant, and containing some suggestions for the improvement of that village, I have the honor to inform you that the proposal contained in your letter appears to the Government both reasonable and proper; but the whole matter is one which must be proceeded in with caution. Whether or not it may be expedient to make Ocean-street with road as suggested must depend in great measure on the quantity of land remaining unsold. I am therefore to request that you will prepare a plan or sketch of the locality, and that you will confer with Colonel Barney as to the employment of a gang of men on Ocean-street.

In the meantime a letter has been written to Mr. Holt, informing him that unless the bridge be replaced and the road which he has stopped up reopened, His Excellency will be under the disagreeable necessity of desiring proceedings to be taken against him.

I have, &c.,

E. DEAS-THOMSON.

No. 47.

The Surveyor General to The Colonial Secretary.

Sir,

Surveyor General's Office, Sydney, 2 November, 1847.

No. 41.
See No. 40.

With reference to your letter of the 18th April, 1842, and enclosure, in reply to my letter of the 8th March, 1841, respecting the claim of Messrs. Cooper & Levey to certain land near Double Bay, in addition to the 1,130 acres for which a deed issued in their favour in 1830, and by which that claim is negatived, I have now the honor to state that application has been made by H. Haslam to purchase allotments out of the additional land alluded to; and on an examination having been made it is found that the land in question is still in the occupation of the firm of Cooper & Holt, and I have therefore to observe that if it be considered expedient to entertain the application of Haslam to purchase, the possession by Cooper & Holt must, in the first instance, be got rid of.

I have, &c.,

S. A. PERRY,

Deputy Surveyor General.

Minutes on No. 47.

The Surveyor General has overlooked his subsequent letter of the 14th October, 1842, and the reply of the 21st of same month. Perhaps he should be referred to these, and asked what was done in pursuance.—12 November.

Refer him accordingly to that correspondence. Ocean-street has since, I believe, been gravelled and made passable, at the private expense of some of the parties interested.—13 November.

No. 48.

The Colonial Secretary to The Surveyor General.

Sir,

Colonial Secretary's Office, Sydney, 20 November, 1847.

No. 47.

See No. 37.
See No. 44.

In acknowledging the receipt of your letter of the 2nd instant, upon the subject of the claim of Messrs. Cooper & Levey to certain land near Double Bay, and in which you allude to your communication of the 8th of March, 1841, I do myself the honor to refer you to your subsequent letter of the 14th October, 1842, and to the instructions contained in my reply of the 21st October, and to request your further report.

It is believed that Ocean-street has since been gravelled and made passable, at the private expense of some of the parties interested.

I have, &c.,

WM. ELYARD, JUNR.

No. 49.

The Deputy Surveyor General to The Colonial Secretary.

Sir,

Surveyor General's Office, Sydney, 7 December, 1847.

No. 48.
See No. 47.
See No. 37.
See No. 44.
See No. 46.

In attention to your letter of the 20th ultimo, wherein, in reference to mine of the 2nd ultimo, on the subject of the claim of Messrs. Cooper & Levey to certain land near Double Bay, and in which I alluded to your letter of the 8th March, 1841, you refer me to my letter of the 14th October, 1842, and to the instructions contained in your reply of the 21st October, 1842, and request my further report. I have the honor to state that nothing has been done to Ocean-street, but by private parties, as suggested in your letter; and that Mr. Holt did not replace the bridge or open the road authorized, although threatened with proceedings.

I have, &c.,

S. A. PERRY,

Deputy Surveyor General.

No. 50.

Memorandum on the case.

Messrs. Cooper & Holt's encroachment on land at Double Bay.

For *précis*, see
No. 39.

THE *précis* of this case given on letter 3rd February, 1842, appears to be perfect as far as it goes, and in pursuance thereof Mr. Holt was informed that the Government could not admit the claim to the land in question. In reply, that gentleman renewed the claim with some fresh arguments, but was informed that

no

21

no alteration could be made in the decision already given. Shortly afterwards the Surveyor General represented that notwithstanding the communications made to Mr. Holt upon the subject he had blocked up the principal streets in the village established at Double Bay, and destroyed a bridge at the place. He recommended therefore, as a means of disposing of the intrusion, that some further allotments be laid out thereon by the Government and be disposed of by auction, and that Ocean, a main street, should be repaired, as well as the bridge referred to restored, some arrangement being made with Mr. Holt to prevent his again destroying the latter. Upon this the Surveyor General was instructed to communicate with the Commanding Royal Engineer on the subject, and Mr. Holt informed that unless he replaced the bridge and reopened the road legal proceedings would be taken against him. No reply has been received from Mr. Holt, nor any communication from the Surveyor General until the 2nd November last, when the latter merely reported the continuance of Messrs. Cooper & Holt's encroachment; and now, in reply to a further inquiry, he states that nothing has been done to Ocean-street, excepting by private individuals, and that the bridge has not been replaced, although the parties were threatened with proceedings.

3 January, 1848.

This should, perhaps, be laid before the Executive Council.—12th January. Approved. 13th
January.—C.A.F. Clerk of Executive Council—W.E., B.C., 13th January, 1848. Laid before the
Executive Council, 21st January, 1848.—T.L.M.

No. 51.

Summary of proceedings of the Executive Council.

Minute No. 48/2 A. Confirmed 3rd February, 1848.

HIS Excellency the Governor laid before the Council the correspondence respecting Messrs. Cooper & Holt's claim to a portion of land at Double Bay.

After a full consideration of the circumstances of the case, the Council advise that the Government should repeat the offer which appears to have been made to Messrs. Cooper & Levey during the administration of Governor Darling, that on condition of their reopening and surrendering to the public a certain road from Belle Vue through the Point Piper Estate, which was originally made by the Government, under Major Druitt's superintendence, their possession of the portion of land in dispute at Double Bay will be legalized by a grant from the Crown; and in the event of this proposal being acceded to, the Council are of opinion that a fencing along each side of the road should be put up at the expense of the public.

FRANCIS L. S. MEREWETHER,
Clerk of the Council.

Executive Council Office.—18th February, 1848. No. 48/54. Approved.—21st.

No. 52.

Memoranda on the case.

Cooper & Levey's encroachment at Double Bay.

BEFORE acting upon this minute I would beg leave to offer a few remarks.

The road therein referred to, "from Belle Vue through the Point Piper Estate," is simply a small detour from the South Head Road, and does not extend, I think, 100 yards to an eminence, where there is a commanding view of the ocean. It does not pass through the estate in question, and has no connection with that at Double Bay.

The proprietors would now, I have little doubt, gladly give it up to the public without any recompense. Upon giving up this road the proprietors are to be confirmed in their possession of the land in dispute at Double Bay. Upon this point I have every reason to believe that the Government does not precisely know what, at present, the proprietors do claim, and, moreover, that they do claim a portion of the village already sold, or at any rate laid out.

6th March, 1848.

The state of this case was well understood when it was under consideration of the Council. It was only to confirm Sir Ralph Darling's decision, not to propose any new concession, that the Council resolved to revert to the proposal made to the proprietors in 1830.

I think this is a mistake. Before, however, the decision of the Council is communicated to the proprietors of the Point Piper Estate, request the Deputy Surveyor General to report on this point, furnishing a tracing showing the land now proposed to be granted, and in what manner it affects the plan of the village at Double Bay, and especially whether it interferes with any allotments already granted or sold to other parties.—6 March.

No. 53.

The Colonial Secretary to The Surveyor General.

Sir,

Colonial Secretary's Office, Sydney, 13 March, 1848.

In reference to your letter of the 7th December last, on the subject of the claim of Messrs. No. 49.
Cooper & Levey to certain land at Double Bay, I do myself the honor to request that you will have the goodness to ascertain and report what land they do claim, or are in possession of, furnishing a tracing showing the same, as well as the land which is included in the amended description of the Point Piper Estate, transmitted in your letter of the 1st June, 1830, and which it was proposed to confirm to the
The proprietors. See No. 10.

The tracing should also show in what manner the description in question, as well as the claim of the parties, affects the plan of the village of Double Bay, and especially if either interferes with any allotments already granted or sold to either parties.

I have, &c.,
W. ELYARD, JUNR.

No. 54.

The Surveyor General to The Colonial Secretary.

Sir,

Surveyor General's Office, Sydney, 28 March, 1848.

I have the honor to acknowledge the receipt of your letter of 13th instant, by which, in reference to my letter on the subject of the claim of Messrs. Cooper & Levey to portions of the village of Double Bay, you request me to ascertain and report what land they do claim, or are in possession of, furnishing a tracing showing the same, as well as the land included in the amended description of the 1st June, 1830; and further, that the tracing should show in what manner the description in question, as well as the claim of the parties, affects the plan of the village of Double Bay, and especially if there be any interference with allotments already alienated. I have the honor to state, for the information of His Excellency the Governor, that the claim set up by Messrs. Cooper & Levey, their possession, and the amended description are precisely the same, and that there is no interference with any of the alienated allotments; and with reference to the last inquiry intimated in your letter, it will be seen by the accompanying* tracing from the plan of the village of Double Bay that Messrs. Cooper & Levey have fenced and taken possession of nearly one-half of the village. In further illustration of this subject, I beg to enclose a †tracing showing the road to Belle Vue, as well as a copy of the ‡tracing which accompanied my letter of the 1st June, 1830. Further, I may mention that my letter of the 12th February entered very fully into this subject

I have, &c.,
S. A. PERRY,
Dy. S. Gl.

No. 53.
See No. 49.

See enclosure A.
* Appendix D.
See enclosures
B and C.
† Appendix E.
‡ Appendix F.
See No. 10.

No. 55.

The Colonial Secretary to Messrs. Cooper & Holt.

Gentlemen,

Colonial Secretary's Office, Sydney, 22 April, 1848.

The Surveyor General having recently brought under the notice of the Government the fact that you are still in the occupation of some Crown land at Double Bay which has been the subject of several years correspondence, the Governor submitted the matter to the Executive Council, and His Excellency has accordingly approved of the advice they have given, after a full consideration of the case; and I am accordingly directed by His Excellency to repeat the offer which was made to Mr. Cooper in my predecessor's letter of the 6th September, 1830, namely, that on condition of your reopening and surrendering to the public a certain road to Belle Vue through the Point Piper Estate, which was originally made by the Government, under Major Druitt's superintendence, your possession of an extension as therein referred to in the boundaries of the estate in question will be legalized by a grant from the Crown; and further, that in the event of this proposal being acceded to, that a fence along each side of the road from the Old South Head Road to Belle Vue should be put up at the expense of the public.

I have, &c.,
E. DEAS-THOMSON.

See No. 16.

No. 56.

Mr. J. Cooper to The Colonial Secretary.

Sir,

Engelhurst, 4 May, 1848.

With reference to our conversation this morning, and also more particularly as regards your communication of the 22nd ultimo, addressed to Messrs. Daniel Cooper & Holt, or to myself, I beg permission to say that I am now perfectly willing, on the part of Mr. Daniel Cooper, of London, to throw open to the public the road to Belle Vue, alluded to in your letter of the above date, upon the terms and on the conditions therein contained, and shall feel a pleasure in doing so at any moment that the Government will say that it is prepared to commence the fencing therein referred to.

I have, &c.,
JAMES COOPER,
Attorney for DANIEL COOPER.

See No. 55.

Minutes on above.

Read.—C.A.F. This may be made known to the Ex. Council.—C.A.F., 14th. B.C., 15 May, 1848.—W.E.

This letter was laid by His Excellency the Governor before the Executive Council, for their information, on the 30th May, 1848, with reference to their proceedings on the subject on the 21st. January, 1848.—FRANCIS L. S. MEREWETHER, Clerk of the Council. Executive Council Office, 20th June, 1848, No. 48/222.

No. 57.

Mr. J. Cooper to The Colonial Secretary.

Sir,

Engelhurst, 13 November, 1848.

I beg to refer you to my letter to you of date the 4th May last, being a reply to yours of the 22nd April preceding, and shall feel obliged if you will let me know what steps are being taken by the Government for the purpose of carrying out the arrangement we then agreed to.

I have, &c.,
DANIEL COOPER.
(By his attorney, JAMES COOPER.)

Minutes

See No. 56.
See No. 55.

Minutes on No. 57.

There has evidently been some confusion in the correspondence with Mr. James Cooper respecting certain roads through the Point Piper Estate.

There are two subjects—one respecting those made to connect the Old South Road, near Waverley, with Double Bay, which seems to be disposed of by the minute on *48/5,943, although in *48/5,812 Mr. ^{*Missing.} Cooper states that he awaits the decision of his principal in London on the subject.

The other case, to which reference is now made, is a long standing claim preferred by Messrs. Cooper & Levey to certain land on Double Bay, which the Government consented to acknowledge, on condition that a certain drive from the Old South Head Road to a place called Belle Vue, passing through a portion of the Point Piper Estate, was surrendered to the public.

In 48/5,952 Mr. Cooper, on behalf of his principal in London, gave his consent to this offer of opening when the Government was prepared to fence it in as intended.

This would seem to have been thought to require or to await the sanction of the parties at Home, alluded to by Mr. Cooper in 48/5,812, before alluded to, which, however, it does not, the proposed arrangement being so beneficial to the proprietors of the Point Piper Estate.—15th November, 1848.

The attorney of the proprietors having consented to the terms of the arrangement under which they were to receive a grant of certain land at Double Bay, all that is necessary is to carry out the condition on the part of this Government, of fencing in the drive from the Old South Head Road to Belle Vue. For this purpose I believe that a sufficient sum remains of the vote for the repairs of roads on which no tolls are collected. If so, the Colonial Architect should be directed to cause the fencing to be executed, and the proper steps taken for the issue of the grant of the land referred to.—15th November, 1848.

No. 58.

The Colonial Secretary to Mr. J. Cooper.

Sir,

Colonial Secretary's Office, Sydney, 4 December, 1848.

In reply to your letter of the 13th ultimo, I now do myself the honor to inform you that the No. 57. necessary instructions have been given for the fencing the drive from the Old South Head Road to Belle Vue, and for confirming to the representatives of Messrs. Cooper & Levey the lands at Double Bay.

I have, &c.,

E. DEAS-THOMSON.

No. 59.

The Colonial Secretary to The Surveyor General.

Sir,

Colonial Secretary's Office, Sydney, 4 December, 1848.

In reference to your letter of the 28th March last, I now do myself the honor to inform you No. 54. that it is intended to confirm to the representatives of the Messrs. Cooper & Levey the land therein referred to as claimed by them on Double Bay, and to request that you will have the goodness to furnish me with the necessary description should the land not be included in the deed already issued, which point does not appear very clear.

I have, &c.,

W. ELYARD, JUN.

No. 60.

Mr. J. Cooper to The Colonial Secretary.

Sir,

Engelhurst, 8 December, 1848.

With reference to that part of your letter of the 4th instant, only this morning received, which No. 58. relates to the confirmation to the representatives of Messrs. Cooper & Levey of the land at Double Bay, and to prevent any error accruing in the preparation of the same, I beg permission to inform you that the whole of the partnership property of the late firm of Cooper & Levey, including the estate in question, has been conveyed to Mr. Daniel Cooper, of London, the surviving partner of that firm, who now holds the fee simple, and as such I beg that you will have the goodness to make out any additional deed that may be deemed necessary in the name of that gentleman.

I have, &c.,

JAMES COOPER,

Attorney for DANIEL COOPER, London.

Minutes on No. 60.

Any decision upon this point I think had better await the receipt of the Surveyor General's reply to the letter addressed to him on the 4th December for the description; and when the deed is absolutely ordered to issue, the question arises whether, under the peculiar circumstances of this estate, the title should be referred to the law officers, rather than the Commissioners, to investigate.—12th December, 1848.

The case, under the circumstances represented, had better, I think, be reported on by the Commissioners; but for this purpose the measured description of the land will of course be requisite.

No. 61.

The Deputy Surveyor General to The Colonial Secretary.

Sir,

Surveyor General's Office, Sydney, 13 December, 1848.

I have the honor to acknowledge the receipt of your letter of the 4th December, by which, in See No. 59. reference to my communication of the 28th March last, you inform me that it is intended to confirm to the See No. 54. representatives of Messrs. Cooper & Levey the land therein referred to, as claimed by them, on Double Bay, and requesting me to furnish the necessary description should the land not be included in the deed already

already issued, which point does not appear very clear. The exclusion of the land in question from the deed of grant, as originally intended by the Government, is the point in which this question originated, and I do not therefore exactly comprehend what is meant by its not being very clear. I do find, however, that although the letter of the 28th of March last alludes to portions of land, and that the sketch by which it was accompanied shows as clearly as possible, I think, that two portions of land are occupied and claimed by Cooper and Levey's representatives, your letter now under reply has reference only to the portion on Double Bay, and I request therefore to be informed whether it is not the intention of His Excellency the Governor to convey both portions.

I have, &c.,
T. L. MITCHELL,
Deputy Surveyor General.

Minutes on above.

See No. 51.

According to the minute of Council intimated in M. 7,507, the parties are to have what was promised during the administration of Sir Ralph Darling, and nothing more. What this is I do not clearly see, but the Surveyor General must surely know.—1st January, 1849.

Let him report, furnishing a tracing for the Governor's information.—2nd January. ✓

No. 62.

The Colonial Secretary to Mr. J. Cooper.

Sir,

Colonial Secretary's Office, Sydney, 15 December, 1848.

No. 60.

In acknowledging the receipt of your letter of the 8th instant, I do myself the honor to inform you that if any further title should be required for the land at Double Bay about to be conceded to the proprietors of the Point Piper Estate, the question as to the proper parties to receive the grant will be referred for the investigation of the Commissioners of Claims.

I have, &c.,
W. ELYARD, JUN.

No. 63.

The Colonial Secretary to The Surveyor General.

Sir,

Colonial Secretary's Office, Sydney, 3 January, 1849.

No. 61.

In acknowledging the receipt of your letter of the 13th ultimo, respecting the claim of the representatives of Messrs. Cooper & Levey to certain land at Rushcutters Bay, I do myself the honor to point out that the additional land intended to be accorded to them is that which formed the correspondence upon the subject previously to the year 1830, and to request your further report, with a tracing, for the Governor's information.

I have, &c.,
W. ELYARD, JUN.

No. 64.

The Surveyor General to The Colonial Secretary.

Sir,

Surveyor General's Office, Sydney, 15 February, 1849.

No. 62.

In attention to your letter of 3rd January, by which, in acknowledging the receipt of the letter of the Deputy Surveyor General, respecting the claim of the representatives of Messrs. Cooper & Levey to certain land at Double Bay, you state that the additional land intended to be awarded is that which formed the correspondence upon the subject previously to the year 1830, and request my further report, with a tracing, for the Governor's information.

2. I have the honor accordingly to state, for the information of His Excellency the Governor, that the correspondence which took place about the year 1830 was returned to you in my letter; but on reference to my letters, it will be evident, I think, that the treaty between the Government and Cooper & Levey had reference to the surrender of Belle Vue, on the one hand, for the land embraced by the amended description of the 13th May, 1830, on the other hand. The description of the 13th May was illustrated by a tracing sent on the 1st June, 1830. A copy of that tracing* is enclosed, with the letters A and B appended, to show the two portions now occupied and claimed. The length of the lines C D on the deed and E F on the amended description being nearly equal, it is evident that A being included, B will also be included.

I have, &c.,
T. L. MITCHELL,
Surveyor General.

Minutes on above.

I conclude that under this report a new deed may issue according to the amended description here referred to, where the land at Belle Vue has been formally surrendered, for which purpose the Surveyor General should perhaps furnish the survey. Perhaps also the proprietor should deliver up the deed now in existence.—26th.

I do not understand what is meant by the issue of a new deed and the surrender of the old one. It would be much simpler to issue a deed for the additional quantity of land now agreed to be granted, and a surrender should be executed by the parties of the land to be ceded for public recreation at Belle Vue.—28th February, 1849.

It was intended at the time to give the consolidated deed, but under present circumstances it is doubtless preferable to let the present one stand. I have ascertained at the Survey Office that a measurement will be required of the additional portions, and I conclude this may be called for, Mr. Cooper being apprised of the decision.—14th March, 1849. Approved.

A description also of the land ceded at Belle Vue will be required for the deed of surrender, to be executed by the proprietors, or their duly authorized attorney.—16th March, 1849. Urgent.

No. 65.

12 Feb., 1835.
See No. 25.
27 Jan., 1835.
See No. 22.
See enclosure B to No. 8.
See enclosure to No. 10.
*Appendix G.

No. 65.

The Colonial Secretary to Mr. J. Cooper.

Sir,

Colonial Secretary's Office, Sydney, 17 March, 1849.

With reference to my letter of the 4th December last, I do myself the honor to inform you ^{No. 58.} that the Surveyor General has been instructed to furnish a separate description of the land at Double Bay to which the representatives of the late Messrs. Cooper & Levey are entitled, but which was not included in the deed which issued of date *29th March, 1830, in order that a grant may be prepared for the same ^{* Qy. 22nd. See enclosure to No. 5.} after the matter has been referred to the Commissioners of the Court of Claims.

2. Before, however, the issue of this deed it will be necessary that a formal reconveyance be made of the land to be surrendered at Belle Vue, for which purpose the Surveyor General has been requested to forward a description of the same.

I have, &c.,
W. ELYARD, JUN.

No. 66.

The Colonial Secretary to The Surveyor General.

Sir,

Colonial Secretary's Office, Sydney, 17 March, 1849.

In referring to your letter of the 15th instant, respecting the claim of the representatives of ^{No. 64.} Messrs. Cooper & Levey to certain land at Double Bay, I now do myself the honor to request that you will have the goodness to furnish a separate description of the further portion of the land they are entitled to, not included in the deed of grant which issued of date *29th March, 1830, although contained ^{* Qy. 22nd. See enclosure to No. 5.} in the amended description furnished by you on 13th May, 1830.

I have also to request that you will furnish a description of the land to be surrendered by the representatives of Messrs. Cooper & Levey situated at Belle Vue.

I have, &c.,
W. ELYARD, JUN.

No. 67.

Mr. J. Cooper to The Colonial Secretary.

Sir,

Engehurst, 21 March, 1849.

With reference to your letter of the 17th instant (yesterday received), I beg permission to ^{No. 65.} inquire whether the Government would prefer that the Crown Solicitor should prepare the reconveyance of the land at Belle Vue recently enclosed by them, which has been surrendered in consideration of two portions of land at Double Bay, now in the possession of Mr. Daniel Cooper, being confirmed to that gentleman by a separate deed of grant, or that I should instruct Mr. Cooper to get the same prepared in England. As eight months at least will elapse (from the time I am furnished with the description alluded to in your letter above referred to) before I can hope to get the document returned executed, I trust that I shall stand excused on that account for thus early trespassing upon your attention.

In either of the above cases there is one thing (which is equally of public as private utility) I beg permission to suggest, viz., as Mr. Cooper's land surrounds that portion which is about to be surrendered by deed to the Crown, that Mr. Cooper shall be at liberty at any time to open the fences recently set up by the Government at such places as may hereafter be deemed expedient for the purpose of making the necessary roads for the free and uninterrupted access to the estate.

I have, &c.,
DANIEL COOPER.
(By his attorney, JAMES COOPER).

Minutes on above.

This course would very likely prevent much difficulty in the matter, for if left to the parties they might not procure a document satisfactory to the Government. In the first instance, however, the description is required.—23rd. Approved.

Papers respecting the exchange of land at Double Bay for the portion ceded as a public road at Belle Vue by the proprietors of the Point Piper Estate. Urgent.

No. 68.

The Colonial Secretary to Mr. J. Cooper.

Sir,

Colonial Secretary's Office, Sydney, 2 April, 1849.

In acknowledging the receipt of your letter of the 21st ultimo, I do myself the honor to inform you that, as you suggest, it appears advisable that the proposed deed of transfer to the Crown of ^{No. 67.} the land at Belle Vue, to be executed by the representatives of the late firm of Messrs. Cooper & Levey, should be prepared by the Civil Crown Solicitor, and forwarded by you to England for signature, and that the necessary instructions have accordingly been given in the matter to Mr. Cooper Turner, upon whom you will be pleased to attend.

I beg to add that there will be no objection to the proprietor of the Point Piper Estate at any time opening the fences set up by the Government on the land so to be surrendered, for the purpose of making the requisite roads for the free and uninterrupted access to the estate.

I have, &c.,
W. ELYARD, JUN.

Copy of the above letter sent to Civil Crown Solicitor under blank cover on same date.

No. 69.

The Surveyor General to The Colonial Secretary.

Sir,

Not with papers.

Surveyor General's Office, Sydney, 21 June, 1849.

With reference to your letter of the 15th instant and previous correspondence, respecting the arrangement of the claim of the representatives of Messrs. Cooper & Levey to certain lands at Double Bay, I have the honor to inform you that Mr. Assistant Surveyor Gordon has received my instructions for the immediate measurement of the two portions of land at Double Bay to be given to, and of the portion of road at Belle Vue to be surrendered by, the representatives of Messrs. Cooper & Levey, and that copies of these descriptions shall be forwarded to you as soon as they are received.

I have, &c.,

T. L. MITCHELL,

Surveyor General.

Minute on above.

Inform Mr. James Cooper, the agent for the proprietors.

No. 70.

The Colonial Secretary to Mr. J. Cooper.

Sir,

No. 68.

Colonial Secretary's Office, Sydney, 30 June, 1849.

In referring to my letter of the 2nd April last, I now do myself the honor to inform you that the Surveyor General has represented that he has given the necessary instructions for the immediate measurement of the two portions of land at Double Bay to be given to the proprietors of the Point Piper Estate, as well as of the portion of road at Belle Vue which is to be surrendered by them to the Government.

I have, &c.,

E. DEAS-THOMSON.

No. 71.

The Civil Crown Solicitor to The Colonial Secretary.

Sir,

See No. 68.

Civil Crown Solicitor's Office, Sydney, 17 July, 1849.

With reference to your blank cover minute of the 2nd April, on a copy communication to Mr. James Cooper, respecting the preparation of a deed to be executed by the representatives of the late firm of Messrs. Cooper & Levey, to convey certain land situated at Belle Vue to the Crown, I have the honor to request that I may be favoured with the papers connected with this matter.

I have, &c.,

G. C. TURNER,

Civil Crown Solicitor.

I conclude that the papers may be forwarded.—23rd. Yes.—24. Forwarded to the Civil Crown Solicitor accordingly.—26 July, 1849. Resubmitted.—4 Jany., /50. To report present state.—4. Yes.—4. Civil Crown Solicitor asked accg.—23 January, 1850.

No. 72.

The Colonial Secretary to The Civil Crown Solicitor.

Sir,

See No. 71.

Colonial Secretary's Office, 26 July, 1849.

In compliance with the request contained in your letter of the 17th instant, I do myself the honor to transmit herewith the papers respecting the land at Belle Vue to be surrendered to the Crown by the representatives of the late firm of Cooper & Levey.

I have, &c.,

W. ELYARD, JUNIOR.

No. 73.

The Colonial Secretary to The Civil Crown Solicitor.

Sir,

See No. 72.

Colonial Secretary's Office, Sydney, 23 January, 1850.

I beg to draw your attention to my letter of the 26th July last, forwarding to your predecessor the papers connected with the land at Belle Vue proposed to be surrendered to the Crown by the representatives of the late firm of Cooper & Levey.

W. ELYARD, JUNIOR.

No. 74.

The Civil Crown Solicitor to The Colonial Secretary.

Sir,

No. 73.

Civil Crown Solicitor's Office, Sydney, 24 January, 1850.

In reply to your communication of the 23rd instant, requesting my report as to the present state of this matter, I have the honor to state that I find that the whole legal and equitable fee simple of the land in question is now vested in Mr. Daniel Cooper, of London, subject however to his wife's claim to dower therein. On the 18th instant I applied to the Surveyor General for a description of the property, there not being one with the papers.

Missing.

As

As soon as I receive it, I propose to submit the draft surrender (which I have drawn) to the Solicitor General for approval, and then to forward it for the same purpose to Mr. Cooper's solicitor.

The engrossment will afterwards have to be transmitted by Mr. Cooper's attorney to London for execution.

I have, &c.,

W. W. BILLYARD,
Civil Crown Solicitor.

Minute on No. 74.

I conclude that at the end of February the Civil Crown Solicitor may be again asked the state of the matter.—29th.

Yes.—31. Resubmitted.—2 Mar., /50.

No. 75.

The Colonial Secretary to The Civil Crown Solicitor.

Sir,

Colonial Secretary's Office, Sydney, 12 March, 1850.

I beg to draw your attention to your letter of the 24th January last, respecting the land at Belle Vue, proposed to be surrendered to the Crown by the representatives of the late firm of Cooper & Levey. See No. 74.

E. DEAS-THOMSON.

No. 76.

The Surveyor General to The Colonial Secretary.

Sir,

Surveyor General's Office, Sydney, 14 March, 1850.

In attention to your letter of the 17th March, 1849, wherein, in reference to my letter of the 15th of the same month, respecting the claim of the representatives of the Messrs. Cooper & Levey to certain land at Double Bay, you request to be furnished with a separate description of the further portion of the land they are entitled to, not included in the deed of grant which issued of date the 29th of March, 1830, although contained in the amended description furnished on the 13th May, 1830, as also a description of the land to be surrendered by the representatives of Messrs. Cooper & Levey, at Belle Vue, I have the honor to state that the requisite survey has now been made, and to forward herewith descriptions of the following portions of land, viz., at Double Bay, containing 5 acres 3 roods and 36 perches—9 acres 2 roods 9 perches to be granted to, and of 2 acres 2 roods 30 perches, at Belle Vue, to be surrendered by, the representatives of Messieurs Cooper & Levey. No. 63.
See No. 64.
Qy. 22nd.
See enclosure to No. 5.
See enclosure B to No. 8.
See enclosures A, B, & C.

I have, &c.,

T. L. MITCHELL.

Minute on No. 76.

I conclude that the description of the land at Belle Vue may now be sent to the Civil Crown Solicitor.—21. Yes.—22.

[Enclosure A to No. 76.]

Description.

Double Bay, 5 acres 3 roods and 36 perches (five acres three roods and thirty-six perches), county of Cumberland, parish of Alexandria, at the village of Double Bay: Commencing on the west boundary of Cooper & Levey's 1,130 acres; and bounded on the north by a line bearing west 1 degree 10 minutes south twelve chains eighty-two links to Ocean-street; on the west by that street bearing south 17 degrees 15 minutes west four chains fifty-three links; on the south by an easterly line of fourteen chains sixteen links, dividing it from Cooper & Levey's 1,130 acres; and on the east by part of the west boundary of that land four chains sixty links northerly to the commencing corner.

[Enclosure B to No. 76.]

Description.

Cooper & Levey, Double Bay, 9 acres 2 roods and 9 perches (nine acres two roods and nine perches), county of Cumberland, parish of Alexandria, at the village of Double Bay: Commencing at the old crossing-place over Double Bay Creek; and bounded on the south by a road 1 chain wide, separating it from Cooper & Levey's 1,130 acres, westerly sixteen chains twenty-five links to the north-east intersection of William-street with Adelaide-place east; on the west by Adelaide-place east bearing north 45 minutes east five chains sixty links to the high-water mark of Double Bay; on the north by the waters of Double Bay easterly to its confluence with Double Bay Creek; and on the east by that creek, dividing it from John Piper's 190 acres, southerly to the crossing-place aforesaid.

[Enclosure C to No. 76.]

Description.

Cooper & Levey, Belle Vue Hill, 2 acres 2 roods and 30 perches (two acres two roods and thirty perches), county of Cumberland, parish of Alexandria, on the Old South Head Road: Commencing on the crown of Belle Vue Hill; and bounded by a circle the radius of which is one chain ninety-two links, and from a point in that circle bearing south 62 degrees 15 minutes west from the crown aforesaid; bounded on the north-west by lines bearing south 53 degrees 45 minutes west one chain seventy-four (74) links; then south 61 degrees 10 minutes west two chains forty-eight links; then south 52 degrees west four chains twenty links; then south 36 degrees 20 minutes west three chains thirty-two links; then south 40 degrees 50 minutes west three chains seventy links; then south 34 degrees 12 minutes west one chain fifteen links to the Old South Head Road (distant sixteen links, and bearing east 9 degrees 20 minutes south to the IV. mile-stone, opposite the north-east corner of Levey's 60-acre grant); on the south by that road bearing east 11 degrees 40 minutes north one chain forty-five links; and on the south-east by lines first bearing north 40 degrees east three chains ninety-six links; then north 36 degrees 20 minutes east three chains eight links; then south 52 degrees 20 minutes east three chains ninety-five links; then north 63 degrees east three chains and five links; then north 51 degrees 15 minutes east one chain thirty-eight links to the circle aforesaid enclosing Belle Vue Hill, forming part of 1,130 acres granted to Cooper & Levey.

No. 77.

The Civil Crown Solicitor to The Colonial Secretary.

Sir,

Civil Crown Solicitor's Office, Sydney, 15 March, 1850.

See No. 75.

In reply to your letter of the 12th instant, referring to my letter of the 24th January last, respecting the land at Belle Vue proposed to be surrendered to the Crown by the representatives of the late firm of Cooper & Levey, and requesting my early report on the present state of the matter, I have the honor to state, for the information of His Excellency the Governor,—

1st. That, in order to expedite the settlement of this business as speedily as possible, I submitted the draft surrender to the Solicitor General, who settled it, and I then transmitted it to Messrs. Johnson, the solicitors of Mr. Cooper, although I had not at that time, nor have I yet, received the description of the land to be included in the deed.

Missing.

2nd. That the Surveyor General, in reply to my letter to him of the 18th January last, requesting descriptions of lands at Double Bay to be granted to, and of a portion of road at Belle Vue to be surrendered by, Messrs. Cooper & Levey's representatives, wrote to me on the 22nd January last, stating "that the descriptions of the lands in question should be prepared as early as possible and forwarded to the Colonial Secretary, as required by that officer."

3rd. So far as I am aware, therefore, the sole cause of delay arises from the want of these descriptions.

I have, &c.,

W. W. BILLYARD,

Civil Crown Solicitor.

Minutes on No. 77.

The Surveyor General to expedite descriptions.—18. Yes. Now received.—19.

No. 78.

The Colonial Secretary to The Civil Crown Solicitor.

Sir,

Colonial Secretary's Office, Sydney, 23 March, 1850.

See No. 77.

*See enclosure C to No. 76.

With reference to your letter of the 15th instant, I have now the honor to enclose the description* furnished to me by the Surveyor General of the land to be surrendered by the representatives of Messrs. Cooper & Levey.

2. Descriptions of the lands to be granted to the same parties have also been received at this office, and grants will be issued for them when the surrender above alluded to has been received.

I have, &c.,

W. ELYARD, JUN.

No. 79.

The Civil Crown Solicitor to The Colonial Secretary.

Sir,

Civil Crown Solicitor's Office, Sydney, 17 April, 1850.

No. 78.

Adverting to your communication of the 23rd March, transmitting the description furnished by the Surveyor General of the land to be surrendered by the representatives of Messrs. Cooper & Levey, situated at Belle Vue, I have the honor to state that the necessary conveyance from Mr. Daniel Cooper and wife to Her Majesty of the land above alluded to was forwarded by me to Messrs. R & R. Johnson, solicitors, for transmission to London, to be executed.

2. And when the instrument is returned, I will cause it to be registered and transmitted to you, in order that grants of the lands to be given in lieu thereof may be issued.

I have, &c.,

W. W. BILLYARD,

Civil Crown Solicitor.

Minutes on No. 79.

When the surrender of the land at Belle Vue has been returned from England duly executed, the Governor will, under the arrangement, give a grant of the land at Double Bay. In the meanwhile nothing further is necessary.—24. Approved, 2nd May.

No. 80.

Mr. J. Cooper to The Colonial Secretary.

Sir,

Engehurst, 26 December, 1850.

Pursuant to agreement, the Civil Crown Solicitor in April last prepared for the signature of Mr. Daniel Cooper, of London, a surrender to the Crown of the road to and brow of the hill commonly known as Belle Vue, in consideration of two portions of land at Double Bay (in the possession of that gentleman) being confirmed to him by a separate deed of grant from the Crown.

I now do myself the honor to inform you that the above surrender has, by the "St. George," just been received by me, duly executed by Mr. and Mrs. Cooper, and that the same is now ready to be delivered to the Government immediately upon my receiving the confirmatory grant above referred to. May I therefore beg the favour that you will direct the said grant to be prepared at your earliest convenience.

I have, &c.,

JAMES COOPER,

Attorney for DANIEL COOPER.

Minutes

Minutes on No. 80.

Mr. James Cooper, the agent of Mr. Daniel Cooper, the sole proprietor, it is believed, of the Point Piper property, represents that Mr. Cooper and wife have executed the required surrender to the Crown of the spot called Belle Vue, forming part of that estate, and requests that, in accordance with the agreement entered into, that grants may now issue to his principal for the two portions of land at Double Bay, which it was decided belonged to the Point Piper Estate. I conclude that Mr. Cooper should be requested to submit the surrender in question for the inspection of the Civil Crown Solicitor, and informed, if correct, no unnecessary delay will take place in giving the deeds for the ground at Double Bay. I think, however, the surrender should be left in the hands of the Civil Crown Solicitor by Mr. Cooper.

The Civil Crown Solicitor to be apprised.—31st December. Approved.—C.A.F., 6th.

No. 81.

The Civil Crown Solicitor to The Colonial Secretary.

Sir,

Civil Crown Solicitor's Office, Sydney, 4 January, 1851.

Adverting to my letter of the 17th April, stating that the conveyance of the land situate at No. 79, Belle Vue, to be surrendered by the representatives of Messrs. Cooper & Levey to Her Majesty, had been transmitted to London for execution, I have the honor to state that Mr. James Cooper has informed me that the deed in question has been received from England, duly executed by Mr. D. Cooper and wife, and that he has placed the same in the hands of his solicitors, Messrs. Johnson & Johnson, until the grants of the lands to be given in lieu thereof are issued, when the instrument will be handed to me on behalf of the Government.

I have, &c.,

W. W. BILLYARD,
Civil Crown Solicitor.

No. 82.

The Colonial Secretary to The Civil Crown Solicitor.

Sir,

Colonial Secretary's Office, Sydney, 18 January, 1851.

In acknowledging the receipt of your letter of the 4th instant, I now do myself the honor to No. 81. inform you that Mr. James Cooper has been requested to submit for your inspection the deed of surrender which he represents he has received from Mr. Daniel Cooper, as the representative of Messrs. Cooper & Levey, conveying to the Crown the piece of land called Belle Vue, forming a portion of the Point Piper Estate.

2. Upon your reporting that the surrender is perfect, no delay will take place in issuing the deed for the land to be given in exchange at Double Bay.

I have, &c.,

W. ELYARD.

No. 83.

The Colonial Secretary to Mr. J. Cooper.

Sir,

Colonial Secretary's Office, Sydney, 20 January, 1851.

In acknowledging the receipt of your letter of the 26th ultimo, I now do myself the honor, No. 80. by direction of His Excellency the Governor, to request that you will have the goodness to cause to be submitted for the inspection of the Civil Crown Solicitor the surrender to the Crown, which you have received from Mr. Daniel Cooper, of the spot of land called Belle Vue, forming a portion of the Point Piper Estate; and to add, that when reported to be correct, no delay will take place in issuing the grants for the two portions of land at Double Bay.

I have, &c.,

WILLIAM ELYARD, JUNIOR.

(For the Colonial Secretary.)

No. 84.

The Civil Crown Solicitor to The Colonial Secretary.

Sir,

Civil Crown Solicitor's Office, Sydney, 22 January, 1851.

In pursuance of instructions contained in your letter of the 18th instant, I do myself the No. 82. honor to inform you that Mr. James Cooper has submitted for my perusal and inspection the deed of surrender, which he has received from Mr. Daniel Cooper, London, as the representative of Messrs. Cooper & Levey, conveying to the Crown the piece of land called Belle Vue, forming a portion of the Point Piper, and that the same is perfectly satisfactory.

I have, &c.,

W. W. BILLYARD,
Civil Crown Solicitor.

Minute on above.

Mr. Cooper has personally told me that in the position he is placed with regard to Mr. Daniel Cooper he cannot, as a simple agent, give up the surrender of the Belle Vue grounds until he obtains the grant for the land at Double Bay. Under the circumstances there may be no objection to carry out this arrangement.—3rd February.

Mr. James Cooper to The Colonial Secretary.

Sir,

Enghurst, 3 February, 1851.

I have to apologize for reopening the following correspondence, and in doing so shall endeavour to save trouble as much as possible by confining my remarks to such portions of the same only as are strictly necessary to enable you to comprehend the case.

1st. In your predecessor's letter of 6th September, 1830, an offer was made to convey to Mr. Daniel Cooper the land at Double Bay, subsequently prepared by yourself in your letter to me of 22nd April, 1848, on condition of Mr. Cooper allowing the spot at Belle Vue to be reserved for the use of the public.

2nd. Mr. Cooper, in his reply of the 11th September, 1830, consented to the same.

3rd. In the Surveyor General's letter to you, 28th March, 1848, he brings under your notice the circumstance of Mr. Cooper being (I quote the substance) wrongfully in the possession of two portions of land at Double Bay, enclosing a tracing of the same, marked with the following note in the left-hand corner—C B, vol. 5, folio 18—which tracing defines the land in that gentleman's possession by yellow lines. To this I particularly desire to invite attention.

4th. In the Surveyor General's letter, again to you, of 15th February, 1849, he refers you to those two portions, as being marked respectively A and B, which he states Mr. Cooper is entitled to under the arrangement of 1830.

5th. In your letter to me of 22nd April, 1848, founded upon that of the Surveyor General's of 28th March, 1848, you renew the offer made by your predecessor to convey those two portions of land to Mr. Cooper, upon that gentleman's opening and surrendering to the public the road to Belle Vue through the Point Piper Estate.

6th. In reply to which, under date 4th May following, I agreed to the terms of your offer, without stipulation or reservation of any kind.

7th. I subsequently accompanied the Colonial Architect to the ground, asked him to name that which he wanted, and freely gave all that he demanded, being not only the road (as agreed) but also a portion of the hill in addition thereto; and although I found afterwards that a road $1\frac{1}{2}$ chain wide had been taken in lieu of a chain, as is customary, and as I understood that gentleman to say he only wanted, yet I did not make this a subject of complaint least the objection might be thought to be frivolous. I subsequently procured from Mr. Cooper a surrender to the Crown of the same, which has been ready for delivery for sometime past. I merely mention these facts to show that I have done all in my power to perform my portion of the contract to the letter thereof.

8th. I now come to that which is to me a very unpleasant portion of the transaction. In order to prevent any errors creeping into the deeds of grant, I have been particularly anxious for some time past to get a sight of the description of the land in question, and only for the first time, about a month ago, succeeded in doing so; when, on comparing them with the tracing which accompanied the Surveyor General's letter to you of 28th March, 1848, I found that no less than three portions of land had been left out of the descriptions, being the continuations of "Ocean," "Bay," and "William" Streets—see the tracing—which should according to the terms of our agreement, have been included. I immediately remonstrated against this to the Surveyor General, upon which I was favoured (by way of explanation) with a communication from that officer, of the 4th January, 1851, wherein he states his desire to adhere to the descriptions just alluded to. My reply to which, of the 8th of the same month, again objects to them as being at variance with the agreement entered into between the Government and myself, on the part of Mr. Cooper, and requests that the descriptions may be altered; and the question of roads left to Mr. Cooper's known liberality, from whom I then felt certain that they would be got upon application, but as agent only of that gentleman, I had no power to make the concession; and I was given to understand that my request would be complied with. Had the matter ended here I should have been spared the pain, as well as the trouble, of writing this letter; but I received, on the 1st instant, from the Surveyor General, another letter, dated 29th January, 1851, declaring the impossibility of complying with my wishes, in consequence of the roads I objected to (as being taken out of the portions which were agreed to be given to Mr. Cooper by the Government) having been placed in the custody of the South Head Road Commissioners.

9th. I have not a copy of the Road Trust Act at command to refer to, neither do I deem it necessary for the settlement of the present question, to satisfy myself whether the whole or any portion of these roads are or are not so placed in the custody of the Trust Commissioners; but taking it as a fact, as stated for the sake of argument, I find that the Road Trust Act passed the Legislative Council on the 15th June, 1848, and the Commissioners under it were appointed, by proclamation, on the 11th November following, whereas the offer of these two portions of land was made first by your predecessor in his letter to Mr. Cooper of 6th September, 1830, and accepted by Mr. Cooper in his reply thereto of the 11th of the same month, although the agreement does not appear (from any papers to which I have access) to have been carried any further. And subsequently, that offer was repeated by your letter to me of the 22nd April, 1848, and finally accepted by me, on Mr. Cooper's account, on the 4th May following, from which latter date to the present time every exertion (even at the risk of appearing troublesome) has been made by me to complete the transaction. So that in the one case it follows that the Government had parted with the land in question to Mr. Cooper upwards of eighteen years, and in the other nearly seven months, previously to the appointment of the Road Commissioners; and consequently may be said not to have had any part of these two portions of land in its power to transfer to that body. Besides which the attempted reservation becomes vexatious, from the fact that the continuations of "Bay" and "William" Streets in particular lead to no public thoroughfare. The first would still end, leaving a space between it and the South Head Road, and the second would end of necessity at the boundary of the village of Double Bay, as the two roads which are marked as communicating with the South Head Road are only bridle-tracks—never could be used as roads; neither are they either necessary or desirable as such, and particularly so since Mr. Cooper has given to the public (at the expense of what must be considered to be the principal portion of the value of his estate in the vicinity) one of the most delightful roads in the Colony; I mean the new South Head Road.

10th.

10th. In conclusion, I now beg permission to observe that I have carried out in perfect good faith everything, nay more than our agreement imposed upon me, under the promise from the Government that I should have confirmed to Mr. Cooper the two portions of land as defined by the tracing so often alluded to; indeed it was the knowledge of this which influenced my decision. I have also shown that these portions of land were not in the power of the Government to place at the disposal of the Road Trust Commissioners; and lastly, I think I have shown the want of necessity of the reservation in at least two of the roads, viz., Bay and William Streets. I now most respectfully call upon the Government to perform (with the same degree of integrity which has animated myself throughout this transaction) its portion of the contract, to which I submit its honor and good faith stand pledged.

I have, &c.,

JAMES COOPER,
Attorney for DANIEL COOPER, of London.

Minutes on above.

Refer to the Surveyor General for report, requesting a tracing illustrative of the matter in dispute.—C.A.F., 6 Feb., /51. Surveyor General, B.C., 8 Feb., 1851.—For the Colonial Secretary, W. ELYARD, junr. To be returned.

The facts of this case are that the colouring on the sketch which this person so much relies on merely exhibited what was considered to be part of the original boundary of the Point Piper Estate, but it was never intended by the Government to alienate a public highway; and I feel assured, from what I know of Mr. Daniel Cooper, that he would never have been guilty of the absurdity of requiring the Government to do so. Had it been possible to conceive that the alienation of a public highway would be sought for, some stipulation might have been made, but as it is not even in the power of the Government to close the road to Double Bay, provision for its being excluded from the contemplated grant was never even thought of. As the sketch already with papers is quite sufficient to exemplify this question, I have not prepared another, as requested. In the event of Mr. Daniel Cooper's agent declining to receive the grant without the bit of road, it will be desirable to refer the matter to Mr. Daniel Cooper himself.—T.L. MITCHELL, Surveyor General's Office, 12th February, 1851.

Let Mr. James Cooper be furnished with the substance of the foregoing report.—C.A.F.

No. 86.

The Colonial Secretary to Mr. J. Cooper.

Sir,

Colonial Secretary's Office, Sydney, 27 February, 1851.

Having referred to the Surveyor General your letter of the 3rd instant, respecting the land at Double Bay proposed to be ceded as a part of the Point Piper Estate, I do myself the honor, by the direction of His Excellency the Governor, to inform you that it appears by a report received from that officer that the colouring on the sketch upon which you so much rely merely exhibits what was considered to be part of the original boundary of the Point Piper Estate, but that it was never intended by the Government to alienate a public highway; and moreover, that had it been possible to conceive that the alienation of a public highway would be sought for, some stipulation might have been made, but as it is not even in the power of the Government to close the road to Double Bay, provision for its being excluded from the contemplated grant was never even thought of.

2. I am to add, under these circumstances, that it will be necessary for you to refer the matter to your principal, Mr. Daniel Cooper, if you do not feel authorized to receive the grant without the road alluded to.

I have, &c.,

E. DEAS-THOMSON.

No. 87.

Mr. J. Cooper to The Colonial Secretary.

Sir,

Engelhurst, 28 February, 1851.

I have the honor to acknowledge the receipt of your letter of the 27th, in answer to mine of the 3rd instant, informing me that the Surveyor General imputes to me the desire to block up a public highway. Although the Surveyor General has not identified the highway which he alludes to by name, yet it is plain to perceive, as I shall hereafter show, that he can mean none other than "Ocean-street," it being the only one of a public nature extant. Now, I have in my letter above-mentioned studiously avoided reference to that street, because I found upon an inspection of the tracing that the land abutting thereon, if surveyed at all (which I very much question), has, to say the least, been improperly so done; and I did not wish to add to the mystery, which I saw plainly surrounding this question, by an allusion thereto; indeed, had "Ocean-street" been the only one in dispute, I would have met it as I now intend, and always did intend to do when the question arose, viz., upon its merits, and a very few words would have been sufficient to have settled the matter. But you will perceive that on comparing the descriptions with the tracing no less than three streets have been taken from the land which the Government agreed to give to Mr. Cooper (and this is what I complain so much about, because I cannot help feeling that the question has never been fairly approached by the Surveyor General), e.g., the continuations of "Ocean," "Bay," and "William" Streets (the two latter) have, I submit, been effectually contested by me; and now that the Surveyor General finds his position with respect to them untenable, he falls back upon an error of his own office, relating to the former or "Ocean-street," for the purpose of inducing you to believe that I wish to block up a public highway; and this error becomes the more palpable from the fact that the Surveyor General must well know that so far from Mr. Cooper being in possession of the whole of "Ocean-street," as defined by the tracing, that that street is, and has been for years past, not only open to the public, but the sole public thoroughfare leading out of Double Bay, in addition to which I now find it to be in the hands of the Road Trust Commissioners, who have only recently repaired it. But apart from this, if there were no other reason than the large concessions which Mr. Cooper has made

in

in favour of the public with respect to roads generally, to say nothing of that which I have done myself, that reason would be a sufficient refutation of so *unworthy* a charge; but as this unfortunately does not seem to have had much weight with the Surveyor General, I have perhaps what may be considered a better one, in the fact that I have not, neither have I ever had, the most remote idea, as I shall presently explain, of doing *such*. If the Surveyor General will furnish a tracing *from absolute survey* of this particular portion, it will be seen at a glance that there is at present an uninterrupted road to Double Bay throughout the whole frontage of this block about fifty feet wide. How therefore that officer could furnish you with a tracing showing the whole of this road as being in the possession of Mr. Cooper, and thereupon, as a *dernier ressort*, founding the assertion that I wish to block up a public highway, is for him to explain. I have but little to do with it, and certainly should not have alluded thereto but for the imputation cast upon myself, combined with the ungracious obstacles that are at every stage attempted to be placed in the way of an honorable adjustment of this simple question by the Surveyor General's Department. I feel sorry that I should have to complain of these obstacles as emanating from any public department, because I cannot help feeling that the Government of the Colony cannot be satisfactorily administered while such impediments exist; but the duty I owe to myself, not less than to Mr. Cooper, leaves me no other course, and as such I beg that it may be received, as I intend it more in defence of my own conduct and Mr. Cooper's right than otherwise, as I cannot permit improper motives to be attributed to the one, nor the interest of the other prejudiced by anyone, even though that one were the Surveyor General.

Although I feel I could in justice claim the whole of "Ocean-street" as defined by the tracing, yet I have no idea of availing myself of that which is evidently an error of the Surveyor General's Department, for the purpose of embarrassing the Government; and as such beg that it may be understood that I wish not to claim any more land than that which is and has been for years past in the possession of Mr. Cooper, and in conformity thereto shall be perfectly satisfied to be bounded so far as "Ocean-street" is concerned by the eastern side of that street, as defined by Mr. Cooper's line of fence.

On the water-side (for the purpose of preserving uniformity in the grants), "By the waters of Double Bay," and on all other sides of both blocks by the lines as indicated by the tracing marked S.B., vol. 5, folio 18, so often spoken of; and I trust that this declaration will not only satisfy the Government that I have no desire to block up a public highway but also be the means of finally bringing that which to me has now become a very unpleasant portion of my duty to a close. As regards the reference to Mr. Cooper, which the Surveyor General speaks of, I must firmly, but respectfully, say that I do not deem it necessary, neither am I disposed to give my countenance to the delay which would necessarily follow such a course. The question is one of extreme simplicity, and so difficult to involve in mystery, that I feel myself ashamed at the idea of being obliged to waste so much reasoning upon it; and, having every confidence in the honor and good faith of the Government under which I live, I trust that it will (apart from the Surveyor General's Department) be viewed as such, and that the deeds of grant may be prepared in accordance with our understanding, at your earliest convenience.

Reserving to myself, should there be a necessity, the permission to reply to that portion of your letter which states that the tracing upon which I rely merely exhibits what was considered to be part of the original boundary of the Point Piper Estate.

I have, &c.,
JAMES COOPER,
Attorney for DANIEL COOPER.

Minutes on No. 87.

The circumstances stated here cannot be explained in this office. I conclude the letter should be referred to the Surveyor General.—6 March, 1851. Yes.—C.A.F., 28/3/51. The Surveyor General is requested to have the goodness to report.—(For the Colonial Secretary), W. ELYARD, junior., B.C., 28 March, 1851. To be returned.

Mr. Cooper alludes in this letter to three streets, viz., Ocean, Bay, and William Streets. He says he will give up Ocean-street; Bay-street is not included in the description at all; and as to William-street, it is but a continuation of the road of which Ocean-street is a part, and which forms one of the roads mentioned under the 6th head in the schedule of the Act 11 Victoria No. 49. As Mr. Cooper says he has no desire to block up a public highway, there is now, as it appears to me, no obstacle to the preparation of the deeds of grant.—T. L. MITCHELL, Surveyor General's Office, Sydney, 3 April, 1851. Approved.—C.A.F., 7 April, 1851.

Mr. Cooper expressed to me a wish, verbally, that the matter might be allowed to remain over until he had an opportunity of communicating with his principal. Let him be informed of the above decision, and await his reply before the deed is made out.—7 April, 1851.

No. 88.

The Colonial Secretary to Mr. J. Cooper.

Sir,

Colonial Secretary's Office, Sydney, 28 March, 1851.

I am directed to inform you that it has been found necessary to refer to the Surveyor General your letter of the 28th ultimo, respecting the land to be given to Messrs. Cooper & Levey, at Double Bay, &c.

I have, &c.,
W. ELYARD, JUN.

No. 89.

Mr. J. Cooper to The Colonial Secretary.

Sir,

Double Bay.

Engelhurst, 7 April, 1851.

I beg to say a few words in reference to the report of the Surveyor General, which you favoured me with a sight of on Saturday last, previously to its receiving the decision of His Excellency the Governor, as I understood you to say that you were disposed to recommend its adoption.

1st.

1st. The tracing marked S. B., vol. 5, folio 18, evidently guided the Government, as it most unquestionably did myself, with respect to this negotiation. This is of some importance, notwithstanding the assertion of the Surveyor General "that it merely exhibits what was considered to be part of the original boundary of the Point Piper Estate."

2nd. If further proof were wanting, it is to be found in the Surveyor General's letter to you of the 15th February, 1849 (written eleven months after he enclosed to you the above), enclosing a reduced sketch of the same land, which he declares Mr. Cooper to be entitled to under the arrangement of 1830. If words are worth anything, to my mind this becomes a settled point, and I submit that I am entitled to the lands as defined by these tracings. It was without doubt so intended on both sides, and the good faith of the Government is pledged to it, without reservation of any kind, from which it is to be hoped there will not now be any desire to depart, neither should I, in so plain a case, consider that I had done my duty towards Mr. Cooper did I consent to take anything less. See No. 64.

3rd. The claim to the continuation of Bay-street, I understand, is abandoned.

4th. I submit that the proposed continuation of William-street and the two bridle tracks are not, nor, so far as I can at present learn, ever were dedicated roads, but were used by Captain Piper as private ways to his then residence at Point Piper, long before Mr. Cooper gave to the public the New South Head Road, and certainly could not be said to communicate with that which was not then in existence. The claim therefore now laid to them by the Surveyor General amounts to nothing better than a caprice of that officer, which I am far from being disposed to patent.

5th. It has been intimated that the Government would feel embarrassed by my insisting upon the terms of our contract. If the question had from the commencement assumed this appearance, it would undoubtedly have received every respect and attention from me, but after the trouble which I have been put to, this intimation now comes too late. However, I feel bound in candour to say that I cannot view it in this light, inasmuch as the Government could not give to the Road Trust Commissioners that which never had any existence in fact, or I may safely add, law. There never was a road dedicated to the public connecting "William-street" with the New South Head Road. To have effected this, something must have been done posterior to the formation of the latter, when it is notorious that everything that has been done was done anterior thereto, as well as being, as I contend, of a purely private nature. It therefore follows as a necessary corollary that if William-street were even given to the public, that that street must terminate (as I had occasion a short time ago to remark) at the boundary of the Village of Double Bay, and would only have the effect of cutting up Mr. Cooper's land at pleasure, without any corresponding benefit to him. This is too much for the Government to expect me to sanction. I gave the road to Belle Vue as a choice between two evils more than from a feeling of right, as I saw plainly that Mr. Cooper has nothing to expect from defending an action against the Government but the payment of his own costs. I gave up "Ocean-street" to Mr. Cooper's line of fence because I thought it an error, and I did not wish to place the Government in a dilemma, and now I am called upon to make a further concession. This, I repeat, I cannot do. If, however, the Government should (contrary to the opinion I hold) imagine itself embarrassed by the question, I will give the street in dispute, as also its continuation, in a direct line till it meets the New South Head Road, upon receiving compensation for it (to be agreed upon) either in money or in land; and I only propose this as the means of relieving the Government, as in the event of its refusal, I beg to record most respectfully my determination to adhere strictly to my letter to you of the 28th February last, and trust that there will be no further objection on the part of the Government to issue the confirmatory grants to Mr. Cooper of the land that has been so faithfully promised to him in terms thereof. See No. 87.

I have, &c.,

JAMES COOPER,

Attorney for DANIEL COOPER.

Minutes on above.

This should, I imagine, be referred for the report of the Surveyor General.—16th April.

It does not appear to me that there is anything advanced in this letter which should induce the Government to alter the decision at which it has arrived in this case. Neither can it enter into any discussion respecting the closing up thoroughfares, some of which have been long dedicated to the public, no less by prescription than by the force of statutory and common law, as the recent judgments of the Supreme Court in analogous cases have very clearly set forth, and which are of course equally binding on the Government as on the public at large.—6th May.

Has the communication directed to be made to Mr. Cooper on 51/3514 been made to him?—19th May. A letter was submitted with 51/2219, but withheld, apparently in consequence of this communication, and that of 51/3514, received the same day.—22nd May. The communication in the Surveyor General's letter of 51/3514 don't affect this, Mr. Cooper being aware of the fact respecting Bay-street. See second page of his letter. See No. 90.
See No. 87.

No. 90.

The Surveyor General to The Colonial Secretary.

Sir,

Surveyor General's Office, Sydney, 7 April, 1851.

With reference to my blank cover report of the 3rd instant on Mr. Cooper's letter forwarded to me under blank cover of the 28th ultimo, and to the words "Bay-street is not included in the description at all," I have the honor to state, for the information of His Excellency the Governor, that the reverse was intended to be expressed, namely, that Bay-street is included in the description, that it is not a public thoroughfare, and consequently that its preservation to the public is not required. See Minute on No. 87.

I have, &c.,

T. L. MITCHELL.

Minute on above.

The copy of the Surveyor General's report herein referred to should be corrected in accordance with this explanation before it is forwarded to Mr. Cooper.—C.A.F., 10 April.

No. 91.

The Colonial Secretary to Mr. J. Cooper.

Sir,

Colonial Secretary's Office, Sydney, 19 May, 1851.

Sec. No 89.

In acknowledging the receipt of your letter of the 7th ultimo, respecting the reservation of roads through the land at Double Bay intended to be ceded as a portion of the Point Piper Estate, in which you refer to my personal interview with you on the subject, I do myself the honor, by the direction of the Governor, to inform you that His Excellency does not consider that there is anything advanced in your letter which should induce the Government to alter the decision at which it has arrived in this case. Neither can it enter into any discussion respecting the closing up of thoroughfares, some of which have been long dedicated to the public no less by prescription than by the force of statutory and common law, as the recent judgments of the Supreme Court in analogous cases have been clearly set forth, and which are of course equally binding on the Government as on the public at large.

2. I beg further to add, that it appears by the report of the Surveyor General that Bay-street is not a public thoroughfare, and consequently that its preservation to the public is not required; and that William-street is only a continuation of the road of which Ocean-street is a part, and which forms one of the roads mentioned in the schedule of the Act of Council 11 Victoria No. 49.

I have, &c.,

E. DEAS-THOMSON.

No. 92.

Mr. J. Cooper to The Colonial Secretary.

Sir,

Engelhurst, 22 May, 1851.

No. 91.

In reply to your letter of the 19th instant, yesterday received, I do myself the honor to remind you that the "discussion respecting the closing of thoroughfares" originated with the Government, and that my remarks were only in reply thereto, for which I did hope the Government would feel thankful.

2. Although Bay-street is now acknowledged not to be a public road, yet by the description of the Surveyor General a street 1 chain in width has been taken out of the quantity promised to Mr. Cooper. This will be manifest upon a comparison. Indeed the whole of this block of land requires a new measurement to include the quantity enclosed by Mr. Cooper's fences.

3. I conceive, with submission, that the conclusion arrived at by the Government, viz., that William-street is only a continuation of the road of which Ocean-street is a part, is a manifest misconception. It might as well be urged that Sussex-street is only a continuation of the road of which King-street is a part, for if roads and streets running at right angles to each other, and bearing opposite names, can be construed into one and the same street, there is, in my opinion, an end to all reasoning on the matter. I possess, however, evidence from under the hand of the Surveyor General that the proposed continuation of William-street is private property, and that evidence exists upon the face of a plan of the Point Piper Estate, which he himself prepared; and further, if I understand your remarks about dedication to apply to William-street, I must beg to say, that no right by "prescription" of that portion belonging to Mr. Cooper has here taken place; and as to a "dedication by statutory and common law," I feel myself called upon to say that I most respectfully dispute the right of any person, whether legislative or otherwise, to take from Mr. Cooper the property which belongs to him without making him a compensation for the same, and especially so when the act has been done by the simple wording of a schedule, although in itself of a doubtful nature, and in ignorance of existing facts.

4. Not being able therefore to receive your present letter as an answer to mine upon this question, and having fairly exhausted the subject, without possessing the slightest desire to prolong the same, I beg that you will do me the favour to say *Yes*, or *No*, whether it is the intention of the Government to confirm to Mr. Cooper the lands that have been promised to him in terms of our agreement, in order that I may know how to act.

I have, &c.,

JAS. COOPER,

Attorney for DANIEL COOPER.

Minutes on No. 92.

I am not aware that I can say anything in addition to this. The simple question appears to be, can the Government carry out its promise, which is, to give a certain portion of land, defined by a map, in exchange for another.—24.

Perhaps I may meet the question of the Colonial Secretary by saying that the Government promised to give the proprietors of the Point Piper Estate a certain portion of land claimed by them as belonging to it, by receiving other ground from them in lieu. They have accordingly resigned the equivalent land, which has been fenced in.

The plan furnished by the Surveyor General of the land to be conceded to Messrs. Cooper at Double Bay shows what was promised, but the description is at variance, for it includes a portion of Ocean-street, William-street, and Bay-street taken therefrom.

According to the present decision Ocean-street and William-street are considered public property, but not Bay-street, which is included in the description.—15th June.

I conclude that the agent, Mr. Jas. Cooper, may be informed, and that the deeds will be made out accordingly.—24th June. Approved, 26th.—C.A.F.

There is still a difficulty in at once disposing of this matter. Mr. Daniel Cooper is to obtain a grant of the land at Double Bay on giving a surrender of that at Belle Vue. Such a surrender is now in the hands of his agent, Mr. James Cooper, but that gentleman declines to give it up until he gets a grant of the land claimed at Double Bay, and it may therefore be premature to prepare the deed under these circumstances.

Mr. James Cooper is not officially (at any rate) aware of the particular portions of land proposed to be included in the deed. I would therefore beg to recommend that he should have copies of the descriptions.—4th July. Proceed as suggested.—7th July.

35

No. 93.

The Colonial Secretary to Mr. J. Cooper.

Sir,

Colonial Secretary's Office, Sydney, 30 June, 1851.

In acknowledging the receipt of your letter of the 22nd May, respecting the land at Double Bay claimed by the proprietors of the Point Piper Estate as a portion of that property, I do myself the honor, by the direction of the Governor General, to inform you that the Surveyor General has been instructed to prepare amended descriptions of the same, so as to include Bay-street, which does not appear to be a public road, as formerly supposed, in order that the deeds may be prepared accordingly.

I have, &c.,

E. DEAS-THOMSON.

No. 94.

Mr. J. Cooper to The Colonial Secretary.

Sir,

Engelhurst, 7 July, 1851.

I do myself the honor to acknowledge the receipt of your letter of the 30th ultimo, and, in answer thereto, beg to say that, like your former, I regret that it is totally out of my power to receive your present one as an answer to mine of the 22nd May last, inasmuch as the principal matter in dispute, viz., the continuation of William-street, has been left entirely untouched; but as I have not yet been furnished with any official description of the two plots of land which the Government propose to convey to Mr. Cooper, and as I now learn, for the first time, that there is a material discrepancy between the sketch or tracing marked S.B., vol. 5, fol. 18, which regulated our agreement, and a ground survey in the Surveyor General's Office, which doubtless has been regulating the correspondence therefrom, I beg that you will favour me—1st, with an official description of the two portions of land above alluded to, and, secondly, a tracing of the ground survey, which I understand defines the lands which the Government now propose to convey to Mr. Cooper, as well as the existing contemplation of Ocean-street, in order that I may consider how far it remains in my power to meet the views of the Government.

I have, &c.,

JAMES COOPER,

Attorney for DANIEL COOPER.

Minutes on No. 94.

The descriptions have already been authorized, but with regard to the plan, I conclude that the report of the Surveyor General should be obtained.—10 July, 1851. Yes.—15. Apprise as usual. Transmitted for the report of the Surveyor General accordingly.—Blank cover, 21st July, 1851.—(For the Colonial Secretary), W. ELYARD, junr. To be returned. The required tracing (Cat. C. 585/690) is enclosed herewith.—S. A. PERRY, Deputy Surveyor General, 25th July, 1851. I conclude that the sketch and descriptions may be sent to the agent, Mr. Cooper.—29th. Yes.—2nd August.

See Appendix for plan.

No. 95.

The Colonial Secretary to Mr. J. Cooper.

Sir,

Colonial Secretary's Office, Sydney, 21 July, 1851.

With reference to your letter of the 7th instant, on the subject of the land at Double Bay proposed to be ceded to the proprietors of the Point Piper Estate upon obtaining a surrender of certain land at Belle Vue, I now do myself the honor to enclose the descriptions therein requested of the land in question, and to inform you, at the same time, that it has been found necessary to refer for the report of the Surveyor General your communication above alluded to with regard to your wish to obtain a tracing of the ground survey of this land.

I have, &c.,

W. ELYARD, JUNIOR.

No. 96.

The Colonial Secretary to Mr. J. Cooper.

Sir,

Colonial Secretary's Office, Sydney, 6 August, 1851.

In compliance with the request contained in your letter of the 7th ultimo, I now do myself the honor to transmit to you a copy of the description of the two portions of land at Double Bay which are intended to be granted to Mr. Daniel Cooper, together with the required tracing.

I have, &c.,

E. DEAS-THOMSON.

No. 97.

Mr. J. Cooper to The Colonial Secretary.

Sir,

Engelhurst, 9 August, 1851.

Your letter of the 6th instant, enclosing the descriptions and tracing of the lands applied for, came to hand yesterday, for which I thank you, as it enables me to reply to documents which I now understand that the Government desire to be guided by; and as I wish not to leave anything to say upon this subject, shall, with your permission, approach it in such a way as will not fail to give you at sight a full conception of the nature of the case.

The land which Mr. Cooper has been in possession of for a series of years, and defined, or nearly so, by the first tracing, marked S.B., vol. 5, fol. 18, has been promised to that gentleman (see my letter of the 3rd February last) since 1830, and if the deeds of grant could have been prepared, would doubtless have been legally settled on or about the time of the promise. Therefore, Mr. Cooper, relying upon the good

See No. 85.

good faith of the Government, must be considered to be as fully entitled to the lands in question as though the Seal of the Colony had been affixed to the transaction. This took place eighteen years previously to the institution of the present Road Trust Commission.

Again, the same promise was repeated in April, 1848, and accepted by me the May following, being about seven months previous to the appointment of the Commissioners under the above Act, so that even at that time, could it have been possible for a grant to have ensued, Mr. Cooper would have possessed it long anterior to the creation of that trust. There is therefore no cause to doubt that Mr. Cooper is in every way entitled to receive the grants in accordance with his possession, as defined by his lines of fence, and nearly so by the tracing marked S.B., vol. 5, fol. 18.

In the face of this agreement the Government initiated the Road Trust Act, which has passed the Legislature of the Colony, whereby, without any reference to the subject matter of roads in the body of the Act, but purely by a few lines in the schedule thereof, an attempt has been made to deprive an individual of his right *unheard*. This power, I confidently assert, our Legislature did not possess. It is, indeed, a power which the Imperial Parliament does not enjoy, and therefore could never delegate it. It is, I humbly submit, proper that I should direct your attention to this, as I am determined to uphold Mr. Cooper's right to a portion of this property in dispute, even though I should be obliged to maintain that right at law.

There is, as I said in my last, a material discrepancy between the tracing which regulated my agreement with the Government and the one you have just sent to me, which discrepancy pervades both blocks; but taking the present tracing, made nearly two years after our agreement, as the one which the Government wish to conform to, I will, for the purpose of meeting its views and getting rid of a troublesome question, consent to the eastern boundary of Ocean-street (from its junction with the New South Head Road in a straight northerly direction till it meets the waters of Double Bay, in terms of the present tracing), although it will take from Mr. Cooper a portion of the land which he is alike entitled to, no less by possession than by the terms of our agreement, and accept the grant in that gentleman's name for the block containing 5 acres 3 roods and 36 perches. This will, I presume, settle to the satisfaction of the Government this portion, and be the means of narrowing the question in dispute to the block containing 9 acres 2 roods and 9 perches, respecting which I am compelled, from a mere sense of justice towards Mr. Cooper, to request a resurvey, so as to include the portion taken therefrom for the proposed continuation of William-street, and in doing this I will endeavour to meet the question with all its difficulties.

That the Government stand pledged to convey to Mr. Cooper this entire block, without reference to streets of any kind, is with me a settled point; and the only difficulty in the way of its completion appears to be this, viz., that the Legislature has attempted to take therefrom a road, which was intended to be placed under the control of the Trust Commissioners.

I have already shown that our late Council did not possess the power to pass this Act in the way in which it has been done, yet the perplexity, so far as the Government is concerned, has to be got rid of; and I prefer that the case should be firmly and fairly met, than that it should be evaded by either a supposed dedication or by the assertion that "William-street is only a continuation of a road of which Ocean-street is a part," either of which, I respectfully submit, and feel satisfied that you will acknowledge, to be as unworthy of the good faith of the Government as it is unfounded in fact.

If I were permitted to offer a remark, I would say that there are two ways in which the Government can honorably meet this question. The first is, by calling for a fresh survey and description, so as to include the portion taken therefrom for the continuation of William-street, and to issue a grant to Mr. Cooper in terms thereof, leaving that gentleman to settle his own business with the public and the Colonial Act, or to issue a grant for the quantity in terms of the present tracing, by making Mr. Cooper a remuneration (to be determined by any two disinterested persons) for the quantity taken for the continuation of William-street, when, if this latter course is adopted, I will consent to a further continuation of that street in a direct line till it meets the New South Head Road, upon the same terms. Either of these ways, I respectfully submit, would be the most dignified, as it unquestionably would be the most honorable means of settling this vexatious subject; and in the hope that either the one or the other will meet the views of the Government, I beg to conclude by saying that as this letter is intended to be the ultimatum of what I consider Mr. Cooper ought to do, it must be received and regarded from first to last as a proposition made entirely without prejudice to Mr. Cooper's right to the entire quantities, as defined by the original tracing, marked S.B., vol. 5, fol. 18, so often alluded to.

I have, &c.,

JAS. COOPER,

Attorney for DANIEL COOPER.

Minutes on above.

For the Executive Council, 14th.—C.A.F. B.C., 18 August, 1851.—(For the Colonial Secretary) W. ELYARD, jun. Laid before the Executive Council, 28 August, 1851: Minute No. 51/44.—M.F.

No. 98.

PROCEEDINGS of the Executive Council on the 28th August, 1851, with reference to a correspondence having relation to a purposed grant to Mr. Daniel Cooper of land at Double Bay, in lieu of other land at Belle Vue to be surrendered by him to the Government.

Minute No. 51/44. Confirmed 2nd September, 1851.

Hrs Excellency the Governor General lays before the Council a correspondence having reference to certain portions of land at Double Bay, which the Government purposed to grant to Mr. Daniel Cooper, of London, in lieu of certain other land at Belle Vue, which Mr. Cooper was to have surrendered to the Government.

2. From the correspondence laid before the Council, it appears that on condition of his surrendering a certain portion of land at Belle Vue, required for purposes of public recreation, Mr. Daniel Cooper was to have received a grant from the Crown of two separate portions of unalienated land adjoining the township laid out by the Government at Double Bay, containing respectively five acres three roods and three perches and nine acres two roods and nine perches; but that when recently the grants were about to

to be prepared in Mr. Cooper's favour, it was objected by his agent, Mr. James Cooper, of Sydney, that the descriptions proposed to be inserted in the deeds did not comprise the whole of the land originally intended to be granted, as shown on a certain sketch to which he had had access in the Surveyor General's Office, in the early stages of the correspondence.

3. Although originally extending to the measurement of both these blocks of land, Mr. Cooper's objections are now understood to be narrowed to the proposed southern limit of the larger of these blocks, of which he insists that a resurvey should be made, so as to include the space comprised in the continuation of the line of street, shown on the sketch as William-street, from Bay-street to the New South Head Road, which street is in fact a continuation of the old Point Piper Road, one of the public roads indicated in the Schedule annexed to the Act of Council 11 Victoria No. 49.

4. The Council are of opinion that in urging the Government to convey to Mr. Daniel Cooper the space occupied by the street or road in question Mr. James Cooper is asking that which it is not in the power of the Government to grant. For although it is quite true that the negotiation which it is now sought to realize was entered into long before the passing of the Act referred to, still the road in question had been previously dedicated to the public, and its introduction into the Schedule of the Act is in itself evidence of such dedication.

5. And it must be borne in mind that even if the block of land in question were described in the manner contended for by Mr. Cooper, the deeds of grant would still contain the usual reservation of a right-of-way through the same, and therefore the interests of the grantee are no more prejudiced by the exclusion from the description of the present line of road than they would be by the formation of a public road through the same land, if described in accordance with Mr. Cooper's request.

MICHAEL FITZPATRICK,
Clerk of the Council.

Executive Council Office, Sydney, 3rd September, 1851. No. 51/236. Approved.—C.A.F.

[Enclosure to No. 98.]

Schedule referred to.

- 1.—28 March, 1848. Deputy Surveyor General to the Colonial Secretary, relative to Messrs. Cooper & Levey's claim to land at Double Bay.
- 2.—15 February, 1849. Surveyor General to Colonial Secretary, relative to portions of the village of Double Bay to be granted to the representatives of Cooper & Levey, with two memoranda of Colonial Secretary thereon.
- 3.—14 March, 1850. Surveyor General to Colonial Secretary, forwarding descriptions of lands to be surrendered by, and to be given to, the representatives of Messrs. Cooper & Levey.
- 4.—3 February, 1851. Mr. James Cooper to Colonial Secretary, respecting land at Double Bay, with memorandum of Surveyor General thereon.
- 5.—28 February, 1851. Mr. James Cooper to Colonial Secretary, respecting land at Double Bay, and B.C. report of Surveyor General thereon.
- 6.—7 April, 1851. Surveyor General to Colonial Secretary, relative to error in B.C. report last above-mentioned.
- 7.—7 April, 1851. Mr. James Cooper to Colonial Secretary, respecting land at Double Bay, with memorandum of Colonial Secretary thereon.
- 8.—22 May, 1851. Mr. James Cooper to Colonial Secretary, respecting Mr. Daniel Cooper's claim to land at Double Bay, with two memoranda of Colonial Secretary thereon.
- 9.—7 July, 1851. Mr. James Cooper to Colonial Secretary, applying for description and tracing of land proposed to be conveyed to Mr. Daniel Cooper.
- 10.—9 August, 1851. Mr. James Cooper to Colonial Secretary, respecting land at Double Bay.

No. 99.

The Colonial Secretary to Mr. J. Cooper.

Sir,

Colonial Secretary's Office, Sydney, 22 September, 1851.

In acknowledging the receipt of your letter of the 9th August last, on the subject of the land at Double Bay which it is proposed to grant to Mr. Daniel Cooper, as a portion of the Point Piper Estate, on condition of certain other land at Belle Vue being ceded by that gentleman to the Government, I have the honor to inform you that the Governor General has submitted to the Executive Council the correspondence having reference to the case.

2. Under the advice of the Council, I am directed by His Excellency to acquaint you with reference to your objection to the proposed southern limit of the block containing 9 acres 2 roods and 9 perches, on account of which you require a resurvey to be made, so as to include the space comprised in the continuation of the line of street from Bay-street to the New South Head Road, that this street, known as William-street, is in fact a continuation of the old Point Piper Road, one of the roads indicated in the Schedule annexed to the Act of Council 11 Victoria No. 49.

3. I am therefore to state to you that the Council is of opinion that in urging the Government to convey to Mr. Daniel Cooper the space occupied by the street or road in question you are asking that which it is not in the power of the Government to grant, for although it is quite true that the negotiation which it is now sought to realize was entered into long before the passing of the Act referred to, still the road in question had been previously dedicated to the public, and its introduction into the Schedule of the Act is in itself evidence of such dedication.

4. In conclusion, I am further instructed to remark to you, that even assuming that the block of land in question was described in the manner contended for by you, the deeds of grant would still contain the usual reservation of a right-of-way through the same, and therefore the interests of the grantee are no more prejudiced by the exclusion from the description of the present line of road than they would be by the formation of a public road through the same land, if described in accordance with your request.

I have, &c.,

E. DEAS-THOMSON.

No. 100.

Mr. J. Cooper to The Colonial Secretary.

Sir,

Double Bay.

Engelhurst, 26 September, 1851.

No. 99.

In reply to your letter of the 22nd instant, I do myself the honor to state that the dedication which the Government still contend for never in reality took place; that the continuation of William-street is nothing more than a private way which the late Captain Piper used for the purpose of getting to his residence at Point Piper, at which spot it ceased. Indeed the plan of the Point Piper Estate, made by the Surveyor General himself, does not even carry it to that point; and so far from the introduction of the same into the Schedule of the 11 Victoria No. 49 proving its dedication, I submit that it proves nothing of the kind, but simply (at the utmost) a supposition of it; but if we admit, for the sake of argument, that the continuation of William-street was a dedicated road, still, by the 4th William IV, it must revert to its original owner from the moment that the dedication of the New South Head Road took place, so that in either case the position of the Government is untenable.

Abstractedly I do not dispute the right of the Government to roads; but if the Government will insist upon rights, it should not forget that it has duties to perform; and the duty I submit in this case, is to pay for that which is required, otherwise the reservation in some instances might seriously injure private property, if not amount to a confiscation of the grant.

It is admitted that Mr. Cooper is entitled to the portion of land in dispute, then why not either grant it to him or pay for it.

Having in truth exhausted this subject, as well as my own patience, I intend this letter to be, at least for the present, my last; and in submitting it for your consideration, I beg to observe, that having failed to make any impression on the mind of the Government relative to what I take to be the equity of the case, in conformity with the maintenance of its own good faith, and having denuded Mr. Cooper, by a formal dedication of the road to Belle Vue, given as an equivalent for the two portions of land at Double Bay, I now withdraw the whole of the concessions made by me during the continuance of this correspondence, solely for the sake of amicably settling this question; and that you will be pleased to understand that I henceforth insist upon the extreme rights of Mr. Cooper, in strict accordance with our agreement, as defined by the original tracing marked S.B., vol. 5, fol. 18, and am prepared to hand over to the Government the surrender to the Crown (of the road to Belle Vue, long since in the possession of the public) upon receiving the grants in accordance therewith.

I have, &c.,

JAS. COOPER,

Attorney for DANIEL COOPER, London.

For the Executive Council, 30th.—C.A.F., B.C., 2 October, 1851.

Laid before the Executive Council, 7th October, 1851. Minute, No. 51/50.—M.F.

No. 101.

PROCEEDINGS of the Executive Council, on the 7th October, 1851, relative to a letter from Mr. James Cooper, as agent for Mr. Daniel Cooper, of London, objecting to the reservation of a certain right-of-way through land at Double Bay.

Minute No. 51/50. Confirmed 20th October, 1851.

See No. 98.

See No. 100.

REFERRING to the proceedings on the 28th August last, His Excellency the Governor General lays before the Council a further letter from Mr. James Cooper, in which, as agent for Mr. Daniel Cooper, of London, he iterates his objections to the reservation of a certain right-of-way through the land at Double Bay which the Government proposed to grant to Mr. Daniel Cooper, in consideration of his surrendering certain other land at Belle Vue required for purposes of public recreation.

2. The Council adhere to the view of this case expressed in their previous minute, and they recommend either that the transaction be completed on the terms held out by the Government, or that the entire negotiation be absolutely broken off, and the proposed exchange abandoned.

MICHL. FITZPATRICK.

Executive Council Office, Sydney, 21 October, 1851. No. 51/267. Approved, 22nd.—C.A.F.

No. 102.

The Colonial Secretary to Mr. J. Cooper.

Sir,

Colonial Secretary's Office, Sydney, 31 October, 1851.

See No. 100.

The Governor General has laid before the Executive Council your letter of the 26th ultimo, in which, as agent for Mr. Daniel Cooper, of London, you iterate your objections to the reservation of a certain right-of-way through the land at Double Bay which the Government proposes to grant to Mr. Daniel Cooper, in consideration of his surrendering certain other land at Belle Vue required for purposes of public recreation.

See No. 99.

2. His Excellency and Council adhering to the view of this case expressed in a former minute, and communicated to you in my letter of the 22nd of last month, I am now instructed to state that the transaction can only be completed on the terms held out by the Government, and that if this be not done the entire negotiation will be absolutely broken off, and the proposed exchange abandoned.

I have, &c.,

E. DEAS-THOMSON.

No. 103.

No. 103.

Mr. J. Cooper to The Colonial Secretary.

Sir,

Engelhurst, 5 November, 1851.

I beg to acknowledge the receipt of your letter of the 31st ultimo, yesterday received, No. 102. intimating to me that the Governor General has laid before the Executive Council my letter of the 26th September last, and that you are desired to state, His Excellency and Council still adhering to the view of the case expressed to me in your letter of the 22nd of that month, instruct you to say that the transaction therein referred to can only be completed on the terms held out by the Government, and if this is not done the entire negotiation will be entirely broken off, and the exchange abandoned. In reply to which I beg permission to observe—

1. That having formally handed over to the Government the road to Belle Vue, on or about the time of the ratification of the contract (the same having been fenced off at the public expense), it has been so entirely dedicated to the public, "as the recent judgments of the Supreme Court in analogous cases have clearly set forth," that the Government is not in a position (even were it desirous of repudiating its agreement) to abandon the exchange, as it is termed, by anything short of legislative enactment.

2. I also feel it to be a duty which I owe to myself to remind the Government that during the continuance of this correspondence I have sought not to obtain any more than what I sincerely believe to be justice to an absent party, and as such do most unfeignedly regret that I should differ from His Excellency and Council relative to my ideas of what that justice is. I do not, however, after reconsidering this matter, feel that I should be justified in opposing the dictum of the Government at law, as the payment of Mr. Cooper's own costs would probably be greater to him than the value of the land in dispute; and shall therefore, solely to avoid such necessity, consent to receive the grants in the form pointed out by the descriptions which have been furnished to me by the Government, and appeal to the Legislature of the Colony for that justice which has, I conceive, been denied to Mr. Cooper by the Executive; and as such I am prepared to hand over to the Government the deed of surrender of the road to Belle Vue directly I am informed that the deeds for the Double Bay land are ready for delivery.

I have, &c.,

JAS. COOPER,

Attorney for DANIEL COOPER.

Minute on above.

The deeds may now be prepared and submitted for signature. —C.A.F., 13th.

No. 104.

Mr. J. Cooper to The Colonial Secretary.

Sir,

Double Bay.

Engelhurst, 22 November, 1852.

I do myself the honor to acquaint you that by the "Great Britain," just arrived, I am in possession of instructions from Mr. Daniel Cooper, of London, to bring this long pending question to a close. In accordance therewith I beg most respectfully to refer you to the conclusion of my letter to you of the 5th November, 1851, upon the above subject, and shall feel obliged by your causing the deeds of grant to be made out, in terms of the Government descriptions, at your earliest convenience. See No. 103.

The surrender to the Crown of the road to Belle Vue has already been submitted to the Civil Crown Solicitor for his approval, whose report I am informed you have long since received.

I have, &c.,

JAMES COOPER,

Attorney for DANIEL COOPER, London.

No. 105.

Mr. J. Cooper to The Colonial Secretary.

Sir,

Sydney, 22 December, 1852.

As Mr. Daniel Cooper, of London, is anxious to have copies of the two Double Bay grants referred to in my letter to you of the 22nd ultimo, may I be permitted to beg the favour that you will let me know when it will be convenient to the Government to let me have the original deed. See No. 104.

I have, &c.,

JAS. COOPER,

Attorney for DANIEL COOPER, London.

No. 106.

Mr. J. Cooper to The Colonial Secretary.

Sir,

Sydney, 23 February, 1853.

I beg respectfully to call your attention to my letter to you of the 22nd December last, and shall feel particularly obliged by an answer to the same at your earliest convenience. See No. 105.

I have, &c.,

JAS. COOPER,

Attorney for DANIEL COOPER.

Minute on above.

Inform Mr. Cooper that the deed for the land at Double Bay has been prepared, and will be forwarded with as little delay as possible, through the usual channel, to the Colonial Treasurer, who will deliver it on the certificate of the Civil Crown Solicitor that he has received the deed for the land surrendered by Mr. Daniel Cooper at Belle Vue.—16th April.

No. 107.

Memoranda on subject of grant to Mr. D. Cooper.

Grant to Daniel Cooper in compensation for land surrendered for road at Belle Vue.

30 March, 1853.

The following points appear to require decision in reference to the deed of grant to be issued in this case:—

1. The land to be given in compensation will, it is presumed, be chargeable with a peppercorn quit-rent only, as that on the original grant (as stated below) is represented to have been redeemed.

Quit-rent on the Point Piper Estate, 4s. per annum.

Do. Belle Vue Estate, £1 2s. per annum.

2. The original grants do not contain the usual reservation of land within 100 feet of highwater mark, therefore, in the deed to Mr. Cooper this clause will, I conclude, be properly omitted, as the land has been measured so as to give him a right of water frontage. (See descriptions, 50/3,066.)

3. The terms of the original agreement in this matter, as set forth in the Colonial Secretary's letters, of the 6th September, 1830, and 22nd April, 1848, copies of which are herewith enclosed, makes no allusion whatever to the reservations to be inserted in the deed to Mr. Cooper. The presumption is, therefore, that the conditions were to be precisely the same as those contained in the original grant of the Point Piper Estate, which reserves only the right of making a public road, and timber for naval purposes; and the additional clause included in the ordinary form of grant now in use, reserving to the Crown the right of resuming land for public purposes (see *draft of deed herewith), will, I conclude, be altogether omitted.

The letters, of which copies are enclosed, state that the land is to be given in extension of the boundaries of the former estate, and therefore it may be inferred on the same conditions.—31st. Yes.—C.A.F., 1 Sept., 1853.

No. 108.

Memorandum in the case.

I FIND that in several instances deeds which have been surrendered to the Crown, and new ones issued under the advice of the law officers—in cases somewhat similar, though not altogether analogous to the present—the rule respecting advertising the land for one month has been relaxed, and this course may very properly be followed in this case from the consideration—

1st. That the grant is issued under the advice of the law officers.

2nd. That the interests of third parties are not likely to be affected in such a case as the present, the matter being entirely one between the Crown and Mr. Cooper, and the latter being in *bonâ fide* possession of the land.

3rd. That the rule in question was adopted *not* to meet such cases as these, but those of grants issued in pursuance of old promises where encroachments on their neighbours' rights were very likely to occur.

4th. From the delay that has already occurred, and as the end to be attained by a further delay of one month, which may greatly affect the interest of the grantee, does not seem very obvious.

April 1st, 1853.

The deed may perhaps in this case be prepared without being first advertised? Yes.—C.A.F., 4th.

No. 109.

The Colonial Secretary to Mr. J. Cooper.

Sir,

Colonial Secretary's Office, Sydney, 18 April, 1853.

With reference to your letter of the 23rd February last, I have now the honor to inform you that the deed for the land at Double Bay has been prepared, and will be forwarded with as little delay as possible, through the usual channel, to the Colonial Treasurer, who will deliver it on the certificate of the Crown Solicitor that he has received the deed for the land surrendered by Mr. Daniel Cooper at Belle Vue.

I have, &c.,

W. ELYARD, JUNIOR.

No. 110.

The Colonial Secretary to The Civil Crown Solicitor.

Sir,

Colonial Secretary's Office, Sydney, 18 April, 1853.

I have the honor to inform you that Mr. James Cooper has been apprised that the deed for the land at Double Bay, which is prepared and about to be forwarded to the Colonial Treasurer, through the usual channel, will be delivered to him by that officer upon his obtaining from you a certificate that you have received the deed for the land surrendered by Mr. Daniel Cooper at Belle Vue.

I have, &c.,

W. ELYARD, JUNIOR.

No. 111.

The Colonial Secretary to The Colonial Treasurer.

Sir,

Colonial Secretary's Office, Sydney, 18 April, 1853.

I have the honor to inform you that Mr. James Cooper has been apprised that the deed of certain land at Double Bay, which is prepared and about to be forwarded to you, through the usual channel, will be delivered to him only on the production to you of a certificate from the Civil Crown Solicitor that he has received the deed for the land surrendered by Mr. Daniel Cooper at Belle Vue.

I have, &c.,

W. ELYARD, JUNIOR.

No. 112.

No. 112.

The Civil Crown Solicitor to The Colonial Secretary.

Sir,

Civil Crown Solicitor's Office, Sydney, 30 June, 1853.

Referring to your letter of the 18th April last, and previous correspondence, respecting the land to be surrendered by Mr. Cooper, at Belle Vue, for a public road, in exchange for land situated at Double Bay to be granted to him, I have the honor herewith to transmit the necessary conveyance, duly perfected, from Mr. Cooper to Her Majesty, of the land in question. No. 110.

Mr. Cooper, junior, has received from me the usual certificate to receive the deed of grant from the Treasury for the land at Double Bay.

I have, &c.,

W. W. BILLYARD,
Civil Crown Solicitor.

Minutes on No. 112.

Nothing further necessary that I am aware of.—M.F., 11 July, 1853. Should not a copy of this be sent to the Acting Deputy Surveyor General for his information?—23 August, 1853.

These papers will be useful to the Surveyor General, as fully explaining the history of the supposed encroachment at Double Bay, recently referred to him by the personal direction of the Secretary for Lands.—M.F., B.C., 22 July, 1854.

No. 113.

The Colonial Secretary to The Acting Deputy Surveyor General.

Sir,

Colonial Secretary's Office, Sydney, 30 August, 1853.

Adverting to your letter of the 14th March, 1850, I have the honor, by the direction of His Excellency the Governor General, to enclose to you a copy of a communication from the Civil Crown Solicitor, by which you will perceive that Mr. Daniel Cooper has now duly perfected a conveyance to Her Majesty of the land at Belle Vue, required for a public road, in exchange for certain land at Double Bay. No. 76.

I have, &c.,

W. ELYARD.

No. 114.

The Colonial Secretary to The Acting Surveyor General.

Sir,

Colonial Secretary's Office, Sydney, 5 April, 1854.

With reference to my letter of the 30th August last, respecting the land surrendered by Mr. Daniel Cooper, at Belle Vue, for a public road, I have the honor to inform you that the surrender of the land in question to the Crown bears date the 28th of August, 1850, and to request that you will have the goodness to cause a note of the same to be made in your office. No. 113.

I have, &c.,

W. ELYARD.

No. 115.

J. Macintosh, Esq., M.P., to The Secretary for Lands.

My dear Sir,

Legislative Assembly, Sydney, 19 February, 1879.

Your predecessor, in answer to a question put by me, stated that he would take steps to restore the Marine Parade and the Steyne at Double Bay to the residents of that village and the public, in accordance with the plan adopted by the Government and exhibited to the purchasers when they were invited to purchase the allotments.

Your early attention to the matter would be a great boon to the public.

You will find that an error was committed in the description of the land granted to Sir Daniel Cooper in 1853.

I think a wrong has been committed, and ought to be set at rights.

I remain, &c.,

JOHN MACINTOSH.

Minutes on No. 115.

Very urgent. Under Secretary,—How does this matter stand? Mr. Macintosh, M.P., wishes to be informed. Look at the promises made by my predecessor.—J.H., 20/2/79.

Memo.—Mr. Macintosh's letter refers to a question, answered by Mr. Farnell, as to defining the Marine Parade at Double Bay. It does not appear, however, to have been done, although Mr. Farnell stated in his reply that steps would be at once taken to carry out the work. The papers are with Mr. Rich, on the 7th of December, 1878, for copy of return in this matter for Parliament. It would be well to have the papers sent on to Survey Department, in order that the parade might be defined.—J.G.N., 24/2/79.

Mr. District-Surveyor Woolrych was (on papers 78-5,639, Ministerial) directed to mark the Marine Parade at Double Bay easterly from the Steyne, on 12th December, 1878, and he has this day been reminded.—W.F., 24/2/79.

The surveyor should be urged to expedite this work at Double Bay, and Mr. Macintosh, M.P., informed of the steps taken.—J.H., B.C., 1/3/79. Mr. Macintosh, M.P., informed.—6 Mar., /79.

No. 116.

The Under Secretary for Lands to J. Macintosh, Esq., M.P.

Sir,

Department of Lands, Sydney, 6 March, 1879.

With reference to your letter of the 19th ultimo, relative to the restoration of the Marine Parade and the Steyne at Double Bay, I am directed by the Minister for Lands to inform you that the District Surveyor has been instructed to mark the Marine Parade, and has since received directions to expedite the work as much as possible. No. 115.

I have, &c.,

W. W. STEPHEN.

[Nine plans.]

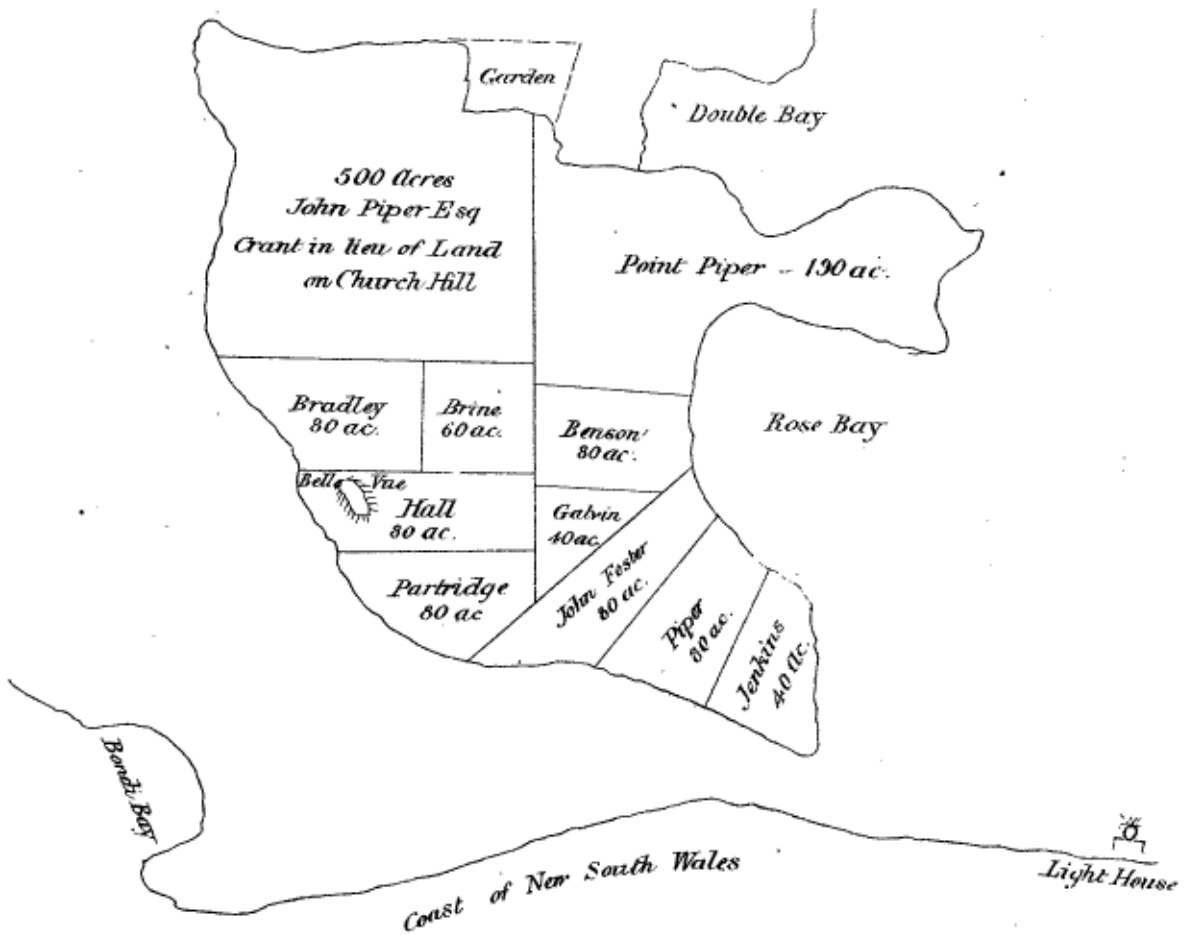
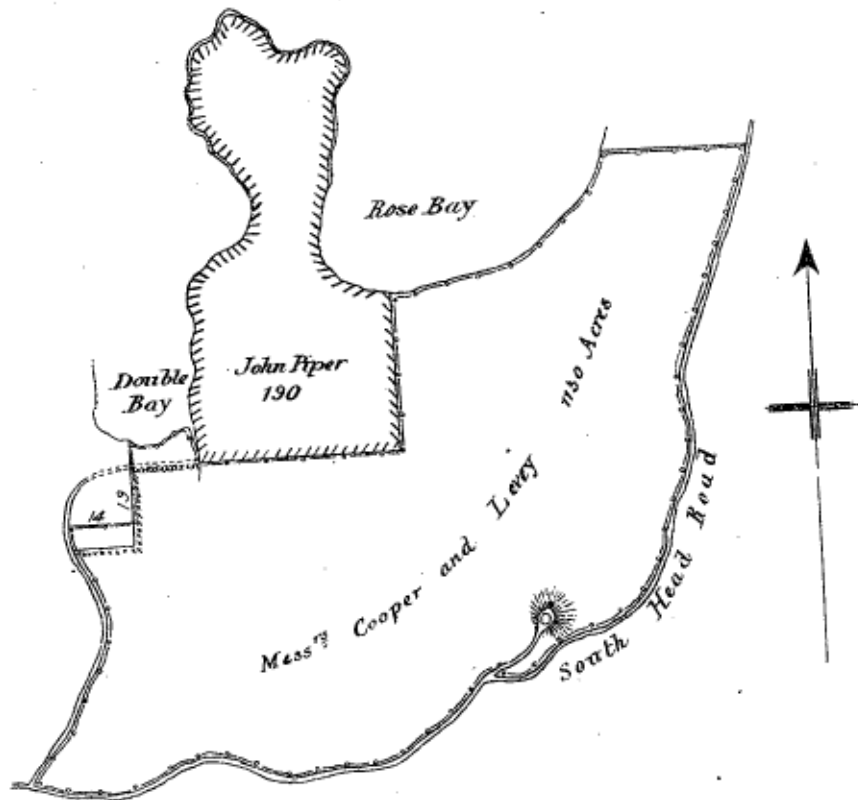


PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.

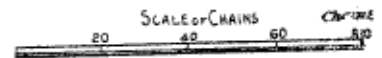
Sig. 624

Appendix B.

Enclosure to N° 10.



Scale 2 Inches to a Mile



The edging thus —○—○—○— shows the boundaries of the amended description

The edging thus xxxxxxxxxxxx shows the boundaries of the description from which the deeds were prepared. The land edged thus ||||| is tinted pink on original plan

(Sig. 624)

PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.

Enclosure A to N° 36

Appendix C.

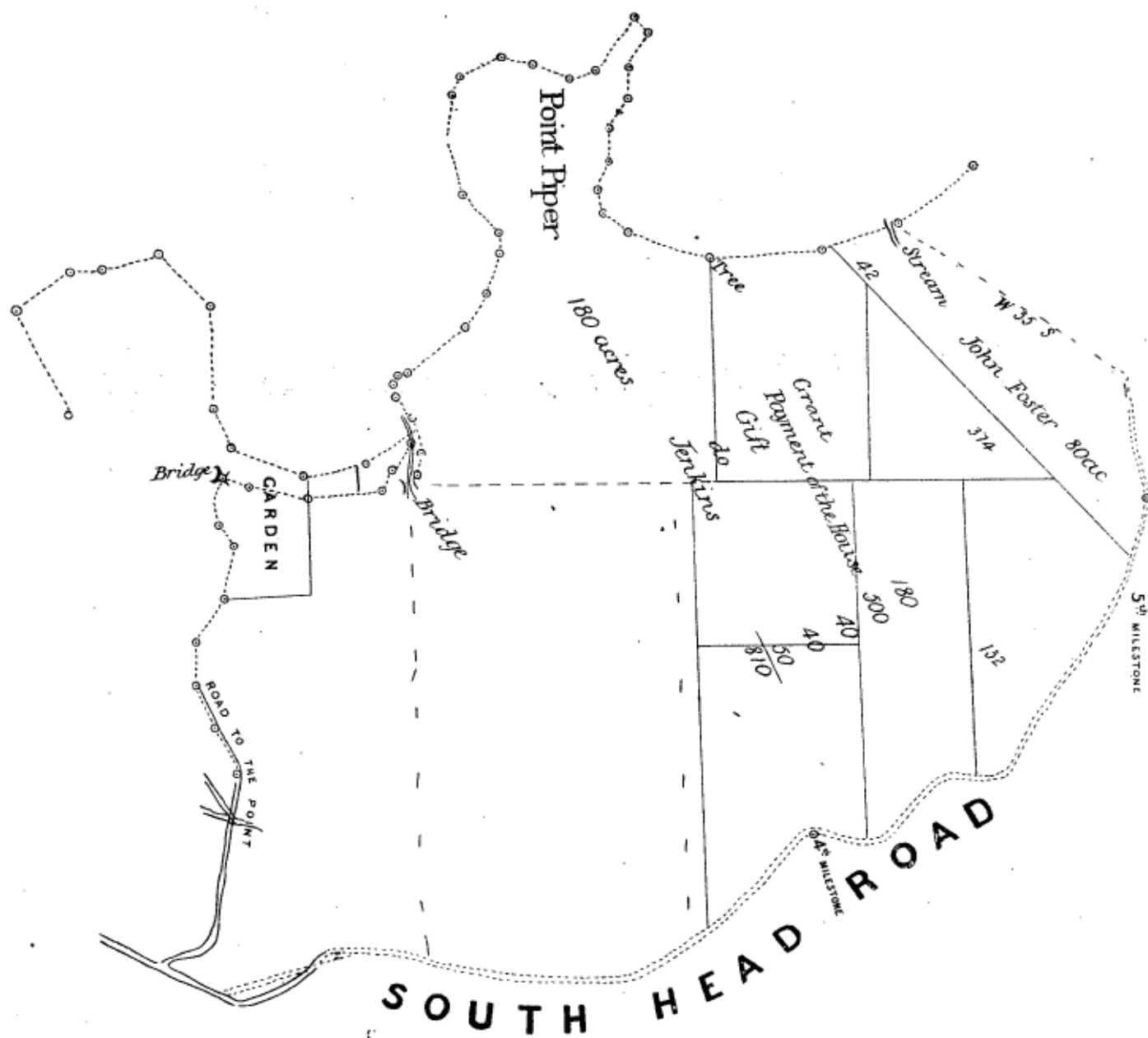


PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.

(Sig. 624)

The boundary of the Village is edged thus

The portion thereof claimed by Cooper and Holt is edged thus—

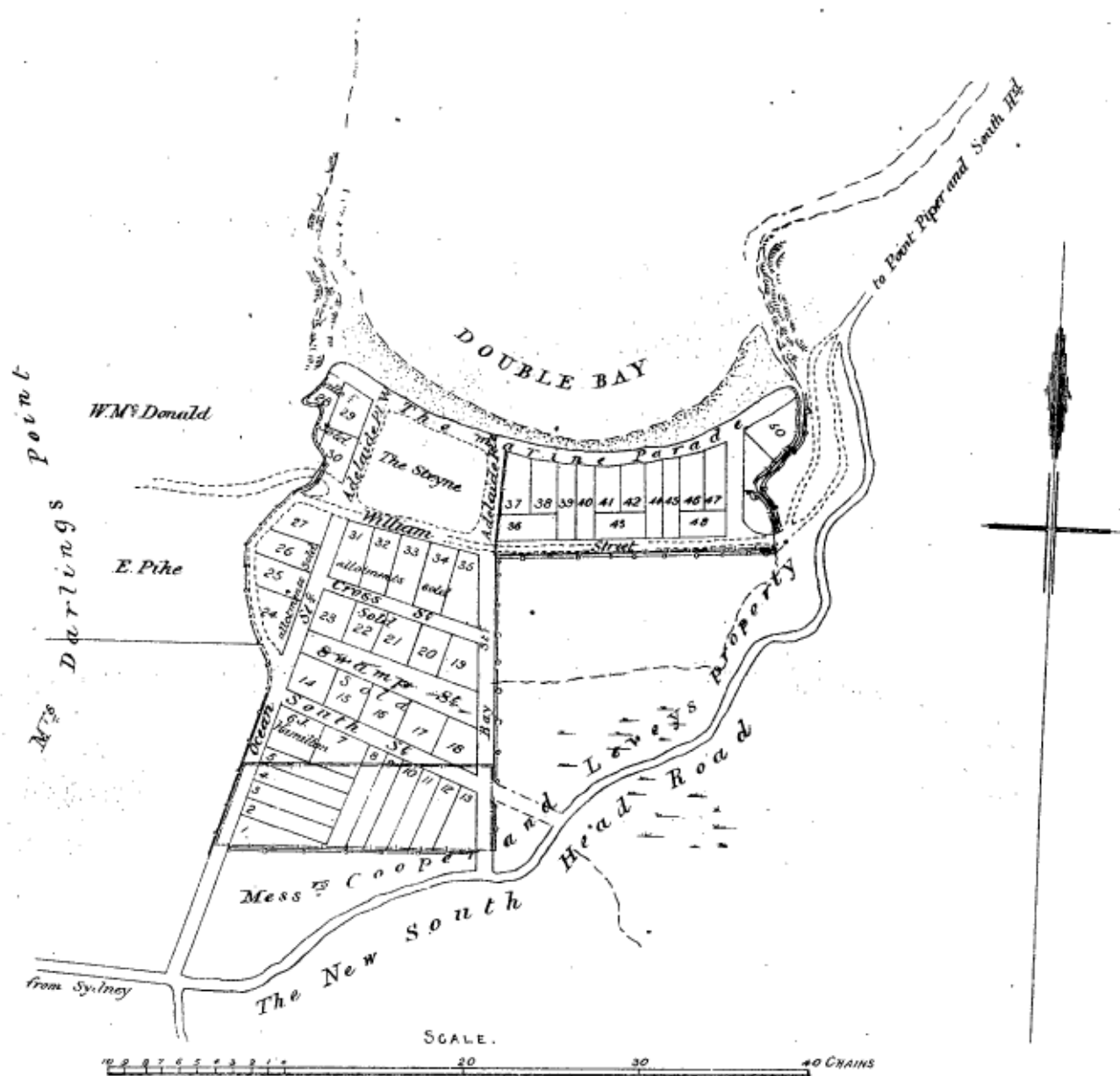


PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.

Laid before the Executive Council
28th August 1853 Minute N^o 51/44

(Sig. 624)

S.B. Vol 5 fol 18

PLAN

shewing the road up to Bellevue, and portions of
the roads recently made under the direction of
the Sur. General through the Piper Estate

Scale of Chains

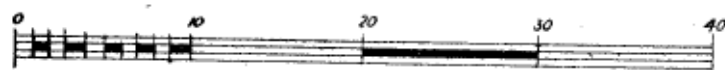
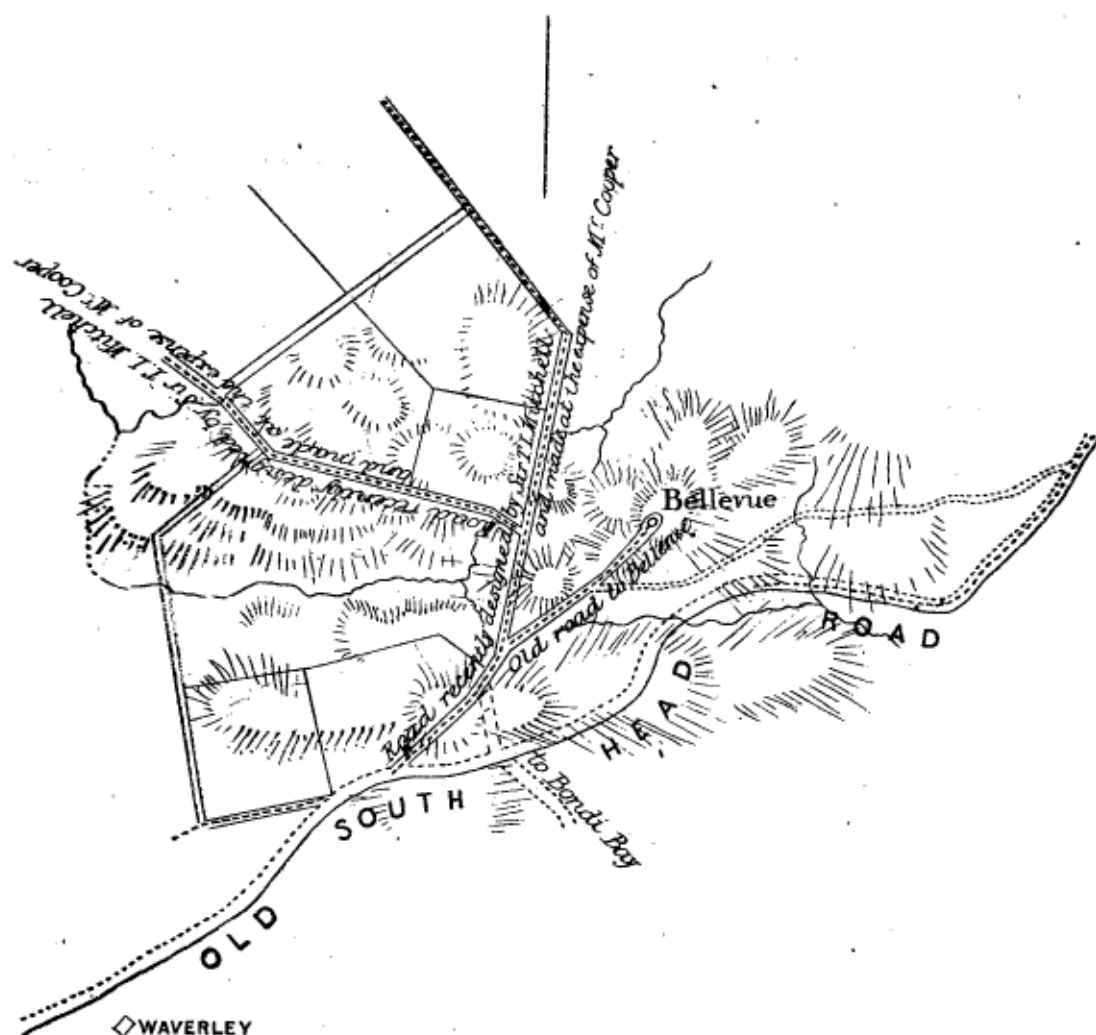


PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.



48/4069

Appendix F

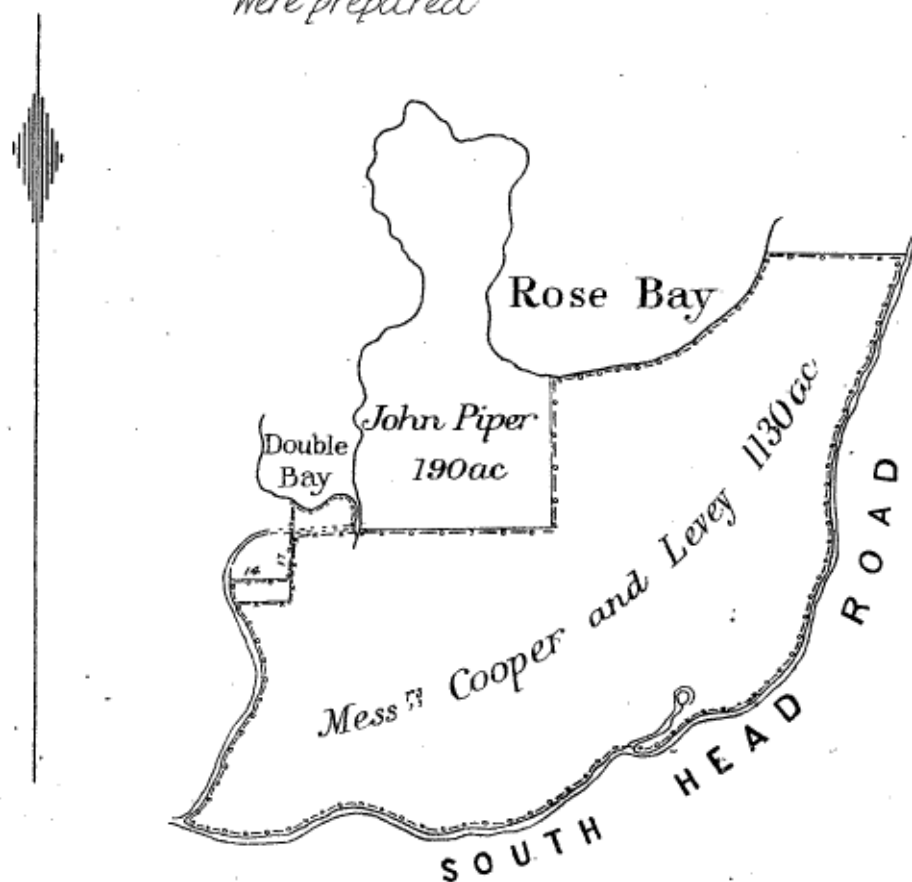
S.B.V.1 fol. 8

Enclosure C to N^o 54

S.B.V.5 fol. 8

Copy of tracing which accompanied my letter of 1st June 1830 being in compliance with the request intimated in S.L. 30/613 of 27th May and in explanation of the description sent in my letter of 13th May N^o 30/224.

NOTE. The edging - - - - - shews the boundaries of the amended description
The edging - x - x - x - shews the boundaries of the description from which the deeds were prepared



Scale 40 Chains to an inch

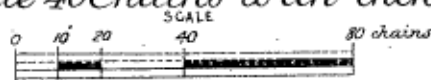


PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.

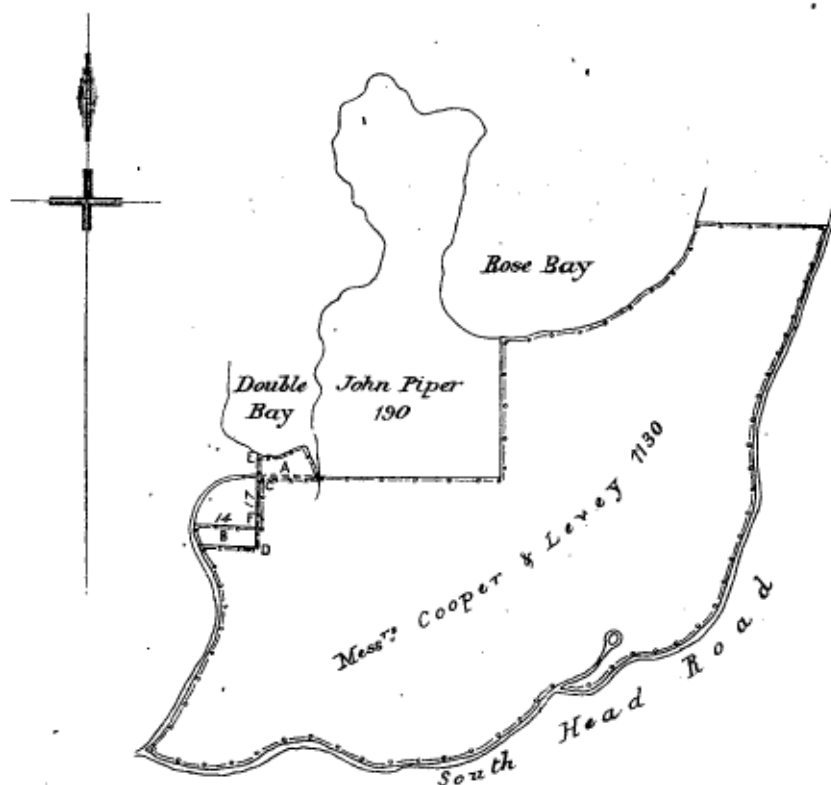
Sig. 624

Enclosure to N^o 64

Appendix G.

DRAWING

of a Tracing from a Copy of a Sketch
transmitted to the Colonial Secretary
in Surveyor General's Letter
N^o 36452



Scale of 2 Inches to 1 mile

10 20 40 60 CHAINS

* Yellow on original.

The edging thus shows the boundaries of the amended description

† Red on original.

The edging thus shows the boundaries of the description from which the Deeds were prepared

(Sig. 624)

PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.

Sketch
Shewing the
Encroachments & Improvements
at
DOUBLE BAY
Existing in 1844

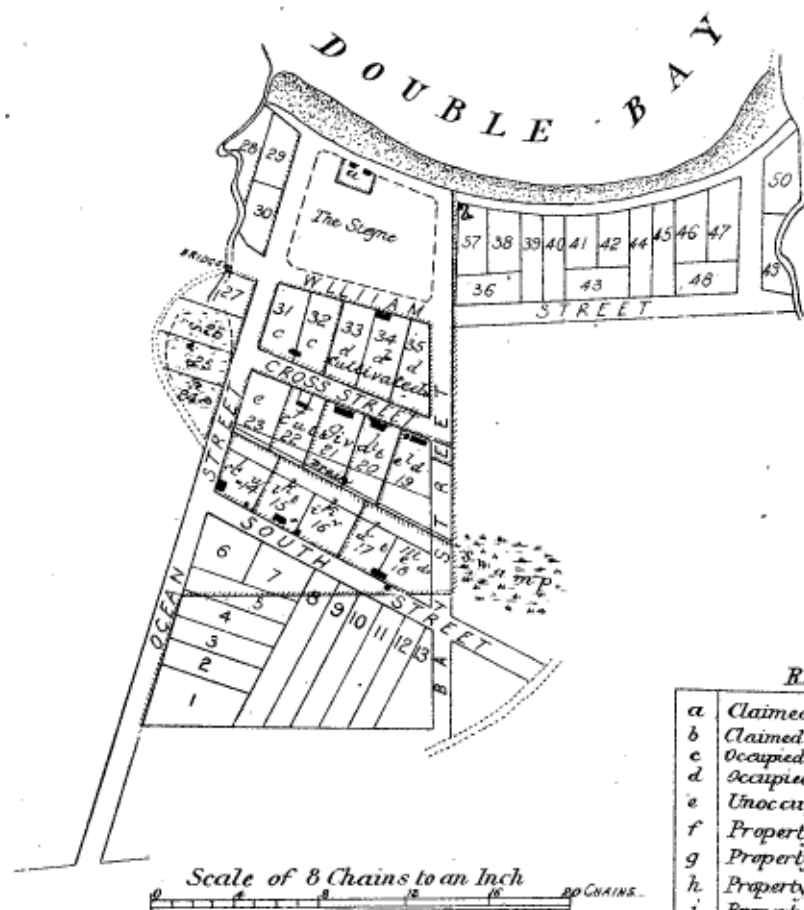


PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.

REFERENCE

a	Claimed by Elizabeth Richardson
b	Claimed by M ^{rs} Cooper
c	Occupied by Joseph Pepper
d	Occupied by E. L. Clarke
e	Unoccupied
f	Property of A. Murray
g	Property of M ^r Stack
h	Property of the Auction Company
i	Property of Cap ^{tn} Banks
j	Property of M ^r Stuart
k	Property of C. Gordon
l	Property of E. R. Stack

Note. the black lines, ^{Shewn thus} denote the Fences
Other Black Right Lines (Red on Original)
denote Boundaries

Transmitted to the
Surveyor General
with my letter of the 6th Sept/44
Edmund B. Kennedy
Apt Surveyor

PLAN OF VILLAGE OF DOUBLE BAY COUNTY OF CUMBERLAND

Appendix I

Scale of Chains.

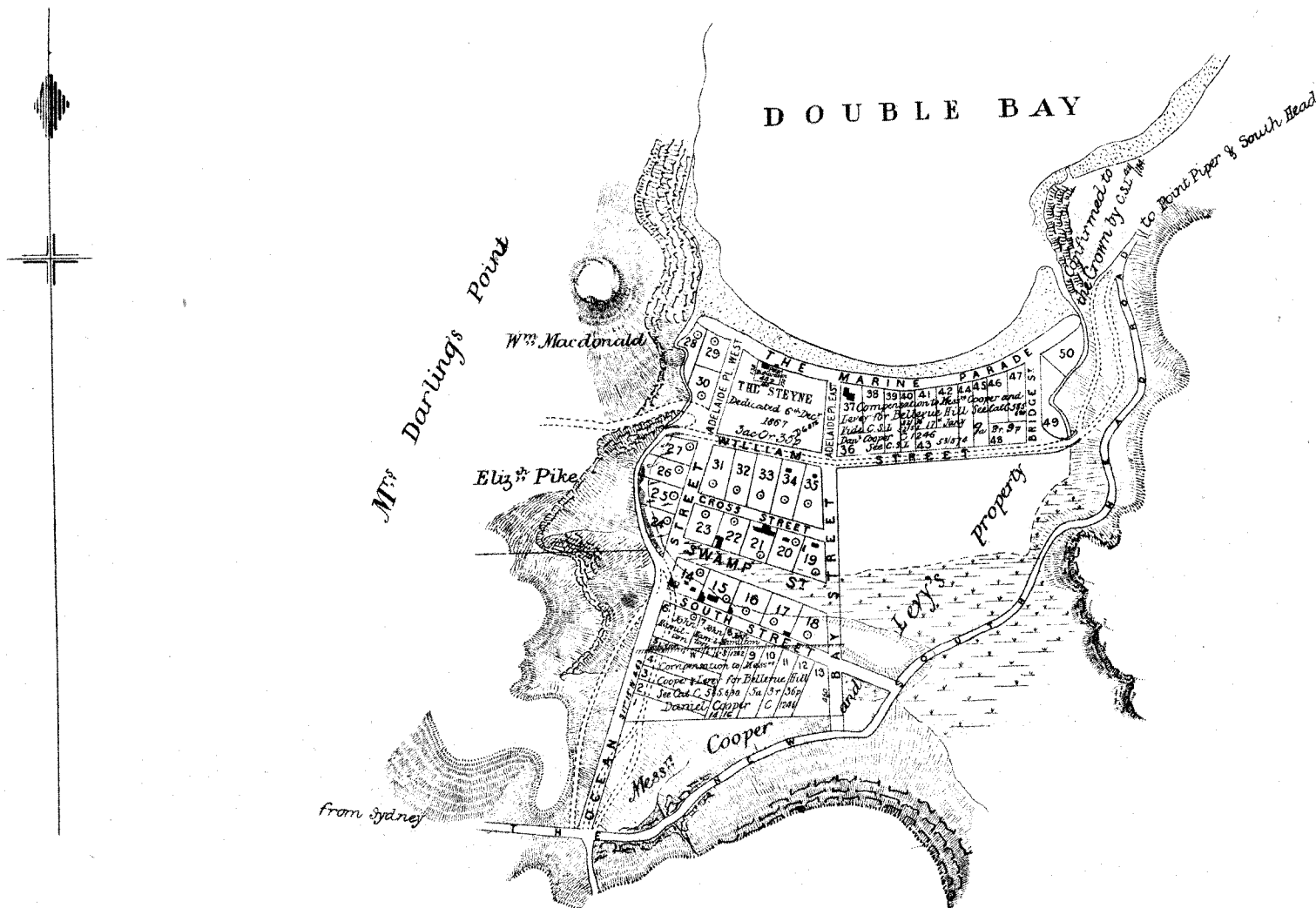


PHOTO-LITHOGRAPHED AT THE GOVT. PRINTING OFFICE,
SYDNEY, NEW SOUTH WALES.

Transmitted in my letter of 31st July 1834
(signed) T.L.M.

Transmitted in Sur Genl's Letter 34/376
Approved of by C.S.L. 34/692
Proposed £40 for
minimum price Sur Genl's Letter 34/429
Approved of £40 C.S.L. 34/730
Copy transmitted in S.G.L. 34/496

Laid before the Executive Council 2nd August 1834



REFERENCE

No	Ac	Rd	Per	PURCHASER
1				Given to Messrs Cooper and Lery in compensation for Belle Vue Hill
2				
3				
4				
5	0	0	33	John Hamilton
6	0	0	19	John Hamilton
7	0	1	30	John Hamilton
8	0	1	3	John Hamilton
9				Given to Messrs Cooper and Lery in compensation for Belle Vue Hill
10				
11				
12				
13				William Macdonald
14	0	2	10	
15	0	2	0	
16	0	2	0	
17	0	2	0	Charles Gordon
18	0	1	35	Joseph Roberts
19	0	2	0	Joseph Roberts
20	0	1	38	Thomas Norton James
21	0	1	38	Edmund Robert Stack
22	0	1	38	Andrew Murray
23	0	1	38	John Tunell
24	0	2	26	William Macdonald
25	0	2	6	
26	0	2	10	
27	0	1	36	
28	0	1	30	David Poole
29	0	1	4	William Macdonald
30	0	1	30	William Macdonald
31	0	2	13	Thomas Marsden
32	0	2	18	John Terry Hughes
33	0	2	22	
34	0	2	26	
35	0	2	9	
36	0	2	3	Given to Messrs Cooper and Lery in compensation for Belle Vue Hill
37	0	1	39	
38	0	1	33	
39	0	1	33	
40	0	1	32	Given to Messrs Cooper and Lery in compensation for Belle Vue Hill
41	0	1	23	
42	0	1	23	
43	0	1	31	
44	0	1	32	Given to Messrs Cooper and Lery in compensation for Belle Vue Hill
45	0	1	35	
46	0	1	36	
47	0	2	12	
48	0	1	38	Given to Messrs Cooper and Lery in compensation for Belle Vue Hill
49	0	1	23	
50	0	2	17	
51				
52				

(Sig. 624)

D 870. Double Bay

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

DAMAGE TO PROPERTY IN DARLING HARBOUR.

(CLAIM OF MESSRS. BIDDELL, ZOLLNER, AND OTHERS.)

Ordered by the Legislative Assembly to be printed, 11 June, 1879.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated the 11th of February, 1879, That there be laid upon the Table of this House,—

“A Return of all Petitions, Correspondence, Reports, and Minutes thereon, having reference to a loss suffered by Messrs. Biddell, Zollner, and others, on the Reclaimed Land, Darling Harbour, by their premises being flooded by storm waters, and alleged to have been caused by certain works of the Government being carried out.”

(Mr. Macintosh.)

NO.	SCHEDULE.	PAGE.
1.	Under Secretary for Public Works to Under Secretary for Finance and Trade—to pay amount voted for sewage works to credit of City Corporation. 29 September, 1876	2
2.	Under Secretary for Public Works to Town Clerk—that application had been made to Treasury for Sewage Vote. 29 September, 1876	2
3.	Town Clerk to Under Secretary for Finance and Trade, applying for balance of Darling Harbour Sewage Vote. 12 March, 1877	2
4.	Town Clerk to Under Secretary for Public Works, informing him that he had accepted tenders for the construction of sewers. 5 April, 1877	2
5.	Memo. of Assistant City Engineer to the effect that contractor would require four months to complete the contract. 1 February, 1878	3
6.	Biddell Bros. to Minister for Public Works, stating that premises had been damaged by flood, and that they would make claim for compensation. 7 February, 1878	3
7.	B. Morris to Minister for Public Works, asking when deputation will be received respecting drainage at Darling Harbour. 11 February, 1878	3
8.	Extract from <i>Sydney Morning Herald</i> . 16 February, 1878	4
9.	Biddell Bros.—further reference to flood enclosures, showing details of damage. 18 February, 1878	4
10.	Extract from the <i>Sydney Morning Herald</i> . 20 February, 1878	6
11.	S. Zollner to Minister for Public Works, respecting damage done to premises by flood-water. 22 February, 1878	6
12.	List of reduced levels of various buildings. 27 February, 1878	7
13.	List of damages done by flood-water at Darling Harbour. 27 February, 1878	8
14.	Minute of Minister for Works—that minute for Cabinet be prepared, recommending Board to inquire into cause of recent flood at Darling Harbour. 28 February, 1878	8
15.	Minister for Works, recommending the appointment of a Board. 2 March, 1878	8
16.	Under Secretary for Works to Engineer for Existing Lines of Railway, informing him that he has been appointed a member of the Board. 4 March, 1878	8
17.	S. Zollner to Minister for Public Works, forwarding details of damage sustained by flood. 6 March, 1878	9
18.	S. Zollner to Minister for Public Works—further reference to damage done to premises. 9 April, 1878	10
19.	Report of the Board. 18 April, 1878	10
20.	Further Report of the Board	11
21.	Biddell Bros. to Minister for Lands, asking what steps are being taken in reference to drainage at Darling Harbour. 25 April, 1878	11
22.	Biddell Bros. to Minister for Public Works, asking that measures be at once taken to prevent recurrence of flood. 28 June, 1878	11
23.	Crown Solicitor to Under Secretary for Public Works, respecting liability of Government. 8 July, 1878	12
24.	Town Clerk to Under Secretary for Public Works, forwarding plan showing proposal to drain western side of railway embankment. 10 September, 1878	12

DAMAGE TO PROPERTY IN DARLING HARBOUR.

No. 1.

The Under Secretary for Public Works to The Under Secretary for Finance and Trade.

Sir, Department of Public Works, Sydney, 29 September, 1876.

I am directed by the Secretary for Public Works to request that you will have the goodness to cause the sum of £5,100, voted on Estimates for 1876 "to complete the sewerage works, ballast roads, and form streets at the reclaimed land, Darling Harbour," to be paid in to the Bank of New South Wales, Sydney, to the credit of the City Corporation, for the purpose intended.

I have, &c.,
GERALD HALLIGAN,
(For the Under Secretary).

Pay £2,500 on account, and instruct that when that sum is exhausted the balance required may be applied for.—A.S., 3/10/76.

No. 2.

The Under Secretary for Public Works to The Town Clerk.

Sir, Department of Public Works, Sydney, 29 September, 1876.

Referring to your letter of the 8th May last, I am directed to inform you that a request has been made this day to the Treasury to have the sum of £5,100 voted on Estimates, 1876, to complete the sewerage works, ballast roads, and form streets at reclaimed land, Darling Harbour, placed to the credit of the City Corporation, in the Bank of New South Wales, Sydney, for the purpose intended.

I have, &c.,
GERALD HALLIGAN,
(For Under Secretary).

No. 3.

The Town Clerk to The Under Secretary for Finance and Trade.

Sir, Town Clerk's Office, Sydney, 12 March, 1877.

I have the honor, by direction of the Right Worshipful the Mayor, to state that as tenders are now being called for forming the streets and completing the construction of sewers through the reclaimed land at the head of Darling Harbour, His Worship will be glad if the balance of the five thousand one hundred pounds, voted by the Parliament for carrying out these works, can be paid into the Bank of New South Wales, to be drawn upon by the City Corporation in the usual way.

I have, &c.,
CHAS. H. WOOLCOTT,
Town Clerk.

Item 423, £5,100—2,600. Accountant.—G.E., 22/3/77.

£2,600 are available and warrant obtained for issue.—J.V., 23/3/77.

The Accountant,—Please obtain former pay voucher which bears the Treasurer's decision.—G.E., 23/3/77.

Mr. Stuart approved of £2,500 (out of the vote for £5,100) being advanced to the City Corporation, and that the balance might be paid when that sum was exhausted. Perhaps the £2,600 may now be advanced.—G.E., 26/3/77.

Approved.—W.R.P., 27/3/77.

No. 4.

The Town Clerk to The Under Secretary for Public Works.

Town Clerk's Office, Sydney, 5 April, 1877.

REFERRING to your letter of the 29th September last, intimating that the sum of £5,100 had been voted for constructing sewers and forming streets at the head of Darling Harbour, I have the honor, by direction of the Right Worshipful the Mayor, to inform you that the City Council have accepted the tenders hereunder mentioned, viz., construction of sewers, B. Rhodes & Son, for the sum of two thousand four hundred and ninety-nine pounds (£2,499); ballasting and forming streets, Eager and Griffen, for the sum of one thousand and ninety-five pounds (£1,095).

I have, &c.,
CHAS. H. WOOLCOTT.

Mr. Moriarty.—J.R., 9/4/77. Noted.—E.O.M., B.C., Under Secretary for Public Works, 11/4/77. Nothing necessary, I think.—17/4/77.

No. 5.

3

No. 5.

Memo. of Assistant City Engineer.

Town Hall, Sydney, City Engineer's Department, 1 February, 1878.

Darling Harbour Sewerage.

Time required by contractor to finish—four months. Memo. of conversation on the subject.

MR. RHODES says that owing to the difficulty to obtain bricks, he is afraid it will take him four months to finish. Is at present paying considerably over his contract price for bricks, to his serious loss. Will still press the various brickmakers; and if materials come readily to hand he will finish within three months.

THOS. A. ELLIS,
Asst. C.E.

Where are previous papers?—J.R.
Mr. Sutherland.—76/1,971, H. & R., 29/9/76.
—J.S., 5/2/78.

Will Mr. Barling assist in trying to find these papers for
There must be papers on this subject before the 29/9/76.

No. 6.

Messrs. Biddell Bros. to The Secretary for Public Works.

Sir,

495, George-street S., Sydney, 7 February, 1878.

The water caused by the recent rains flowing towards Darling Harbour having been intercepted and dammed by the new railway line at Darling Harbour, and having entered our premises near there to a depth of seventeen (17) inches, whereby we have sustained a loss from damage roughly estimated at five hundred pounds (£500), we have the honor to inform you that we intend to make a claim for compensation against your department for the actual amount of damage done.

We have had the premises surveyed by a Sydney merchant, who will be able to testify as to amount of loss, and we have engaged the services of Mr. Licensed-surveyor J. F. Mann, who will be able to prove that the accumulation of water is due to the railway obstructing the natural flow of surface-water.

This notice is sent to you to enable your department to ascertain the circumstances of the case without delay, and our claim will be submitted to you as soon as it is prepared.

We have, &c.,
BIDDELL BROTHERS.

Engineer for Existing Lines, for inquiry and report.—CH.A.G., B.C., 8/2/78.

Biddell Bros. have built their premises since the railway was made, consequently have not a shadow of a claim on the Government for compensation. If they chose to build it under flood-level, they have only themselves to blame.—W.M., 14/2/78. Commissioner.

This should be put with papers which I referred to Mr. Mason yesterday. Send on to him at once.—CH.A.G., B.C., 22/2/78.

No. 7.

Mr. B. Morris to The Secretary for Public Works.

Sir,

Hay and Quay Streets, Darling Harbour, Sydney, 11 February, 1878.

I have the honor to beg that you will be good enough to inform me when it will be your pleasure to receive a deputation, consisting of Messrs. J. Lucas, M.P., A. Cameron, M.P., Zollner, Biddell, Harris, Egerton, and Pemell, to bring under your notice the unsatisfactory condition of Darling Harbour.

I remain, &c.,

B. MORRIS,
Secretary to the Deputation.

Friday, the 15th instant, at 10-30. Mr. Mason to visit and report fully.—J.S., 12/2/78. Mr. Mason, B.C.—CH. A. G., 12/2/78.

I have examined into this matter this morning, and as I have already explained verbally to the Minister all the circumstances connected with the subject, it will be unnecessary to repeat it further than to remark that this is a matter which I think belongs to the Corporation to provide for, and not the Railway Department. As far as the construction of the railway sidings, every provision was made for drainage that could possibly be made at the time they were laid down. The buildings generally have been placed too low by the proprietors, and it would be impossible to prevent them being flooded under such heavy rains as have recently fallen in Sydney, backed up by a flood-tide.—W.M., 13/2/78.

Commissioner. The deputation waited on Minister. Put with this the result, if it be published.—CH. A.G., 16/2/78.

Darling Harbour.

OWING to the severe losses suffered by many of the residents and property-owners in the vicinity of Darling Harbour, through the late rains, a number of gentlemen met at "Burrangong Hotel," on Saturday last, and, after a lengthened discussion, passed the following resolution:—"That a deputation, consisting of Messrs. J. Lucas, M.P., A. Cameron, M.P., Zollner, Biddell, Harris, Egerton, and Pemell, wait on the Hon. the Minister for Works to seek immediate relief from a liability to flood-waters, caused by the construction of the railway near the Circular Wharf."

No. 8.

No. 8.

Extract from the *Sydney Morning Herald*, 16 February, 1871.*Drainage into Darling Harbour.*

A DEPUTATION, consisting of Mr. Cameron, MP., Messrs. J. Pemell, Bell, Zollner, Harris, Biddell, Edgerton, and Morris, representing the owners of property at the head of Darling Harbour, waited upon the Hon. Minister for Works yesterday morning, in reference to the flooded state of that portion of the city, caused, as the deputation alleged, by the construction of the Pymont extension of the railway line. From the statements made by the gentlemen present, it appears that the railway is above the actual level of the ground, and the natural flow of drainage is thereby obstructed, so that the water being unable to escape into the harbour, as was formerly the case, lies upon and floods the low land in the vicinity to such an extent as to cause serious damage to property and inconvenience to the residents. There was formerly a watercourse on the western side of the line by which the waters got away into the harbour, and the deputation requested that something might be done in order to have this channel again opened up so as to relieve the flat from the liability to floods which now occur on every occasion of heavy rain. Mr. Sutherland having heard the statements of the deputation, promised that he would take the matter into consideration, and would endeavour to carry out the improvements they desired.

No. 9.

Messrs. Biddell Bros. to The Secretary for Public Works.

Sir,

495, George-street S., Sydney, 18 February, 1878.

Referring to our letter of the 7th instant, No. 78/1, in which we informed you that we intended to make a claim for compensation for the actual amount of damage done at our factory at head of Darling Harbour by the accumulation of storm-waters dammed back by the railway embankment at that place, we have now the honor respectfully to submit our claim for the amount of six hundred and thirty-seven pounds and eight shillings (£637 8s.)

2. Enclosure No. 1 shows the amount of goods damaged and the amount of salvage secured, also the worth of such salvage deducted from the total, leaving a balance of actual amount of damage sustained.

3. In addition to the amount of actual damage, we have been put to considerable expense for labour in saving ullaged stock, the ordinary course of our business was interrupted, and the space below the floors of the factory was filled with water—a circumstance which will be detrimental to our stock to an unknown degree, consequent upon evaporation and the known affinity which all goods composed entirely or in part of sugar have for moisture.

4. Enclosure No. 2 shows the amount of damage as estimated by Mr. James Steadman, confectioner, of the city, who made a survey of the premises and took notes of the stock immediately after the flood.

5. Enclosure No. 3 shows the estimate of damage as made by Mr. Thomas Cowlshaw, of Messrs. Cowlshaw Brothers, merchants, of Sydney, who also made a survey of the premises, and noted the ullaged stock immediately after its submersion.

6. The grounds upon which we base our claim for compensation are: That the surface of the railway embankment is approximately three feet nine inches (3 ft. 9 in.) above the surface of the land as sold by the Government, whereby the storm-waters, which before the construction of the railway had natural and unobstructed flow into the harbour, have been dammed back to that height; and that the Government neglected to make adequate provision for otherwise disposing of said storm-waters; also, that the storm waters of the night of the 5th instant actually accumulated on the flat to the height of the railway embankment, and ultimately found access over it into the harbour, in the meantime flooding our premises.

7. In submitting the above claim, we beg respectfully to point out that our loss is of the gravest moment to us, and to request that you will be so good as to give it your early and best consideration. We also trust that you will see the necessity of immediately taking such steps as will prevent a recurrence of the evil.

We have, &c.,

BIDDELL BROTHERS.

Commissioner for Railways to take legal opinion as to liability and Mr. Mason's report.—J.S., 19/2/78. Again when Mr. Mason's report is received.—D.V.

[Enclosure No. 1.]

RECAPITULATION.

Goods damaged.			Salvage.		
	£	s. d.	£	s. d.	
Packing shop	344	11 4	20	14 2	
Office and lobby	29	5 0	22	18 0	
Preserving-room	32	9 7	12	13 2	
Boiling-room	184	4 8	52	17 8	
Pan-room	201	5 6	75	2 2	
Mill-room	45	0 0	15	2 11	
	836	16 1	199	8 1	
Total damage	836	16 1			
Less salvage	199	8 1			
	£637	8 0			

[Enclosure

[*Enclosure No. 2.*]

I HAVE this day examined the factory of Messrs. Biddell Bros., and I found all the first floor had been covered with waters to the height of (say) 17 or 18 inches; and, from notes I took of the damage to stock, I believe their loss to be fully £600.

JAMES STEADMAN,
436, George-street, Sydney.

[*Enclosure No. 3.*]

Sydney, 6 February, 1878.

At the request of Messrs. Biddell Brothers I examined their factory this day, and found that water had been 18 inches above the ground floor, damaging the whole of the stock on this floor, and, after going through same and taking an account, I find that damage to the extent of about £600 has been done by the waters.

THOS. COWLISHAW,
(Of the firm of Cowlishaw & Co.)

Packing-room.

[illegible]

Office and Lobby.

		£	s.	d.		SALVAGE.	£	s.	d.
30 doz.	1-lb. tins marmalade, 8s. 6d.	12	15	0	30 doz.	less value 10 per cent.	11	9	6
28 lbs.	smalts, 1s. 6d.	2	2	0	27 lbs.	damaged 10 per cent. in value... ..	1	16	6
16 doz.	pairs gardening gloves, 18s. dozen pairs	14	8	0	16 doz.	pairs damaged, value, 12s. doz. pairs...	9	12	0
		£29	5	0			£22	18	0

Preserving-room.

		£	s.	d.			SALVAGE.			£	s.	d.
220 lbs.	cream mixing, value 6d. lb.	5	10	0	40 lbs.	worth 3d. lb.			0	10	0	
463 "	pastilles, 10d. lb.	19	5	10	400 "	(which includes pastilles damaged in packing shop) worth 5d. lb.			8	6	8	
240 "	crystallizing syrup, 4d. lb.	4	0	0	240 "	10 per cent. less in value			3	12	0	
1 bag	Company's pieces, 70 lbs. 38s.	1	3	9	20 "	less 16 per cent.=17 lbs., worth 80s. cwt.			0	4	7	
10 gals.	lemon syrup, 5s.	2	10	0		Total loss						
		£32	9	7					£12	13	3	

Boiling-room.

	£	s.	d.	SALVAGE.					£	s.	d.
33 bags Mauritius sugar, purchased from Messrs. Griffiths & Co., Jan. 30, 1878—					cwt.	qr.	lbs.				
140 " weighed 97 cwt. 16 lbs.					39	1	6	16 per cent. of water			
33 " " 46 cwt. 2 qrs. 9 lbs., invoiced											
37s. 6d.....	87	6	10	16 per cent.	6	1	4				
14 bags Mauritius sugar, purchased from Anderson, Syme, & Co., Melbourne—					33	0	2	worth 30s. cwt. ...	49	10	6
91 " weighed 132 cwt. 2 qrs. 20 lbs.											
14 " " 20 cwt. 1 qr. 18 lbs., at £41											
13s. 4d.....	42	10	5								
22 " Company's No. 1 pieces, 70 lbs., 13 cwt. 3 qrs., at 38s.	26	2	6								
13 pockets brown sugar (Mills invoice)—				4 cwt. less 16 per cent. of water.							
35 " weighed 35 cwt. 1 qr. 16 lbs.				cwt.	qr.	lbs.					
13 " " 8 cwt. 1 qr. 20 lbs. at 30s. 6d.	12	16	11		3	2	12, worth 20s. cwt....		3	7	2
3 cwt. of lolly scraps, worth 28s. cwt.	4	4	0								
2 cwt. Barbary almonds, 1s. lb.....	11	4	0								
	£184	4	8						£52	17	8

Pay-room.

Pan-room.

				SALVAGE.					
				Tons	cwt.	qr.	lbs.		
27 cases loaf sugar, purchased from Cowlishaw Bros.—	£	s.	d.	1	10	1	11½	less 16 per cent. of water	
77 „ weighed 8 tons 14 cwt. 2 qrs. 5 lbs.				16 per cent	0	4	3	11	
27 „ „ 3 tons 1 cwt. 23 lbs., at 41s. ...	125	8	5	1	5	2	0	at 30s.	38 5 0
20 bags Company's crystals, 70 lbs. each = 12 cwt. 2 qrs., at 40s.	25	0	0	0	6	1	0	less 16 per cent. of water	
20 „ Company's crystals, 70 lbs. each 12 cwt. 2 qrs., at 40s.	25	0	0	16 per cent.	0	1	0	0	
52 loaves of sugar, 10 lbs. each, 520 lbs., 4 cwt. 2 qrs. 1 lb., at 40s.	9	5	9	0	5	1	0	at 30s.	7 17 6
2½ bags earth nuts, 255 lbs. net, 2½ d. lb.	2	13	1	slightly damaged, say 10 per cent.					22 10 0
40 lbs. flour, £15 10s. per ton	0	6	3	17 loaves, 170 lbs. slightly damaged, say 10 per cent. of value.					2 14 8
112 lbs. Barbary almonds, picked, 1s. lb.	5	12	0	and 28 lbs. sugar, less 16 per cent. water, 24 lbs. at 30s.					0 6 6
2 casks loaf sugar, just delivered from Threlkeld, invoiced at	8	0	0	255 lbs. worth half value.					1 6 6
				Total loss					2 2 0
				56 lbs. worth, only 9d.					
				Total loss					
	£201	5	6						£75 2 2

Mill-room.

				Cwt. qr. lb. SALVAGE.							
9 bags powdered sugar, 56 lbs. each = 4 cwt. 2 qrs. at 45s.....	£	s.	d.	16 per cent.	3	0	0 less 16 per cent. of water	£	s.	d.	
	10	2	6		0	1	25				
					2	2	3 at 30s.		3	15 10	
3 cwt. in sugar dresser, 45s.	6	15	0	16 per cent.	2	0	0				
					0	1	7				
					1	2	21 at 30s.....		2	10 7	
9 bags Mauritius crystals, 1½ cwt. each, 13 cwt. 2 qrs., at £41 13s. 4d. per ton	28	2	6	16 per cent.	7	0	0				
					1	0	13				
	£45	0	0		5	3	15 at 30s.....		8	16 6	
									£15	2 11	

No. 10.

Extract from the *Sydney Morning Herald*, 20 February, 1878.

Drainage into Darling Harbour.

On Monday morning last a deputation, headed by Mr. Zollner and Mr. Bell, representing a number of property-holders at the southern end of Darling Harbour, waited upon the Mayor and represented to His Worship the serious amount of damage done by the flood-waters at the place indicated. Mr. Zollner pointed out that, in his opinion, the Government were largely blamable for the state of things complained of from the fact that in causing railway lines to be constructed around the circular iron wharf they had raised the embankments for the rails a considerable height above the ground, and had neglected to make any provision for the back-water to run off into the harbour. The contractor for the sewer he thought was also at fault, for in making the culvert for the sewer he had thrown up large mounds of earth, which impeded the passage of the water, and so blocked it up as to form a perfect reservoir some feet in depth. Nor did he consider the Corporation free from blame, inasmuch as they had not kept the contractor up to his work. He considered that had the sewer been finished up to contract time the damage would have been averted to a great degree. He knew that the contractor, so far from having nearly completed his work, was very little further forward than he was a short time after he commenced the job. Mr. Bell corroborated the statements of Mr. Zollner, and a member of the deputation, who stated that he was there as the representative of Messrs. Elliott, said that the water was so deep in their yard as to reach up to the gauging glass of the engine; some breeze that had been left in the yard for their customers they found the morning after the rain had commenced, floating about, and a portion of it resting upon a heap of timber 4 feet above the ground; in his opinion the sewer was sufficient for carrying the water away from the eastern side, but not so when the water was running from the Ultimo Estate. After some further representations, His Worship the Mayor promised to have the matter inquired into.

No. 11.

Mr. S. Zollner to The Secretary for Public Works.

Sir,

84, York-street, Sydney, 22 February, 1878.

I have the honor to notify to you that I am still engaged ascertaining the damage sustained on the night between the 5th and 6th instant, from surface flood-water, which could not escape for want of proper provision being made in constructing railway embankment at the head of Darling Harbour.

I give this notice with a view of making a claim for compensation as soon as the damage can be fully ascertained, and the amount of salvage fixed. Messrs. John Keep, W. M. Jackson, of Lassetter & Co., and A. Drysdale, of Drysdale & Roberts, have surveyed the damaged stock and premises on the 8th instant, and my claim will be accompanied by their certificates.

I may here remark that I have occupied my premises at the head of Darling Harbour for the last ten years, and that I have never before received any damage from flood waters up to the night between the 5th and 6th instant.

I have, &c.,

S. ZOLLNER.

Commissioner

Commissioner to see all these claims attended to, and our liability ascertained. It will become very serious if we are to be held liable. We should * * * lease, as every shower will increase the amount.—J.S., 21/2/78. Crown Solicitor as to liability.—J.S., 21/2/78.

I shall require from Mr. Mason a full report on this matter as early as possible. 1st. The names of claimants and the amount of damage said to have been done. 2nd. When the various claimants built their places, to see whether their works preceded ours. 3. A description of the work we carried out, and in what way (if at all) it interfered with the drainage or the previous means adopted for carrying off the flood-waters. Any other particulars which Mr. Mason may consider necessary to enable me to obtain opinion of Crown Law Officers, for whom a "case" must be stated. No. 1 can be postponed, so as not to delay the furnishing of other necessary information.—CH.A.G., B.C., 21/2/78.

I forward herewith a tracing of plan, diagram, and other papers, showing the various levels of flood, &c., &c., and of the claims made by each person for damages. It will be seen by reference to the plan that the main drainage of the district is by way of an open drain from Hay-street into the harbour; this was the only watercourse before the sidings were constructed. Before the sidings were commenced, a sum of money I understand was granted to the Corporation by the Government for the purpose of constructing a sewer and providing for a full and proper drainage. This work was carried out by the Corporation without any interference from the Government, and they alone, I consider, are responsible if any imperfection in respect to drainage exists.—W.M., 7/3/78.

Commissioner.

No. 12.

List of reduced levels.

List of reduced levels at Darling Harbour in the various buildings affected by the flood-water.

27/2/78.

Pemell's Flour Mill—

Rail level above high-water...	...	...	...	...	...	...	...	...	5.15
Ground " " " " " " " " " " " "	...	...	...	...	...	...	...	...	3.10
Floor " " " " " " " " " " " "	...	...	...	...	...	...	...	...	7.74
Flood " " " " " " " " " " " "	...	...	...	...	...	...	...	...	9.52

Morris Bros.—

Rail level above high-water...	...	...	...	...	...	...	...	...	5.15
Floor " " " " " " " " " " " "	...	...	...	...	...	...	...	...	4.76
Flood " " " " " " " " " " " "	...	...	...	...	...	...	...	...	5.47

Harris' Hay and Chaff Shed—

Rail level above high-water...	...	...	...	...	...	...	...	...	5.15
Floor " " " " " " " " " " " "	...	...	...	...	...	...	...	...	4.52
Flood " " " " " " " " " " " "	...	...	...	...	...	...	...	...	5.50

Biddell Bros.—

Rail level above high-water...	...	...	...	...	...	...	...	...	5.15
Floor " " " " " " " " " " " "	...	...	...	...	...	...	...	...	4.21
Flood " " " " " " " " " " " "	...	...	...	...	...	...	...	...	5.51

Atlas Works—

Rail level above high-water...	...	...	...	...	...	...	...	...	5.15
Ground or floor level above high-water	...	...	...	...	...	...	...	...	4.26
Flood " " " " " " " " " " " "	...	...	...	...	...	...	...	...	5.44

Elliott & Co.'s Firewood Saw Mill—

Rail level above high-water...	...	...	...	...	...	...	...	...	5.15
Ground or floor level above high-water	...	...	...	...	...	...	...	...	3.04
Flood " " " " " " " " " " " "	...	...	...	...	...	...	...	...	5.44

Lucas' Cottages—

Rail level above high-water...	...	...	...	...	...	...	...	...	5.15
Ground " " " " " " " " " " " "	...	...	...	...	...	...	...	...	3.44
Floor " " " " " " " " " " " "	...	...	...	...	...	...	...	...	5.44
Flood " " " " " " " " " " " "	...	...	...	...	...	...	...	...	6.01

Wharf at Darling Harbour—

Rail level above high-water...	...	...	...	...	...	...	...	...	5.15
Floor " " " " " " " " " " " "	...	...	...	...	...	...	...	...	7.90
(High-water, spring tide), above high-water	...	...	...	...	...	...	...	...	0.52
Highest rail level in new shed, opposite south-east end of wharf, above high-water	...	...	...	...	...	...	...	...	5.15

S. Zollner's—

Rail level above high-water...	...	...	...	...	...	...	...	...	5.15
Floor " " " " " " " " " " " "	...	...	...	...	...	...	...	...	3.22
Flood " " " " " " " " " " " "	...	...	...	...	...	...	...	...	5.34

I had a conversation with Mr. Mason on this matter, and I distinctly understood him to say that his views were embodied in his report, and that he would forward it with the plans he caused to be prepared, and that he had nothing more to say on the subject. This I told at the time to Mr. Bennett, who said that he considered the whole matter should have been dealt with by Mr. Mason who would from his constant visits to the place know more about it than the other members of the Board.

This is the only reason why Mr. Mason was not communicated with, and if he had desired to act in the matter it is somewhat singular that so often as I have seen him he never alluded to the question.

I now forward all the papers on the subject to Mr. Mason for his information.—J.W., 2/9/78.
Mr. Mason.

As I never reported on the subject contained in the letter of instructions, but merely wrote a minute pointing out that I considered the City Corporation and not the Government were responsible for the damage done by floods, it is difficult to understand how Mr. Whitton arrived at the conclusion that my views were embodied in my report; and when I handed the papers, &c., to him I told him what I had said in my minute on the subject, at the same time I remarked I will go with you at any time you may fix to examine the premises, &c.

As the Minister's letter of instructions directs the Board to enquire into "the recent destruction of property at Darling Harbour by floods, and the best means of preventing a recurrence of the evils complained of, as well as the claims for compensation," and as my minute does not enter into these matters, I do not understand why Mr. Whitton should imagine I had nothing more to say on the subject.

It was my desire to carry out the Minister's instructions by acting on the Board as directed, otherwise it was to me personally a matter of indifference whether I acted on it or not. I have only seen Mr. Whitton once, or at most twice, since we had the conversation he refers to; but admitting that I had seen him "so often" as he states, it is quite as singular that he never named the subject to me as that I had not named it to him, especially as he was Chairman of the Board and ought to have *first* moved in the matter.

I merely give the facts of the case for the Minister's information, so that he may be aware of the reason why I was not able to carry out his instructions.

I have read the report made by the Board, and disagree with it almost entirely.—W.M., 4/3/78.
The Honorable Minister for Works.

No. 17.

Mr. S. Zollner to The Secretary for Public Works.

Sir,

84, York-street, Sydney, 6 March, 1878.

Referring to my letter of the 22nd ultimo, I have now the honor to submit to you for your kind consideration my claim for damage actually sustained by the accumulation of storm-waters, dammed by the railway embankment at the head of Darling Harbour, on the night between the 5th and 6th February.

The claim, as certified to by Messrs. John Keep, Wm. Jackson, and A. Drysdale, amounts to £1,011 13s. 6d., by no means represents the whole loss I have sustained, but merely the ascertainable, as it is impossible to say what damage has been done to my galvanizing bath, by the sudden influx of water putting out the fire and cooling 10 tons of molten metal, suddenly thereby contracting the bath and shaking the brickwork severely.

The enormous heat which had to be applied to melt this 10-ton block again created an under-expansion, and decrystallised a large quantity of the smelting metal and converted it into dross. The consequences of the sudden extreme changes of temperature on the bath are not apparent at present, but will show themselves in time, when the rivets in the bath will start and the molten metal will escape; a new bath will have to be substituted, breaking the old one out of the brickwork, and resetting the new one thereby, besides the cost of affecting these changes, loss of time in carrying on business is occasioned. These contingent losses I have not estimated in my claim, because they can not be ascertained with certainty at present.

In considering my claim, you will be good enough to bear in mind that I have occupied my premises for the last eleven years, before reclamation or railway embankments were contemplated, that storm-waters never entered my premises before, that the surface of the ground all around my premises has been raised without provision having been made to take off surface waters, as can be easily ascertained from a superficial examination of the works executed at the head of Darling Harbour. The loss sustained by me is very serious, and of grave moment to me, which circumstance, I beg, may weigh with you when deciding upon my claim.

Lastly, I beg respectfully to submit, you will be good enough to cause immediate steps to be taken to prevent the recurrence of a similar catastrophe, which may repeat itself any day with an exceptionally heavy rain at high-water time, unless provision is made almost immediately to carry off surface storm-waters.

I have, &c.,

S. ZOLLNER,

Sydney, 6 March, 1878.

We hereby certify that we have at the request of Mr. S. Zollner surveyed, on the 11th February last, his factory situated in Harbour-street, and the goods stored therein, with the object of ascertaining the damage done by the storm-waters on the night between the 5th and 6th February last, and after a thorough and careful examination we are of opinion that the claim for damages annexed hereto and initialed by us is a true and faithful statement of loss sustained by Mr. S. Zollner in consequence of the influx of storm-water into his premises.

JOHN KEEP, Barrack-street.

W. MARSHALL JACKSON (F. Lassetter & Co.)

ANDREW DRYSDALE (Drysdale & Roberts).

Sydney, 6 March, 1878.

Claim of S. Zollner for damages done by storm-waters on the 5th February last.

Articles.	Value when sound.	Value as damaged.	Loss.
	£ s. d.	£ s. d.	£ s. d.
18 boxes charcoal tinplates, IXXX, 60/-	54 0 0	18 0 0	36 0 0
10 " " " IXX, 45/-	22 10 0	7 10 0	15 0 0
54 " " " IX, 40/-	108 0 0	36 0 0	72 0 0
51 " " " JC, 30/-	76 10 0	25 10 0	51 0 0
30 " coke " JC, 25/-	37 10 0	12 10 0	25 0 0
40 cases corrugated iron. 20 tons 5 to 10 feet, £30	600 0 0	360 0 0	240 0 0
26 cases plain galv. iron. 13 tons, £35	455 0 0	338 0 0	117 0 0
Cost of salvage, £2 per ton			26 0 0
3 tons plain galv. iron GO., £42	126 0 0	96 0 0	30 0 0
Cost of salvage, £2 per ton			6 0 0
15 tons black sheet iron for galv. purposes, £21	315 0 0	135 0 0	180 0 0
Cost of salvage, £1 per ton			15 0 0
4 tons hoop-iron, £16	64 0 0	28 0 0	36 0 0
35 balls, No. 8 wire, 12/-	21 0 0	14 0 0	7 0 0
1 cask muriate of ammonia dissolved, 8 cwt., 40/-			16 0 0
$\frac{1}{2}$ ton black mach. rivets	20 0 0	10 0 0	10 0 0
$\frac{1}{2}$ ton bellows nails	42 0 0	25 0 0	17 0 0
Galvanizing bath—			
Cost of re-melting fuel, &c.			30 0 0
Loss of use of bath, and stoppage of business consequent thereon			60 0 0
20 blacksmith bellows, cost of salvage by taking to pieces and re-making			22 13 6
24-4, 26-3, 28-3, 30-2, 32-1, 34-1, 36-3, 38-2, 40-1, in	108 0 3		
			£ 1,011 13 6

J.K. W.M.J. A.D.

No. 18.

Mr. S. Zollner to The Secretary for Public Works.

Sir,

84 York-street, Sydney, 9 April, 1878.

I have the honor to refer to my communications of the 22nd February and the 6th March, to both of which I am still without reply. I have learned that a Board has been appointed to inquire into and report upon the matters set forth in my letters, but I fail to notice that any steps have been taken to prevent the recurrence of my stores being flooded again should heavy rains set in again.

The high state of the barometer at this season of the year, coupled with easterly winds, is in all probability indicative of approaching heavy rains, and unless immediate provision is made for egress of storm-water falling upon the flat the disaster will repeat itself, and in such a case utter ruin stares me in the face.

I am convinced you will do all in your power to prevent destruction of property and consequent ruin, and I beg, therefore, respectfully to submit that the Board may be requested to expedite their deliberations and bring the same to a speedy and successful issue.

I have, &c.,

S. ZOLLNER.

Mr. Rae to say what is done in the matter referred to.—J.S., 10/4/78.

A Board has been appointed, of which Mr. Whitton, I understand, is Chairman. He is now absent from Sydney on duty, and no meeting will be held till his return.—J.R., 10/4/78.

No. 19.

Report of the Board.

Department of Public Works, Railway Branch,

Engineer-in-Chief's Office, Sydney, 18 April, 1878.

Claims for compensation for damage by floods at the head of Darling Harbour.

By the Sewerage Act, 17 Victoria No. 34, the construction of the necessary sewers within this city and their maintenance are vested in the Corporation.

The Corporation undertook to construct the sewers at Darling Harbour (see correspondence herewith), prepared the plans and specifications and estimates, and accepted tenders and finally proceeded with the works, having first applied for and obtained from Government the amount they were estimated to cost.

It is now stated by certain persons that by reason of the absence or insufficiency of the sewers they have sustained injury by the flooding of their premises.

If such be the case, it is clearly the Corporation who are responsible, and not the Government, and it is therefore to the former that claims for compensation should be addressed.

JOHN WHITTON.

E. O. MORIARTY.

WILLIAM C. BENNETT.

Submitted—J.R., 24/4/78. Ask the Board to please furnish report upon the cause of the damage by flood in Darling Harbour neighbourhood, for the Minister's information, as requested in the circular letter of appointment.—J.R.

No. 20.

No. 20.

Further Report of the Board.

Messrs. Whitton, Bennett, and Moriarty—Further Report on floods at head of Darling Harbour.

IN accordance with the further instructions contained in the minute of the Under Secretary for Public Works of the 24th April last, we have inspected the locality and made inquiries at the Atlas Ironworks, Messrs. Biddell's and Zollner's factories, and from the Corporation labourers.

At the Atlas Works it was distinctly stated that water spouted up from all the openings of the sewers during the flood complained of, plainly showing they were acting at pipes under pressure and were inadequate to the discharge of the sewerage in the ordinary way. There can be no question that the flooding is due to the inadequate discharging capacity of the sewer and its defective shape, which promotes at certain states of the tide the deposit of silt to such an extent as to choke up the sewer completely. We are therefore of opinion that the Railway Department is in no way liable for the injury resulting from this defect in the sewers, which the Railway engineers were justified in assuming were of sufficient capacity, the Corporation having received from the Government the amount asked for by them to provide for the drainage of this flat; and indeed up to the present time no other outlet could have been provided under the railway or would have been of any use, as there was no storm-water channel anywhere on the flats to convey the flood-waters to such additional outlet if provided.

The levels show that it is quite impossible the railway bank could have caused the flooding at Messrs. Pemell's or Lucas's, where the flood was 4 feet 6 inches and 10½ inches respectively above the rail level, as had the watercourses above been of adequate section the water would have been running to this depth over the rails, which was not the case, and would be impossible. The most serious complaints are from Messrs. Zollner, the Atlas Works, and Biddell Brothers. In the case of Mr. Zollner, his floor level is only 1 foot 10½ inches above that of the high tide of the 2nd of June, and it is by no means clear that the railway bank on that occasion was not a positive benefit to his factory, as the surge which must have been much higher than the still water level of the tide would have broken down his walls and washed into his premises. Messrs. Biddell's is only 1 foot higher than Messrs. Zollner's floor, or 2 feet 10½ inches over that tide, and the Atlas Works are only ½ an inch higher than Messrs. Biddell's. The street in front of Messrs. Zollner's is 4 feet 3½ inches over the highest tide. In front of Messrs. Biddell's and the Atlas Works, the newly formed street is 2 feet 8½ inches above highest tide, the rails are 3 feet 9½ inches above highest tide, or but 1 foot 1 inch over the level of roads. Had the railway not been here at all, and an ordinary street only been formed to same level as other streets, it would have been 1 foot higher than Mr. Zollner's floor, and nearly level with the Atlas and Messrs. Biddell's floors. The real cause of the evil is that these premises are all placed at too low a level, and the only remedy now possible will be to provide openings or pipes under the railway to meet the gutter lines of the streets now being formed, which could not have been done before. A further immunity from flooding might be secured by intersecting the water from the east side of the railway and carrying it through the embankment and into the harbour at the iron wharf, but the Messrs. Zollner's, Biddell's and the Atlas premises are all too low to admit of entire immunity from flood, and would, we are certain, be flooded if the railway were removed altogether.

JOHN WHITTON.

WILLIAM C. BENNETT.

E. O. MORIARTY.

Crown Solicitor, for consideration with claims for compensation.—J.S., 28/6/78. B.C. accordingly.
—J.R., 29 June, 1878.

No. 21.

Messrs. Biddell Bros. to The Secretary for Lands.

Sir,

495, George-street, Sydney, 25 April, 1878.

Referring to our letters, Nos. 78/1 and 78/2, of the 7th and 18th February last, to which we have received no reply, we have now respectfully to request that we may be informed what steps the Government are taking to prevent a recurrence of a flood similar to that referred to in our letters, and to point out that such an occurrence is inevitable in the present state of the railway embankment should similar heavy rains fall, involving such serious losses to us as we are not prepared to sustain.

We have also respectfully to request that we may be informed what compensation the Government are prepared to make us for the loss we have already had, and to urge you to give the matter your best consideration without delay.

We have, &c.,

BIDDELL BROTHERS.

Under Secretary for Public Works.—O.R. (for the U.S.), B.C., 16/5/78. Refer to the Board appointed to inquire into the subject, and report upon cause. Engineer-in-Chief for Railways to forward to the Board.—J.R., B.C., 18/5/78.

No. 22.

Messrs. Biddell Bros. to The Secretary for Public Works.

Messrs. Biddell Bros.—further as to damage done to their property by floods at the head of Darling Harbour.

Sir,

495, George-street S., Sydney, 28 January, 1878.

Referring to our letter of the 25th April, No. 78/3, in which we requested a reply to our communications of the 7th and 18th February, Nos. 78/1 and 2, concerning the flooding of our premises at the head of Darling Harbour, we have again respectfully to urge you to expedite such measures as will prevent a recurrence of the flood, as we are continually apprehensive of heavy rainfall.

We have also respectfully to request a reply to that part of our letter claiming compensation for loss, and to remind you that said loss is very detrimental to the profitable conduct of our business.

We have, &c.,

BIDDELL BROTHERS.

Crown Solicitor to advise and place with other papers on same subject.—J.S., 1/7/78. Crown Solicitor, with reference to previous papers.—J.R., B.C., 3/7/78.

No. 23.

The Crown Solicitor to The Under Secretary for Public Works.

Crown Solicitor's Office, Sydney, 8 July, 1878.

I do myself the honor to return the papers relating to the claims of Messrs. Zollner and Biddell Brothers, for compensation for losses alleged to have been sustained by them in consequence of the flooding of their premises at the head of Darling Harbour, caused (as they say) by the damming back of flood-waters by the railway embankment.

These papers have been submitted to Mr. Attorney General Foster for his opinion as to the liability of the Government in respect of their claims, and he has been pleased to write a minute thereon, as follows:—

"It is quite impossible, upon the facts submitted to me, to give an opinion with any degree of certainty as to the liability of the Government.

"If the report of the Board is to be adopted, it at once settles the question that the Government is not liable at all; but there are no facts from which such a conclusion seems to me to result. How or why the neglect of the Corporation to make sewers in a proper way can exonerate the Railway Commissioner, if by making the railway as it is damage has resulted, I am at a loss to see. If I am informed whether the making of the railway or anything connected therewith has been the cause of the water rising to any extent so as to flood the parties complaining, I shall probably be in a position to say whether the Government is in any way liable. The simplest way of putting it is this: In case the railway had never been made where it is, would the flood have risen to the same extent as it did? If this can be answered in the affirmative, then the Government is not liable at all; but if the flooding of the premises was in any way caused, or to any extent increased, by the height or position of the railway or rails, the Government would *prima facie* be liable for something. It may be that the flood would have damaged the parties complaining, whether the railway was there or not, but not to the same extent as it did. Then the Government can only be liable for the additional damage actually caused by the railway. The Government ought to have made the railway so that no water should be dammed back upon the premises in question. But the *prima facie* liability might be met by other circumstances, if they exist, which it is not for me to suggest. I can only repeat that upon the case as it stands I can give no certain opinion."

I have, &c.,

JOHN WILLIAMS,

Crown Solicitor.

Refer to Board for further report.—J.R., B.C., 9/7/78.

No. 24.

The Town Clerk to The Under Secretary for Public Works.

Sir,

Town Clerk's Office, Sydney, 10 September, 1878.

I have the honor, by direction of the Right Worshipful the Mayor, to submit, for the information of the Honorable the Minister for Works, a tracing showing the line and section of the sewer which it will be necessary to construct to drain the western side of the railway embankment, Darling Harbour, from near George-street to the waters of the harbour, the estimated cost of which work is £6,000.

His Worship desires to point out that the area through which this sewer will pass is now, after heavy rains, completely covered with water, to the great injury of the surrounding properties; and that the carrying out of the proposed work will in a great measure prevent the flooding of the land, and thus relieve the Government and the Corporation from liability in case of damage resulting therefrom.

The Mayor would respectfully request, therefore, that Mr. Sutherland may be solicited to make provision on the Estimates for the present year for placing in the hands of the City Council the necessary funds for the construction of the sewer in question.

I have, &c.,

CHAS. H. WOOLCOTT,

Town Clerk.

Harbours and Rivers.—J.R., B.C., 12 Sept., 1878. I think this matter should be referred to the Commissioner for Railways.—*Pro* W. MORIARTY, J. EAMES, 18/9/78. B.C.—Under Secty. P. Works. Railways.—J.R., B.C., 20/9/78.

I understand that the report of the Board appointed to investigate the best method of preventing the flooding of properties in the neighbourhood of the railway works, Darling Harbour, has been received. This application it appears to me is one that should be considered with that report. I have not seen the report; it is probably with Under Secty. for Works. Return papers.—CH. A.G., B.C., 26/9/78.

The report is not with me—I handed it to the Minister. It was since forwarded to Mr. Whitton, and by him, I believe, sent to Mr. Mason. A decision in the case is much wanted.—J.R., 30/9/78. Railways.—B.C., 2/10/78. The papers were forwarded to Mr. Mason on 2nd ultimo.—J.W., *pro* W.H.Q., 3/10/78. Under Secty., B.C. Commissioner for Railways.—J.R., B.C., 4/10/78. Place on Estimates, without prejudice as to liability to claims for compensation.—J.S., 21/10/78. Under Secty. for Works, B.C., 21/10/78. Urgent, for Estimates.—CH. A.G. Inform Treasury.—J.R., 22/10/78.

Memo.—Cannot trace any sum under Railway.

There is an amount of £5,100, item 423 on Estimates of 1876, for completing sewerage, &c., and which appears to have been paid over to the City Council through Public Works.—J.W.

The last item was taken under Harbours and Rivers Department, but the proposed vote appears to be rendered necessary by the construction of the branch railway; it is necessary to inform Treasury of the heading of the vote.

Charge as formerly, Sewerage, Darling Harbour, Harbours and Rivers Branch.—J.R., 24/10/78.

Under Secty. for Finance.—J.R., B.C., 29/10/78.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

PORTS OF SYDNEY AND NEWCASTLE.

(VESSELS CLEARED AT, FOR CERTAIN PORTS.)

Ordered by the Legislative Assembly to be printed, 23 July, 1879.

RETURN (*in part*) to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 14 May, 1879, That there be laid upon the Table of this House,—

“ A return showing the names and tonnage of all vessels that have cleared
“ at the Ports of Sydney and Newcastle respectively, for Ports coming
“ under the agreement between this Colony and Victoria, for the main-
“ tenance of certain Light-houses, at the joint expense of both Colonies,
“ from 1 January, 1871, to 31 December, 1878, inclusive.”

PART I.—VESSELS CLEARED AT PORT OF SYDNEY.

(*Mr. Cameron.*)

PORTS OF SYDNEY AND NEWCASTLE.

Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promontory.	Gabo Island.	Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promontory.	Gabo Island.
Amphitrite.....	129	32	.....	32	32	City of Brisbane	504	.....	.....	504	504
City of Adelaide	615	.....	.....	615	615	Alexandrine	247	62	.....	62	62
Ella Gladstone....	225	225	.....	225	225	Ocean Bride	261	261	.....	261	261
Australasian Pkt.	182	.....	.....	182	182	Catherina	211	52	.....	52	52
Tasmania	285	.....	.....	285	285	Hero	851	.....	.....	851	851
Rangatira	460	.....	.....	460	460	City of Adelaide	615	.....	.....	615	615
Ziba	513	128	.....	128	128	City of Hobart	362	.....	.....	362	362
Rachel	282	71	.....	71	71	Tavistock	533	133	.....	133	133
John Williams....	186	.....	.....	186	186	Rangatira	460	.....	.....	460	460
City of Adelaide	615	.....	.....	615	615	Jane	342	86	.....	86	86
Kangaroo	52	.....	.....	52	52	Banda	482	120	.....	120	120
Samuel	427	107	.....	107	107	Abtrevida	457	114	.....	114	114
Atlantic	260	.....	.....	260	260	Island City	421	105	.....	105	105
Charlotte Young	295	295	.....	295	295	Avoca	1,007	252	.....	252	252
Rangatira	460	.....	.....	460	460	James Paterson...	387	.....	.....	387	387
Rangoon	1,253	313	.....	313	313	Melrose	287	287	.....	287	287
Tasmania	285	.....	.....	285	285	Auckland	507	.....	.....	507	507
Harlaw	894	223	.....	223	223	City of Hobart	362	.....	.....	362	362
Annie Royden	1,176	1,176	.....	1,176	1,176	Alexandra	425	.....	.....	425	425
Alexandra	425	.....	.....	425	425	Leonidas	270	.....	.....	270	270
City of Adelaide	615	.....	.....	615	615	Highlander	93	.....	.....	93	93
Countess Russell	965	965	.....	965	965	Don	57	.....	.....	57	57
Barwon	367	367	.....	367	367	Ziska	199	49	.....	49	49
Glenlyon	665	166	.....	166	166	Blackbird	531	.....	.....	531	531
Holmestrand	392	98	.....	98	98	Western Star	179	179	.....	179	179
Cath. Fullerton	178	44	.....	44	44	Alexandra	425	425	.....	425	425
Helena	149	.....	.....	149	149	Hero	851	.....	.....	851	851
Tasmania	285	.....	.....	285	285	Atlantic	260	.....	.....	260	260
City of Adelaide	615	.....	.....	615	615	King Oscar	248	248	.....	248	248
Lord Nelson	227	227	.....	227	227	Balclutha	262	.....	.....	262	262
Highlander	93	.....	.....	93	93	Hannah Bloom-	.....	.....	.....	.....	.....
field	124	124	.....	124	124	field	124	124	.....	124	124
Lass of Gawler	224	224	.....	224	224	City of Hobart	362	.....	.....	362	362
Alexandra	425	.....	.....	425	425	Geelong	1,217	305	.....	305	305
Constance	351	88	.....	88	88	Rene	372	93	.....	93	93
Albion	263	66	.....	66	66	Mary Grant	138	.....	.....	138	138
Marquis of Argyle	516	129	.....	129	129	Rangatira	460	.....	.....	460	460
Macquarie	125	.....	.....	125	125	Suffolk	231	.....	.....	231	231
City of Adelaide	615	.....	.....	615	615	Annie	135	.....	.....	135	135
Coorong	369	369	.....	369	369	Gallilee	247	62	.....	62	62
Alexandra	425	425	.....	425	425	Balclutha	262	.....	.....	262	262
Ellen Morris	195	49	.....	49	49	Tuck Sing	388	97	.....	97	97
Avoca	1,007	252	.....	252	252	Annie Marie	401	100	.....	100	100
Harmon	345	86	.....	86	86	Our Hope	237	.....	.....	237	237
City of Adelaide	615	.....	.....	615	615	Rangatira	460	.....	.....	460	460
City of Hobart	362	.....	.....	362	362	City of Hobart	362	.....	.....	362	362
Barwon	367	367	.....	367	367	Balclutha	262	.....	.....	262	262
Rangatira	460	460	.....	460	460	Cecile et Marie	454	113	.....	113	113
Polar Star	314	79	.....	79	79	Rangatira	460	460	.....	460	460
Ceara	172	43	.....	43	43	Don	57	.....	.....	57	57
City of Adelaide	615	.....	.....	615	615	Balclutha	262	.....	.....	262	262
Leslie	108	.....	.....	108	108	City of Hobart	362	.....	.....	362	362
Rangatira	460	.....	.....	460	460	Rangoon	1,253	313	.....	313	313
Mary Hamilton	218	54	.....	54	54	Neville	750	187	.....	187	187
City of Hobart	362	.....	.....	362	362	Kate	341	85	.....	85	85
Marie	250	62	.....	62	62	Alexandra	425	.....	.....	425	425
City of Adelaide	615	.....	.....	615	615	Welcome Home	109	.....	.....	109	109
Barwon	367	367	.....	367	367	Onward	606	151	.....	151	151
Rangatira	460	460	.....	460	460	Balclutha	262	.....	.....	262	262
James Paterson...	387	.....	.....	387	387	Florence	76	.....	.....	76	76
Geelong	1,217	304	.....	304	304	City of Hobart	362	.....	.....	362	362
Ile of Wight	1,253	313	.....	313	313	Centurion	965	241	.....	241	241
Alexandra	425	.....	.....	425	425	Alexandra	425	.....	.....	425	425
City of Hobart	362	.....	.....	362	362	Columbus	744	186	.....	186	186
Macquarie	125	.....	.....	125	125	Annie Beaton	86	.....	.....	86	86
City of Adelaide	615	.....	.....	615	615	Balclutha	262	.....	.....	262	262
Alexandra	425	.....	.....	425	425	Lady Darling	109	.....	.....	109	109
Malcolm	182	.....	.....	182	182	Jeannie Loutit	493	123	.....	123	123
Pilot	101	.....	.....	101	101	Alexandra	425	.....	.....	425	425
City of Hobart	362	.....	.....	362	362	Sea Shell	233	.....	.....	233	233
City of Adelaide	615	.....	.....	615	615	Minnie P.	438	110	.....	110	110
Elderslee	203	51	.....	51	51	Corrido	281	70	.....	70	70
Alexandra	425	.....	.....	425	425	City of Hobart	362	.....	.....	362	362
Francis	490	122	.....	122	122	Balclutha	262	262	.....	262	262
Don	57	.....	.....	57	57	James Paterson...	387	.....	.....	387	387
Rangatira	460	.....	.....	460	460	Suffolk	231	.....	.....	231	231
Rangoon	1,253	313	.....	313	313	Avoca	1,007	252	.....	252	252
Mary Blair	328	82	.....	82	82	Linn Fern	167	42	.....	42	42
Tasso	264	66	.....	66	66	Rangatira	460	.....	.....	460	460
City of Hobart	362	.....	.....	362	362	Tower Hill	181	.....	.....	181	181
City of Adelaide	615	.....	.....	615	615	James Paterson...	387	.....	.....	387	387
Clara Sayers	294	73	.....	73	73	Southern Belle	340	340	.....	340	340
Harbottle	319	79	.....	79	79	City of Hobart	362	.....	.....	362	362
						Swallow	65	.....	.....	65	65

Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promontory.	Gabo Island.	Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promontory.	Gabo Island.
Rangatira	460			460	460	Alexandria	425			425	425
Lucy & Adelaide	90			90	90	Mary King	73	73		73	73
Fairy Rock	192			192	192	Jane Woodburn	299	74		74	74
Clanranald	1,185	296		296	296	Pakeha	173			173	173
Macedon	532			532	532	Gem	87			87	87
James Paterson	387			387	387	City of Melbourne	615			615	615
Corsair	111			111	111	Centaur	188			188	188
Rangatira	460			460	460	Albion	263	65		65	65
City of Hobart	362			362	362	Wonga Wonga	682			682	682
Annie Beaton	85			85	85	Windhover	207	52		52	52
Annie Moore	90			90	90	Rose of Australia	262	65		65	65
Leila M. Long	610	152		152	152	Atlantic	260			260	260
James Paterson	387			387	387	Oscar Mooyer	365	91		91	91
Leslie	108			108	108	Alexandra	425			425	425
Rangoon	1,253	313		313	313	City of Melbourne	615			615	615
Geelong	1,217	304		304	304	Behar	1,190	297		297	297
Balclutha	262			262	262	Leonidas	270			270	270
Tamesa	713	178		178	178	Witch	473	118		118	118
Garricks	916	229		229	229	City of Adelaide	824			824	824
Cathaya	790	197		197	197	Rangatira	460			460	460
James Paterson	387			387	387	Lady Franklin	235	59		59	59
Marquis of Argyle	516	129		129	129	Madura	314	78		78	78
Lady Turner	430	107		107	107	City of Hobart	362			362	362
Florence	76			76	76	Wonga Wonga	682			682	682
City of Hobart	362			362	362	Derwent	221	221		221	221
Balclutha	262			262	262	Wonga Wonga	682			682	682
Nebraska	1,266			1,266	1,266	Rangatira	460			460	460
Borealis	920	230		230	230	Speedy	274	68		68	68
Mary Stewart	65	16		16	16	City of Adelaide	824			824	824
Swordfish	111			111	111	Corrido	281	70		70	70
City of Adelaide	824			824	824	Wonga Wonga	682			682	682
Balclutha	262			262	262	City of Hobart	362			362	362
Mary Blair	328	82		82	82	Rangatira	460			460	460
Onward	68			68	68	Wemyss Castle	700	175		175	175
Tasso	264	264		264	264	Clare Hargraves	405	101		101	101
Alexandra	425			425	425	Nubia	1,033	258		258	258
City of Hobart	362			362	362	Canadienne	853	214		214	214
Paralos	362	90		90	90	Alexandra	425			425	425
Rangatira	460			460	460	Lady St. Aubyn	150	150		150	150
Rangoon	1,253	313		313	313	Wilhelmina	545	136		136	136
Charlotte Andrews	356	89		89	89	Wonga Wonga	682			682	682
Helen	343	85		85	85	City of Hobart	362			362	362
Orwell	163			163	163	Malcolm	182			182	182
City of Adelaide	825			825	825	Alexandra	425			425	425
Leslie	108			108	108	Lizzie Grey	93			93	93
Centaur	188	188		188	188	Bangalore	1,178	294		294	294
Emma	286	71		71	71	Wonga Wonga	682			682	682
St. Brycedale	302	75		75	75	Leonidas	270	270		270	270
Malacca	1,238	309		309	309	Macedon	532			532	532
Agra	951	238		238	238	Salicia	423	106		106	106
Fairy Rock	192	192		192	192	Jubilee	765	191		191	191
Annie Beaton	85			85	85	Onward	606	151		151	151
Melrose	287	287		287	287	Mary Grant	138			138	138
Atlantic	260			260	260	City of Adelaide	824			824	824
City of Hobart	362			362	362	A. W. Weston	740	185		185	185
Rangatira	460			460	460	City of Hobart	362			362	362
Suffolk	231	231		231	231	Alexandra	425			425	425
Tasso	264	264		264	264	Rangatira	460			460	460
Swallow	65			65	65	Acacia	233	58		58	58
Engelbert	245	245		245	245	Barodas	1,232	308		308	308
Hero	851			851	851	City of Adelaide	824			824	824
Day Dawn	398	99		99	99	Hero	851			851	851
Constance	351	88		88	88	St. Lucian	294	73		73	73
City of Melbourne	615			615	615	City of Hobart	362			362	362
City of Hobart	362			362	362	Thermopylae	948	237		237	237
Cissy	650	162		162	162	Rangatira	460			460	460
Nubia	1,033	258		258	258	Orwell	163			163	163
City of Melbourne	615			615	615	Galatea	167			167	167
Egerateia	207	52		52	52	Leslie	108			108	108
Lady St. Aubyn	150	150		150	150	City of Adelaide	825			825	825
City of Adelaide	824			824	824	Tamerlane	764	191		191	191
City of Hobart	362			362	362	Duke of Edinburgh	358			358	358
City of Melbourne	615			615	615	Rangatira	460			460	460
Trader	46			46	46	Bayonnaise	239	59		59	59
Novelty	376	94		94	94	City of Adelaide	824			824	824
Wonga Wonga	682			682	682	City of Hobart	362			362	362
Rebecca Jane	219	219		219	219	Essex	1,256	314		314	314
City of Melbourne	615			615	615	Waverley	216	216		216	216
City of Hobart	362			362	362	Alexandra	425	425		425	425
Rangatira	460			460	460	Lizzie Grey	93			93	93
Wonga Wonga	682			682	682	Rangatira	460			460	460
Geelong	1,217	304		304	304	Nubia	1,033	258		258	258
Nord Brabant	623	156		156	156	City of Adelaide	824			824	824
Lizzie Grey	93			93	93	Dilbhur	1,308	327		327	327
James S. Stone	710	177		177	177	Hero	851			851	851
City of Adelaide	824			824	824	City of Hobart	362			362	362
Guiding Star	413	104		104	104	Wonga Wonga	682			682	682
Leslie	108			108	108	Atlantic	260			260	260
Black Diamond	108	108		108	108	Duke of Athole	963	241		241	241
City of Hobart	362			362	362	Omer et Juliet	287	71		71	71
Adieu	174	174		174	174						

Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promontory.	Gabo Island.	Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promontory.	Gabo Island.
City of Adelaide	824	.....	.....	824	824	Centurion	965	241	.....	241	241
Sir Isaac Newton	121	.....	.....	121	121	Martha Jane	86	.....	.....	86	86
Tien Tain	254	.....	254	.....	254	City of Melbourne	615	.....	.....	615	615
Mary Blair	328	82	.....	82	82	Atlantic	260	.....	.....	260	260
Rangatira	460	.....	.....	460	460	City of Adelaide	824	.....	.....	824	824
Annie Beaton	85	.....	.....	85	85	Hero	851	.....	.....	851	851
City of Hobart	362	.....	.....	362	362	City of Hobart	362	.....	.....	362	362
Alexandra	425	.....	.....	425	425	Oriana	997	249	.....	249	249
Bangalore	1,178	294	.....	294	294	Glengairn	895	224	.....	224	224
City of Adelaide	824	.....	.....	824	824	Rangatira	460	.....	.....	460	460
Swallow	65	.....	.....	65	65	City of Melbourne	615	.....	.....	615	615
Elizabeth A.	.....	.....	.....	.....	.....	Fiery Cross	695	174	.....	174	174
Oliver	619	154	.....	154	154	City of Adelaide	824	.....	.....	824	824
Mary Hamilton	218	.....	.....	218	218	Rangatira	460	460	.....	460	460
City of Melbourne	615	.....	.....	615	615	City of Hobart	362	.....	.....	362	362
Northampton	1,161	290	.....	290	290	Harkaway	814	204	.....	204	204
Lady Belmore	254	64	.....	64	64	City of Melbourne	615	.....	.....	615	615
Alexandra	425	.....	.....	425	425	Tanjore	1,290	322	.....	322	322
Harlaw	894	223	.....	223	223	Ludovic and	.....	.....	.....	.....	.....
City of Adelaide	824	.....	.....	824	824	Charles	381	381	.....	381	381
Martha Jane	86	.....	.....	86	86	City of Adelaide	824	.....	.....	824	824
Hero	851	.....	.....	851	851	Pilot	101	.....	.....	101	101
Ziska	199	49	.....	49	49	City of Hobart	362	.....	.....	362	362
Blanche Marie	462	115	.....	115	115	Governor Blackall	331	.....	.....	331	331
Alexandra	425	.....	.....	425	425	Borealis	920	230	.....	230	230
City of Hobart	362	.....	.....	362	362	Corrido	281	281	.....	281	281
St. Magnus	289	289	.....	289	289	Rose of Australia	262	66	.....	66	66
Toketea	805	201	.....	201	201	Swallow	65	.....	.....	65	65
City of Adelaide	824	.....	.....	824	824	Alexandra	425	.....	.....	425	425
Escort	130	.....	.....	130	130	Ellen	39	.....	.....	39	39
Alexandra	425	.....	.....	425	425	Onward	606	152	.....	152	152
City of Hobart	362	.....	.....	362	362	City of Adelaide	824	.....	.....	824	824
Wonga Wonga	682	.....	.....	682	682	Kembla	205	.....	.....	205	205
Yarra	141	.....	.....	141	141	James Hannell	475	475	.....	475	475
Baroda	1,232	308	.....	308	308	Leichardt	459	.....	.....	459	459
Lady Denison	129	129	.....	129	129	Melbourne	63	.....	.....	63	63
Whirlwind	868	217	.....	217	217	Mary Blair	324	81	.....	81	81
E. Von Beaulieu	344	86	.....	86	86	Martha Jane	86	.....	.....	86	86
City of Hobart	362	.....	.....	362	362	City of Melbourne	615	.....	.....	615	615
Wonga Wonga	682	.....	.....	682	682	City of Hobart	362	.....	.....	362	362
Thomas Bell	838	210	.....	210	210	Rangatira	460	.....	.....	460	460
Williams	326	.....	.....	326	326	City of Adelaide	824	.....	.....	824	824
Mary Cummings	106	.....	.....	106	106	Peeress	780	195	.....	195	195
Fairy Queen	214	.....	.....	214	214	Bangalore	1,178	295	.....	295	295
Wonga Wonga	682	.....	.....	682	682	Melrose	287	287	.....	287	287
Day Dawn	398	.....	.....	398	398	City of Melbourne	615	.....	.....	615	615
Rangatira	460	.....	.....	460	460	Nardoo	379	379	.....	379	379
Constance	351	88	.....	88	88	Bainan	761	190	.....	190	190
City of Hobart	362	.....	.....	362	362	Prince of Wales	238	.....	.....	238	238
Athena	412	412	.....	412	412	City of Hobart	362	.....	.....	362	362
City of Adelaide	824	.....	.....	824	824	Dorothy	760	190	.....	190	190
Lanercost	358	358	.....	358	358	Brunette	375	375	.....	375	375
Swallow	100	.....	.....	100	100	Wonga Wonga	682	.....	.....	682	682
Alexandra	425	.....	.....	425	425	Lady Franklin	235	59	.....	59	59
Nubia	1,033	258	.....	258	258	Marquis of Argyle	516	129	.....	129	129
Wonga Wonga	682	.....	.....	682	682	Novelty	376	94	.....	94	94
Lady St. Aubyn	150	150	.....	150	150	City of Melbourne	615	.....	.....	615	615
City of Adelaide	824	.....	.....	824	824	Atlantic	260	.....	.....	260	260
City of Hobart	362	.....	.....	362	362	City of Adelaide	824	.....	.....	824	824
Stag	524	524	.....	524	524	Waverly	216	216	.....	216	216
Alexandra	425	.....	.....	425	425	Alexandra	425	.....	.....	425	425
Thyatira	962	240	.....	240	240	City of Hobart	362	.....	.....	362	362
Wonga Wonga	682	.....	.....	682	682	Grace Darling	82	.....	.....	82	82
Atlantic	260	.....	.....	260	260	City of Melbourne	615	.....	.....	615	615
City of Adelaide	824	.....	.....	824	824	Rangatira	460	.....	.....	460	460
Anglo Saxon	694	174	.....	174	174	Onward	68	.....	.....	68	68
Wonga Wonga	682	.....	.....	682	682	Baroda	1,232	308	.....	308	308
Rangatira	460	460	.....	460	460	Salacia	423	106	.....	106	106
Windhover	207	207	.....	207	207	City of Adelaide	824	.....	.....	824	824
Bangalore	1,178	295	.....	295	295	Helen	39	.....	.....	39	39
City of Adelaide	824	.....	.....	824	824	Moneta	621	621	.....	621	621
City of Melbourne	615	.....	.....	615	615	Fairy Rock	192	.....	.....	192	192
Malcolm	182	.....	.....	182	182	City of Melbourne	615	.....	.....	615	615
City of Hobart	362	.....	.....	362	362	Wonga Wonga	682	.....	.....	682	682
City of Adelaide	824	.....	.....	824	824	City of Hobart	362	.....	.....	362	362
City of Melbourne	615	.....	.....	615	615	Leonidas	270	270	.....	270	270
Sybil	120	.....	.....	120	120	Lady Belmore	254	63	.....	63	63
Macedon	532	.....	.....	532	532	City of Adelaide	824	.....	.....	824	824
Governor Blackall	331	.....	.....	331	331	Brewster	350	88	.....	88	88
Adieu	174	.....	.....	174	174	Don	57	.....	.....	57	57
Galatea	167	.....	.....	167	167	Rangatira	460	.....	.....	460	460
Orwell	163	.....	.....	163	163	Wonga Wonga	682	.....	.....	682	682
City of Hobart	362	.....	.....	362	362	William Turner	431	108	.....	108	108
You Yangs	457	.....	.....	457	457	City of Adelaide	824	.....	.....	824	824
Rene	296	74	.....	74	74	Kembla	205	.....	.....	205	205
City of Adelaide	824	.....	.....	824	824	City of Hobart	362	.....	.....	362	362
Yarra	141	.....	.....	141	141	Behar	1,190	297	.....	297	297
Ceres	91	.....	.....	91	91	City of Melbourne	615	.....	.....	615	615
Baroda	1,232	308	.....	308	308	Corrido	281	281	.....	281	281
Lufra	672	672	.....	672	672	City of Adelaide	824	.....	.....	824	824
Rangatira	460	.....	.....	460	460	City of Hobart	362	.....	.....	362	362

Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promon- tory.	Gabo Island.	Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promon- tory.	Gabo Island.
Nantaise Creole...	306	306	.....	306	306	Fairy Queen	214	214	.....	214	214
Helen	342	.....	.....	.....	342	Bangalore	1,178	294	.....	294	294
City of Melbourne	615	.....	.....	615	615	Black Adder	909	227	.....	227	227
Alexandra	425	.....	.....	425	425	Coleroon	761	191	.....	191	191
Kembla	205	.....	.....	205	205	City of Adelaide	824	.....	.....	824	824
Sydenham	1,062	265	.....	265	265	Fire Fly	179	.....	.....	179	179
Albatross	222	56	.....	56	56	Cutty Sark	921	230	.....	230	230
Waverley	216	216	.....	216	216	City of Melbourne	615	.....	.....	615	615
City of Adelaide	824	.....	.....	824	824	John Rennie	848	848	.....	848	848
Wonga Wonga	682	.....	.....	682	682	Alexandra	425	.....	.....	425	425
Fairlie	177	44	.....	44	44	Duke of Abercorn	1,050	262	.....	262	262
City of Hobart	362	.....	.....	362	362	Halley Bayley	113	.....	113	.....	113
Alexandra	425	425	.....	425	425	City of Adelaide	825	.....	.....	825	825
City of Melbourne	615	.....	.....	615	615	Rebecca Goddard	413	104	.....	104	104
Bangalore	1,178	295	.....	295	295	Neoni	355	355	.....	355	355
Hero	851	.....	.....	851	851	William Manson	366	91	.....	91	91
City of Adelaide	824	.....	.....	824	824	Alexandra	425	.....	.....	425	425
R. J. Robertson	216	54	.....	54	54	City of Hobart	362	.....	.....	362	362
Auguste Reimer	212	53	.....	53	53	Wonga Wonga	682	.....	.....	682	682
Maid of Judah	643	643	.....	643	643	Sumatia	1,267	317	.....	317	317
City of Melbourne	615	.....	.....	615	615	Rangatira	460	.....	.....	460	460
City of Hobart	362	.....	.....	362	362	City of Adelaide	824	.....	.....	824	824
Blackbird	851	.....	.....	851	851	Bulli	357	.....	.....	357	357
Fairy Rock	192	.....	.....	192	192	Rose of Australia	262	65	.....	65	65
Macedon	532	.....	.....	532	532	City of Hobart	362	.....	.....	362	362
City of Adelaide	824	.....	.....	824	824	Wonga Wonga	628	.....	.....	628	628
Medea	423	.....	.....	423	423	Onward	606	151	.....	151	151
Hercules	139	.....	.....	139	139	Hero	851	.....	.....	851	851
France	508	508	.....	508	508	Rowena	194	48	.....	48	48
Emma	319	319	.....	319	319	Rangatira	460	.....	.....	460	460
Duncraig	699	699	.....	699	699	City of Adelaide	824	.....	.....	824	824
Moneta	621	621	.....	621	621	Sarah	233	233	.....	233	233
You Yangs	457	.....	.....	457	457	Wonga Wonga	682	.....	.....	682	682
City of Melbourne	615	.....	.....	615	615	Escort	130	.....	.....	130	130
Dandenong	575	.....	.....	575	575	Lottery	150	.....	.....	150	150
City of Hobart	362	.....	.....	362	362	City of Hobart	362	.....	.....	362	362
Wonga Wonga	682	.....	.....	682	682	Rangatira	460	.....	.....	460	460
Rangatira	460	460	.....	460	460	Baroda	1,232	308	.....	308	308
Sea Ripple	126	.....	.....	126	126	Alexandra	425	.....	.....	425	425
Southern Belle	340	340	.....	340	340	Fire Fly	179	.....	.....	179	179
Lucy & Adelaide	90	.....	.....	90	90	City of Adelaide	824	.....	.....	824	824
Janet Stewart	202	.....	.....	202	202	Wonga Wonga	682	.....	.....	682	682
Windhover	207	207	.....	207	207	City of Hobart	362	.....	.....	362	362
Duke of Edin- burgh	1,117	1,117	.....	1,117	1,117	Alexandra	425	.....	.....	425	425
Geraldine	182	182	.....	182	182	Northampton	1,161	290	.....	290	290
Leonidas	270	.....	.....	270	270	Bulli	357	.....	.....	357	357
City of Hobart	362	.....	.....	362	362	City of Adelaide	824	.....	.....	824	824
City of Adelaide	824	.....	.....	824	824	Harlaw	894	223	.....	223	223
Omeo	660	.....	.....	660	660	Wonga Wonga	682	.....	.....	682	682
Prince Alfred	258	258	.....	258	258	Northern Light	89	.....	.....	89	89
Arethusa	220	220	.....	220	220	City of Adelaide	824	.....	.....	824	824
City of Melbourne	615	.....	.....	615	615	City of Hobart	362	.....	.....	362	362
Alexandra	425	.....	.....	425	425	Alexandria	425	.....	.....	425	425
Tien Tsin	254	.....	254	254	254	Rangatira	460	.....	.....	460	460
Cooroong	369	369	.....	369	369	Bangalore	1,178	294	.....	294	294
Silbyl	120	.....	.....	120	120	Wonga Wonga	682	.....	.....	682	682
City of Adelaide	824	.....	.....	824	824	Dorme Castle	887	222	.....	222	222
Ashburton	506	126	.....	126	126	Galatea	167	.....	.....	167	167
City of Hobart	362	.....	.....	362	362	Blackbird	531	.....	.....	531	531
Lizzie & Rosa	380	95	.....	95	95	Leucadia	896	224	.....	224	224
Parana	1,027	256	.....	256	256	City of Hobart	362	.....	.....	362	362
E. M. Young	345	86	.....	86	86	Light Brigade	1,244	311	.....	311	311
City of Melbourne	615	.....	.....	615	615	Roslin Castle	644	644	.....	644	644
Day Dawn	397	99	.....	99	99	City of Adelaide	824	.....	.....	824	824
Mooltan	1,628	407	.....	407	407	Mary Blair	328	82	.....	82	82
Loelia	50	.....	.....	50	50	Douglas Castle	678	169	.....	169	169
Wonga Wonga	682	.....	.....	682	682	Circe	145	.....	.....	145	145
Huntly Castle	623	156	.....	156	156	Wonga Wonga	682	.....	.....	682	682
Queen of the Age	757	757	.....	757	757	Escort	130	.....	.....	130	130
Alexandra	425	.....	.....	425	425	Mary Smith	99	.....	.....	99	99
Verulam	313	78	.....	78	78	Farinigham	281	281	.....	281	281
Mary Ann Anni- son	297	74	.....	74	74	City of Adelaide	824	.....	.....	824	824
City of Hobart	362	.....	.....	362	362	Martha and Jane	86	.....	.....	86	86
City of Adelaide	824	.....	.....	824	824	City of Hobart	362	.....	.....	362	362
Conflict	1,171	1,171	.....	1,171	1,171	Rangatira	460	.....	.....	460	460
Isabella	129	129	.....	129	129	Tien Tsin	254	.....	254	.....	254
Bulli	168	.....	.....	168	168	Wonga Wonga	682	.....	.....	682	682
Wonga Wonga	682	.....	.....	682	682	China	1,348	337	.....	337	337
Mary Blair	328	328	.....	328	328	Hero	851	.....	.....	851	851
Jessie McDonald	275	69	.....	69	69	City of Adelaide	824	.....	.....	824	824
Alexandra	425	.....	.....	425	425	Falcon	794	198	.....	198	198
City of Adelaide	824	.....	.....	824	824	Corinne	396	91	.....	91	91
Thermopy	948	316	.....	316	316	Corsair	111	.....	.....	111	111
City of Hobart	362	.....	.....	362	362	City of Hobart	362	.....	.....	362	362
Armistice	354	.....	.....	354	354	Lord Ashley	296	.....	.....	296	296
City of Melbourne	615	.....	.....	615	615	Io	71	.....	.....	71	71
Melrose	287	72	.....	72	72	Wentworth	650	.....	.....	650	650
Rangatira	460	460	.....	460	460	Leander	848	212	.....	212	212
Alexandra	425	.....	.....	425	425	Fanny	164	.....	.....	164	164
						City of Adelaide	824	.....	.....	824	824
						Franquebar	394	394	.....	394	394

Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promontory.	Gabo Island.	Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promontory.	Gabo Island.
Amy	220	220		220	220	Atlantic	260			260	260
Bothwell Castle	592	148		148	148	Liberator	690	172		172	172
Alexandra	425			425	425	Wentworth	650			650	650
City of Hobart	362				362	Rubicon	64			64	64
Don	57			57	57	Leichardt	457			457	457
Wentworth	650			650	650	City of Hobart	362				362
Halloween	920	230		230	230	Belted Will	812	203		203	203
Galatea	167			167	167	Georgina	315	79		79	79
Barado	1,232	308		308	308	Alexandra	425			425	425
City of Adelaide	824			824	824	City of Adelaide	824			824	824
Victoria	978	244		244	244	Rangatira	460	460		460	460
Anglo Saxon	694	173		173	173	City of Hobart	362				362
Clara	939	235		235	235	Bangalore	1,178	294		294	294
Wonga Wonga	682			682	682	Alexandra	425			425	425
Marquis of Argyle	516	129		129	129	Constance	351	87		87	87
Marie Leonie	261	261		261	261	Novelty	375	94		94	94
Wentworth	650			650	650	Victoria	978			978	978
Melbrick	870	217		217	217	Challenge	599	149		149	149
City of Hobart	362				362	Wentworth	650			650	650
City of Adelaide	824			824	824	Annie Taylor	73	73		73	73
Forward	202			202	202	Forward	745	186		186	186
Lord Ashley	296			296	296	Alexandra	425			425	425
Leicester	1,309	327		327	327	City of Hobart	362				362
Escort	130			130	130	City of Adelaide	824			824	824
Edmond Greiser	348	87		87	87	Lewis L. Lamb	381	95		95	95
Rangatira	460			460	460	Florence Irving	626			626	626
Tamerlane	768	192		192	192	Alexandra	425			425	425
Wentworth	650			650	650	Rangatira	460			460	460
Adelheid	289			289	289	Victoria	978			978	978
Lord Ashburton	879	219		219	219	Nubig	1,033	283		283	283
Tamesa	713	178		178	178	City of Adelaide	824			824	824
Surrey	1,089	272		272	272	Bremontea	441	441		441	441
City of Adelaide	824			824	824	Helens	433	108		108	108
City of Hobart	362				362	Alexandra	425			425	425
Rangatira	460			460	460	City of Adelaide	824			824	824
Scythia	886	221		221	221	Onward	606	151		151	151
Malcolm	182				182	Ellora	1,223			1,223	1,223
James Payton	397	99		99	99	Amoy	220	220		220	220
Bangalore	1,178	294		294	294	Isabelle	270	67		67	67
Wentworth	650			650	650	Maid of Erin	73			73	73
City of Adelaide	824			824	824	Alexandra	425			425	425
Tennyson	1,298	324		324	324	Tasman	490			490	490
Rangatira	460			460	460	Victoria	978			978	978
Kingsbridge	1,498	374		374	374	Fairy Rock	192			192	192
Zenobia	1,145	286		286	286	Malcolm	182			182	182
Wentworth	650			650	650	Ocean Bride	334	83		83	83
Bull	347			347	347	Wentworth	650			650	650
City of Adelaide	824			824	824	Speedy	274			274	274
Pactole	406	101		101	101	Ellora	1,223			1,223	1,223
Bayonnaise	368			368	368	Alexandra	425			425	425
Galatea	167			167	167	Rachael	283	71		71	71
Lizzie & Rosa	380				380	Tasman	490			490	490
Rangatira	460			460	460	Bull	337	337		337	337
City of Hobart	362				362	Rangatira	460			460	460
Craig Ellache	226			226	226	Wentworth	650			650	650
Silver Eagle	895	224		224	224	Whitehall	937	234		234	234
City of Adelaide	824			824	824	Helen	603	151		151	151
Corrido	270			270	270	Harkaway	814	203		203	203
Wentworth	650			650	650	Rangatira	460			460	460
Alexandra	425			425	425	Tasman	490			490	490
China	1,348	337		337	337	Fanny Wright	107			107	107
City of Hobart	362				362	Wentworth	650			650	650
Geffrard	316	316		316	316	Elmstone	698	174		174	174
Rangatira	460			460	460	Cito	216	54		54	54
Haddon Hall	1,416			1,416	1,416	Rangatira	460			460	460
Minna	436	109		109	109	Ellora	1,223			1,223	1,223
White Adder	915	229		229	229	Wentworth	650			650	650
City of Adelaide	824			824	824	Dartmouth	915	229		229	229
Ceres	91			91	91	Victoria	978			978	978
Day Dawn	398	99		99	99	Tasman	490			490	490
Alexandra	425			425	425	Aarhuus	256	64		64	64
Horatio	447	111		111	111	Sir Isaac Newton	121			121	121
Adelheid	289			289	289	Alexandra	425			425	425
William Manson	366	92		92	92	Harrowby	499	125		125	125
City of Hobart	362				362	Wentworth	650			650	650
City of Adelaide	824			824	824	Ellora	1,223			1,223	1,223
Florence Irving	626			626	626	Niagara	292	73		73	73
Alexandra	425			425	425	Fredericka	384	96		96	96
Acacia	232	232		232	232	Alexandra	425			425	425
Ferdinand	416	104		104	104	Tasman	490			490	490
Bengal	999	249		249	249	Sydenham	1,062	265		265	265
City of Adelaide	824			824	824	Marquis of Argyle	516	129		129	129
City of Hobart	362				362	Wentworth	650			650	650
Baroda	1,232	308		308	308	Edward James	529	132		132	132
Mary Mildred	460	115		115	115	Maid of Judah	643	161		161	161
Wentworth	650			650	650	Alexandra	425			425	425
Cambridge	256			256	256	Ellora	1,223			1,223	1,223
Jane Spratt	670	167		167	167	Kermalo	259	65		65	65
Rangatira	460			460	460	Cutty Sark	921	230		230	230
Alexandra	425			425	425	Tasman	490			490	490
Fairy Rock	192				192	Wentworth	650			650	650

Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promontory.	Gabo Island.	Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promontory.	Gabo Island.
Joyce Phillips	514	128	.....	128	128	Rubeion	64	.....	.....	64	64
Elm Grove	255	255	.....	255	255	Southern Cross	343	.....	.....	343	343
Mary Blair	328	82	.....	82	82	Ellora	1,223	.....	.....	1,223	1,223
Crested Wave	345	86	.....	86	86	Fairy Rock	192	.....	.....	192	192
City of Adelaide	824	.....	.....	824	824	Wentworth	650	.....	.....	650	650
Gustav Adolpho	272	68	.....	68	68	Kerchalon	279	69	.....	69	69
Adelaide	435	109	.....	109	109	City of Melbourne	615	.....	.....	615	615
Wentworth	650	.....	.....	650	650	Parana	269	67	.....	67	67
Ascalon	938	234	.....	234	234	Victoria	978	.....	.....	978	978
Tasman	490	.....	.....	490	490	Loch Naw	277	.....	.....	277	277
Talisman	446	111	.....	111	111	Rangatira	460	.....	.....	460	460
Thermopylor	948	237	.....	237	237	Southern Cross	343	.....	.....	343	343
City of Adelaide	824	.....	.....	824	824	Legislator	1,375	.....	.....	1,375	1,375
City of Melbourne	615	.....	.....	615	615	Holloween	972	243	.....	243	243
Queen of the Colonies	1,346	336	.....	336	336	Douglas	93	.....	.....	93	93
Sir Lancelot	886	221	.....	221	221	City of Melbourne	615	.....	.....	615	615
Hoogly	1,159	289	.....	289	289	Wentworth	650	.....	.....	650	650
W. H. Bessie	1,027	257	.....	257	257	Phillis	230	230	.....	230	230
Ellora	1,223	.....	.....	1,223	1,223	Wallaroo	488	488	.....	488	488
Belted Will	350	87	.....	87	87	Cleopatra	200	.....	.....	200	200
City of Adelaide	824	.....	.....	824	824	Black Hawk	44	.....	.....	44	44
Tasman	490	.....	.....	490	490	City of Adelaide	824	.....	.....	824	824
John Rennie	848	212	.....	212	212	City of Hobart	362	.....	.....	362	362
Naiad	297	.....	.....	297	297	City of Melbourne	615	.....	.....	615	615
Windhover	207	52	.....	52	52	Waratah	202	.....	202	202	202
City of Melbourne	615	.....	.....	615	615	Albyn Isle	360	90	.....	90	90
Ellora	1,223	.....	.....	1,223	1,223	Ellora	1,223	.....	.....	1,223	1,223
Wentworth	650	.....	.....	650	650	Amy	220	.....	.....	220	220
Alexandra	425	.....	.....	425	425	Wentworth	650	.....	.....	650	650
Tasman	490	.....	.....	490	490	Helen White	285	285	.....	285	285
Fairy Rock	192	.....	.....	192	192	Leander	848	212	.....	212	212
Norman Court	834	208	.....	208	208	Vivid	238	.....	.....	238	238
Iris	340	.....	.....	340	340	Saint Fillans	1,189	298	.....	298	298
City of Melbourne	615	.....	.....	615	615	Ellen	499	124	.....	124	124
Forward Ho	943	235	.....	235	235	City of Melbourne	615	.....	.....	615	615
Parmeino	369	93	.....	93	93	Batavia	700	175	.....	175	175
Olivia Davis	510	127	.....	127	127	Francis Henty	451	.....	.....	451	451
Dunbar Castle	925	231	.....	231	231	City of Hobart	362	.....	.....	362	362
Wentworth	650	.....	.....	650	650	Forward	202	.....	.....	202	202
Ellora	1,223	.....	.....	1,223	1,223	City of Adelaide	824	.....	.....	824	824
Alexandra	425	.....	.....	425	425	Duke of Athol	963	241	.....	241	241
Amheist	162	162	.....	162	162	Gustatus Her-	.....	.....	.....	.....	.....
Tasman	490	.....	.....	490	490	manous	966	241	.....	241	241
Colombo	384	96	.....	96	96	Carl	215	54	.....	54	54
Lauderdale	851	212	.....	212	212	Emily	296	74	.....	74	74
Lizzie & Rosa	380	95	.....	95	95	Wentworth	650	.....	.....	650	650
City of Melbourne	615	.....	.....	615	615	Day Dawn	398	398	.....	398	398
William Manson	366	91	.....	91	91	Jeddah	993	.....	.....	993	993
Wentworth	650	.....	.....	650	650	Romeo	641	160	.....	160	160
Ellora	1,223	.....	.....	1,223	1,223	City of Adelaide	824	.....	.....	824	824
Sooloo	473	118	.....	118	118	Hero	851	.....	.....	851	851
Kaisow	795	199	.....	199	199	City of Hobart	362	.....	.....	362	362
Agnes Jessie	187	.....	.....	187	187	Harlaw	894	223	.....	223	223
Wonga Wonga	682	.....	.....	682	682	British Consul	1,267	317	.....	317	317
Clara Hargraves	405	.....	.....	405	405	Loch Naw	277	.....	.....	277	277
Tasman	490	.....	.....	490	490	Ellora	1,223	.....	.....	1,223	1,223
City of Melbourne	615	.....	.....	615	615	Melbourne	53	.....	.....	53	53
Tom Morton	917	.....	.....	917	917	Liberator	690	172	.....	172	172
Ella Gladstone	225	225	.....	225	225	City of Adelaide	824	.....	.....	824	824
Mindanao	426	106	.....	106	106	Agnes Edgell	287	.....	287	287	287
Victoria	978	.....	.....	978	978	Bulli	337	337	.....	337	337
Borealis	920	230	.....	230	230	Rangatira	460	.....	.....	460	460
Hawkesbury	1,120	280	.....	280	280	City of Hobart	362	.....	.....	362	362
Wentworth	650	.....	.....	650	650	Benjamin Agmar	517	129	.....	129	129
Salacia	423	106	.....	106	106	Per Ardue	788	197	.....	197	197
Thomas Brown	278	.....	278	.....	278	Eliza Ramsden	395	.....	.....	395	395
City of Hobart	362	.....	.....	362	362	Mary Blair	328	82	.....	82	82
Ellora	1,223	.....	.....	1,223	1,223	Examiner	181	.....	.....	181	181
City of Melbourne	615	.....	.....	615	615	Wentworth	650	.....	.....	650	650
Tasman	490	.....	.....	490	490	City of Adelaide	824	.....	.....	824	824
Rangatira	460	.....	.....	460	460	Burton Stather	422	105	.....	105	105
Vivid	238	.....	.....	238	238	Chateau Laffille	320	320	.....	320	320
Wentworth	650	.....	.....	650	650	Alden Bessi	842	210	.....	210	210
Duke of Aber-	.....	.....	.....	.....	.....	Ricca Genoa	652	163	.....	163	163
corne	1,050	262	.....	262	262	Challenge	48	.....	.....	48	48
City of Melbourne	615	.....	.....	615	615	Rangatira	460	.....	.....	460	460
Hero	851	.....	.....	851	851	City of Hobart	362	.....	.....	362	362
Gloucester	526	131	.....	131	131	Wentworth	650	.....	.....	650	650
Rangatira	460	.....	.....	460	460	Loch Naw	277	.....	.....	277	277
Heide	462	115	.....	115	115	Ellora	1,223	.....	.....	1,223	1,223
Tolkeata	805	201	.....	201	201	City of Adelaide	824	.....	.....	824	824
Tasman	490	.....	.....	490	490	Emily	268	268	.....	268	268
Onward	606	151	.....	151	151	Aberdeen	375	94	.....	94	94
Titania	879	219	.....	219	219	Rangatira	460	.....	.....	460	460
Europa	438	438	.....	438	438	Neptune	299	.....	.....	299	299
Bulli	337	.....	.....	337	337	Bulli	337	337	.....	337	337
Wentworth	650	.....	.....	650	650	Wentworth	650	.....	.....	650	650
Annie	201	.....	.....	201	201	Clara Hargraves	338	.....	.....	338	338
City of Melbourne	615	.....	.....	615	615	City of Hobart	362	.....	.....	362	362
Rangatira	460	.....	.....	460	460	City of Adelaide	824	.....	.....	824	824
Tien Tsin	254	.....	.....	254	254	Inverness	725	181	.....	181	181

Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promontory.	Gabo Island.	Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promontory.	Gabo Island.
Melbourne	53			53	53	Fairy Rock	192				192
Niagara	292	73		73	73	Macedon	532			532	532
Rangatira	460			460	460	Bulli	337			337	337
Somerset	654			654	654	Alexandra	425			425	425
Wentworth	650			650	650	Annie Mabel	279	69		69	69
Ellora	1,223			1,223	1,223	Rangatira	460			460	460
Thomas Brown	279		279		279	Colombo	384	96		96	96
City of Adelaide	824			824	824	Star of India	1,040	260		260	260
Batavia	362	90		90	90	Helen White	285	285		285	285
City of Hobart	362				362	City of Adelaide	824			824	824
Rangatira	460			460	460	City of Hobart	362				362
Martha & Jane	86				86	W. H. Resse	1,027	257		257	257
Amy	220	220		220	220	Balnaginth	385	385		385	385
Wentworth	650			650	650	Alexandra	425			425	425
Monsoon	282	70		70	70	Fire Queen	766	191		191	191
Ellora	1,223			1,223	1,223	Ellora	1,223			1,223	1,223
William Turner	431	108		108	108	Rangatira	460			460	460
City of Adelaide	824			824	824	Niassa	800	200		200	200
Loch Naw	277			277	277	Mariner	340	85		85	85
Lottery	150			150	150	City of Adelaide	824			824	824
Marquis of Argyle	499	124		124	124	Cutty Sark	921	230		230	230
Iris	340			340	340	Bulli	337	337		337	337
Rangatira	460			460	460	Brisbane	891	223		223	223
City of Hobart	362				362	Alexandra	425			425	425
Alexandra	425			425	425	City of Hobart	362				362
J. H. Jessen	271	68		68	68	Cornnoier	800	200		200	200
Fairy Rock	192				192	Rangatira	460			460	460
Wentworth	650			650	650	Burnside	464	116		116	116
Legislator	1,375			1,375	1,375	City of Adelaide	824			824	824
City of Adelaide	824			824	824	Alexandra	425			425	425
St. Kilda	865	216		216	216	Rangatira	460			460	460
Lady Belmore	254	63		63	63	Southern Cross	343				343
City of Melbourne	615			615	615	Fiery Cross	695	174		174	174
Lutchen	406	101		101	101	Lady Octavia	1,172	293		293	293
William Manson	366	366		366	366	Ellora	1,223			1,223	1,223
City of Hobart	362				362	Victoria	978			978	978
Davina	425	106		106	106	May Flower	277	277		277	277
Wentworth	650			650	650	Bulli	337			337	337
Southern Bell	1,129	282		282	282	Thermopyla	948	237		237	237
Helen Malcolm	311	311		311	311	England's Glory	750	187		187	187
Alexandra	425			425	425	City of Adelaide	824			824	824
Ellora	1,223			1,223	1,223	Palawan	954			954	954
Byron	174	174		174	174	Rob Roy	87			87	87
City of Melbourne	615			615	615	William Manson	366	91		91	91
Forward	745	186		186	186	Normanby	664	166		166	166
Golden Crown	208			208	208	Rangatira	460			460	460
Wentworth	650			650	650	Southern Cross	343				343
City of Hobart	362				362	Wentworth	650			650	650
Ellora	1,223			1,223	1,223	Singapore	964	241		241	241
City of Adelaide	824			824	824	City of Adelaide	824			824	824
Silver Eagle	895	224		224	224	Gold Hunter	206			206	206
City of Melbourne	615			615	615	Rangatira	460			460	460
Janet	215	54		54	54	Norman Court	834	208		208	208
Wentworth	650			650	650	Bulli	337	337		337	337
Black Adder	917	204		204	204	Wentworth	650			650	650
Normanby	664			664	664	Southern Cross	343				343
Catherine Marden	287	72		72	72	City of Melbourne	615			615	615
Fanny Fisher	219			219	219	Tamerlane	768	192		192	192
City of Adelaide	824			824	824	Ellora	1,223			1,223	1,223
Mary Campbell	144			144	144	Rangatira	460			460	460
Alchymist	540	135		135	135	Singapore	964	241		241	241
City of Hobart	362				362	Clairellan	435	109		109	109
City of Melbourne	615			615	615	City of Adelaide	824			824	824
Kate Waters	580	145		145	145	Hongoumont	875	219		219	219
Ellora	1,223			1,223	1,223	Albert the Good	315			315	315
Aarhus	256	64		64	64	Mary Ann	343	343		343	343
Bulli	337			337	337	Alexandra	425			425	425
Wentworth	650			650	650	Southern Cross	343				343
City of Adelaide	824			824	824	Marion	366	91		91	91
Mary Ann Holman	272	68		68	68	Rangatira	460			460	460
City of Hobart	362				362	Halley Bayley	113				113
Alexandra	425			425	425	Orange Grove	385	96		96	96
Dilpassund	624	156		156	156	James Wilson	326	81		81	81
Nautilus	243				243	Adrian	781	195		195	195
Somerset	654			654	654	Don	250	62		62	62
Rangatira	460			460	460	City of Adelaide	824			824	824
City of Adelaide	824			824	824	Somerset	654			654	654
Alexandra	425			425	425	Wentworth	650			650	650
Southern Cross	343				343	Ascalon	938	234		234	234
Maid of Judah	643	161		161	161	Star of Peace	1,113	278		278	278
Rangatira	460			460	460	Hazel Home	399	99		99	99
Ellora	1,223			1,223	1,223	Fairy Rock	192				192
City of Adelaide	824			824	824	Southern Cross	343				343
Alexandra	425			425	425	City of Adelaide	824			824	824
Countess of Errol	218	54		54	54	Ellora	1,223			1,223	1,223
Somerset	654	163		163	163	Wentworth	650			650	650
Canada	1,191	1,191		1,191	1,191	Somerset	654	163		163	163
Rangatira	460			460	460	Athletic	29			29	29
Brisbane	891			891	891	Amy	220	220		220	220
City of Hobart	362				362	Wagrien	180	45		45	45
City of Adelaide	824			824	824	Palmas	1,284	321		321	321

Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promontory.	Gabo Island.	Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promontory.	Gabo Island.
Borough Belle	210			210	210	City of Hobart	439				439
Florence Nightingale	464	116		116	116	Somerset	659			659	659
Lothair	794	198		198	198	Wentworth	650			650	650
Nation's Hope	741	185		185	185	Stranger	249			249	249
Ellen	499	125		125	125	Carpo	1,033	258		258	258
Jerusalem	901	225		225	225	Leander	848	212		212	212
Alexandra	425			425	425	Fairy Rock	192			192	192
Southern Cross	343				343	Rubicorn	64			64	64
City of Adelaide	824			824	824	Egmont	456			456	456
Brisbane	891			891	891	Harlaw	894	223		223	223
Moneta	621	155		155	155	Tasman	490				490
Wentworth	650			650	650	City of Adelaide	824			824	824
Minnie Bell	129			129	129	Figaro	437	109		109	109
Halley Bayley	113		113		113	Falstaff	1,418	354		354	354
Leonore	251	63		63	63	Ellora	1,223			1,223	1,223
Berwickshire	533	133		133	133	Waverley	216	216		216	216
City of Adelaide	824			824	824	Wentworth	650			650	650
Southern Cross	343				343	Bowen	844	211		211	211
Amy Robsart	79				79	Alexandra	425			425	425
Halloween	920	230		230	230	Malcolm	182				182
Ellora	1,223			1,223	1,223	Calcutta	1,089	272		272	272
Wentworth	650			650	650	City of Adelaide	824			824	824
Loch Naw	277			277	277	Brisbane	891			891	891
Wylo	799	199		199	199	Tasman	490				490
Sea Star	590	147		147	147	Wentworth	650			650	650
Francis Calderon	1,159	289		289	289	Rifleman	718	718		718	718
City of Adelaide	824			824	824	Silver Cloud	291	291		291	291
City of Quebec	708	177		177	177	Woollahra	946	236		236	236
City of Hobart	362				362	Loch Naw	277			277	277
Alexandra	425			425	425	Peony	386	386		386	386
Allendale	449	449		449	449	City of Adelaide	824			824	824
Lady St. Aubyn	150	37		37	37	Benmore	1,460			1,460	1,460
Southern Cross	343				343	Tien Tsin	254		254		254
Wentworth	650			650	650	Franz	148	237		37	37
Normanby	664			664	664	Wentworth	650			650	650
Jeanie Loutit	493	123		123	123	Tasman	490				490
Channel Queen	609	152		152	152	City of Adelaide	824			824	824
Bulli	337	337		337	337	Result	724	724		724	724
City of Adelaide	824			824	824	Alexandra	425			425	425
Crownthorpe	812	812		812	812	William Manson	366	91		91	91
Wentworth	650			650	650	Wentworth	650			650	650
Dunbar Castle	925	231		231	231	Fairy Rock	192				192
Tasman	285			285	285	Maid of Judah	643	643		643	643
City of Adelaide	824			824	824	Minna	457	114		114	114
Roderick Hay	290	72		72	72	Andes	831	208		208	208
Ellora	1,223			1,223	1,223	City of Adelaide	824			824	824
Sir Isaac Newton	121			121	121	Helena	603	151		151	151
Wentworth	650			650	650	Tasman	490				490
Falcon	195			195	195	Singapore	964			964	964
Normanby	664	166		166	166	Atlantic	260			260	260
Mary Scott	589	147		147	147	Wentworth	650			650	650
Malcolm	182				182	Marie & Helene	288	72		72	72
Alexandra	425			425	425	Rebecca Jane	219			219	219
Alva	632	158		158	158	Tyburnia	948	237		237	237
Queen Emma	314			314	314	Alexandra	425			425	425
Day Dawn	398	398		398	398	Gustav	237	59		59	59
Niagara	292	292		292	292	Edina	266			266	266
Tasman	285			285	285	City of Adelaide	824			824	824
City of Adelaide	824			824	824	Tasman	490				490
Parmeino	369	92		92	92	Wentworth	650			650	650
Dartmouth	915	229		229	229	Lake Leman	1,035	1,035		1,035	1,035
Argonaut	1,073	268		268	268	Per Ardua	788	788		788	788
Wentworth	650			650	650	Ellora	1,223			1,223	1,223
Fanny Fisher	219			219	219	Elm Grove	255			255	255
Lauderdale	851	213		213	213	City of Adelaide	824			824	824
Macedon	532			532	532	Wentworth	650			650	650
Daphne	955	955		955	955	Tasman	490				490
City of Adelaide	824			824	824	Queen Emma	314			314	314
Tasman	285			285	285	Somerset	654			654	654
Namoa	863	216		216	216	Montross	995	995		995	995
City of Hobart	439			439	439	City of Adelaide	824			824	824
Ellora	1,223			1,223	1,223	Alexandra	425			425	425
Whistler	518	518		518	518	Conqueror	599	149		149	149
Ethiopian	838	209		209	209	Wentworth	650			650	650
City of Melbourne	615			615	615	City of Adelaide	824			824	824
Singapore	964	241		241	241	Tokatea	805	201		201	201
City of Adelaide	824			824	824	Annie	201				201
Lillie	467			467	467	Tasman	285				285
George Thompson	1,128	282		282	282	Somerset	654			654	654
Clachnacuddin	238	59		59	59	Loch Naw	277			277	277
Wentworth	650			650	650	City of Melbourne	615			615	615
Tasman	490			490	490	Wagerien	180	45		45	45
Pardo	763	191		191	191	Fanny Fisher	219	55		55	55
Borealis	920	230		230	230	Ellora	1,223			1,223	1,223
Egmont	456			456	456	Bulli	337	337		337	337
John R. Worcester	844	211		211	211	City of Adelaide	824			824	824
Marie Alfred	309	77		77	77	Fairy Rock	192				192
City of Adelaide	824			824	824	Leota	778			778	778
Elm Grove	255			255	255	Alexandra	425			425	425
						Sydenham	1,063	266		266	266
						Tasman	490				490

Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promontory.	Gabo Island.	Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promontory.	Gabo Island.
City of Melbourne	615			615	615	Wentworth	650			650	650
Somerset	654			654	654	Gleam	292	73		73	73
Pioneer	270	270		270	270	Avoca	905			905	905
Columbo	344	86		86	86	City of Melbourne	615			615	615
Queen Emma	314			314	314	Woonona	404			404	404
Niagara	292	292		292	292	Maid of Judah	643	161		161	161
City of Adelaide	824			824	824	Wentworth	650			650	650
Marianno	549			549	549	Tasman	490				490
Margarita	864	216		216	216	Lady Emma					
City of Brisbane	504			504	504	City of Melbourne	615			615	615
Somerset	654			654	654	Floral Star	244	244		244	244
Tasman	490			490	490	Glen Albyn	208	208		208	208
City of Adelaide	824			824	824	Egmont	456			456	456
Hattie G. Hall	594	148		148	148	Black Adder	917	229		229	229
Spirit of the Age	517	517		517	517	Wentworth	650			650	650
Ellora	1,223			1,223	1,223	Brisbane	891			891	891
Lock Urr	716	716		716	716	City of Melbourne	615			615	615
Alexandra	425			425	425	Halley Bayley	113		113		113
Waverley	216	216		216	216	Tasman	490				490
Woonona	404	404		404	404	Fanny Wright	107	107		107	107
Madam Demaret	432	108		108	108	Rachel	282	70		70	70
Bulli	337	337		337	337	Avoca	905			905	905
Wentworth	650			650	650	Wentworth	650			650	650
Dandenong	575			575	575	William Turner	431	108		108	108
Somerset	654			654	654	Mary Blair	328	82		82	82
Korsol	317	79		79	79	City of Melbourne	615			615	615
Hedvig	362	90		90	90	Agnes	44	44		44	44
City of Adelaide	824			824	824	Alexandra	425			425	425
Philomene	1,423	356		356	356	Maraniessie	220			220	220
Edith May	213	213		213	213	Silver Eagle	987	247		247	247
Countess	83	83		83	83	Tasman	490			490	490
Amy Robsart	79		79		79	Queensland	1,437			1,437	1,437
Wentworth	650			650	650	Queen Emma	314			314	314
Farringham	281	281		281	281	Wentworth	650			650	650
Day Spring	159	159		159	159	Alexr. Newton	309	77		77	77
Mistley Hall	1,772	1,772		1,772	1,772	City of Melbourne	615			615	615
Macgregor	1,413	353		353	353	Osburgha	346	86		86	86
Fleur-de-lis	995	995		995	995	Eliza Mary	161	161		161	161
Amor	35	35		35	35	Egmont	456			456	456
City of Adelaide	824			824	824	Bulli	337			337	337
May Queen	285	71		71	71	Mikado	1,993	498		498	498
Bulli	339			339	339	Malcolm	182			182	182
Tasman	490			490	490	Wentworth	650			650	650
Forward	745	186		186	186	Borough Belle	210			210	210
Alexandra	425			425	425	Tasman	490			490	490
Routersbeck	930	930		930	930	City of Melbourne	615			615	615
Ellora	1,223			1,223	1,223	Queensland	1,437	359		359	359
Raymond	400	100		100	100	Western	387	387		387	387
Northampton	1,161	290		290	290	Avoca	905			905	905
Wentworth	650			650	650	Osaka	527	132		132	132
City of Adelaide	824			824	824	City of Adelaide	824			824	824
North Riding	1,389	1,389		1,389	1,389	Wentworth	650			650	650
Woonona	404			404	404	William Melnish	681	170		170	170
Silver Cloud	292	292		292	292	Woonona	404			404	404
Tasman	285			285	285	W. C. Wentworth	315	315		315	315
Wentworth	650			650	650	Aurora Australis	228	57		57	57
Kirkwood	1,279	1,279		1,279	1,279	City of Melbourne	615			615	615
Cornie	396	99		99	99	Halley Bayley	113		113		113
Kapunda	1,084	1,084		1,084	1,084	Tasman	490			490	490
Rifleman	718	179		179	179	City of Adelaide	824			824	824
City of Adelaide	824			824	824	Kron Prins Gustavs	343	85		85	85
Phoenix	355	89		89	89	Wentworth	650			650	650
Alexandra	425			425	425	Alexandra	425			425	425
Bethany	359	89		89	89	Somerset	654			654	654
Wentworth	650			650	650	City of Adelaide	824			824	824
Tasman	490			490	490	Ly-ee-Moon	611			611	611
Amy	220	220		220	220	Tasman	490			490	490
City of Adelaide	824			824	824	Wentworth	650			650	650
Lion	462	115		115	115	Avoca	905			905	905
Ellora	1,223			1,223	1,223	Alexandra	425			425	425
Agnes Edgell	287		287		287	Bulli	337	337		337	337
African Maid	143			143	143	City of Adelaide	824			824	824
Wentworth	650			650	650	Samuel Merritt	259			259	259
Cypherenes	1,280	320		320	320	Wentworth	650			650	650
Cross Hill	1,019	1,019		1,019	1,019	Tasman	490			490	490
Avoca	905			905	905	Ly-ee-Moon	611			611	611
City of Adelaide	824			824	824	City of Melbourne	615			615	615
Tasman	490			490	490	Free Trade	206			206	206
Emily	268	268		268	268	Parthia	1,022	230		230	230
Alexandra	425			425	425	Somerset	654			654	654
Fairy Rock	192			192	192	Hero of the Nile	356			356	356
Bulli	337	337		337	337	Magnet	92	92		92	92
Cutty Sark	921	307		307	307	City of Adelaide	824			824	824
City of Hobart	348			348	348	Wentworth	650			650	650
Wentworth	650			650	650	Avoca	905			905	905
City of Adelaide	824			824	824	Sophie	253	253		253	253
Rob Roy	291	73		73	73	City of Melbourne	615			615	615
William Manson	366	91		91	91	Edith May	213	213		213	213
Bowen	844			844	844	Somerset	654			654	654
Alexandra	425			425	425	Halley Bayley	113	113		113	113
Tasman	490			490	490						

Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promontory.	Gabo Island.	Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promontory.	Gabo Island.
Devon	1,148	287	.....	287	287	Pollas	493	123	.....	123	123
City of Adelaide	824	.....	.....	824	824	Edith May	213	213	.....	213	213
Alme	330	82	.....	82	82	City of Melbourne	615	.....	.....	615	615
Hermann	484	121	.....	121	121	China	1,037	.....	.....	1,037	1,037
Julia Ann	369	92	.....	92	92	Our Annie	363	91	.....	91	91
Mugern	365	365	.....	365	365	William Turner	431	108	.....	108	108
Avoca	905	.....	.....	905	905	Zephyr	90	.....	.....	90	90
Petuna	491	123	.....	123	123	City of Adelaide	824	.....	.....	824	824
Wentworth	650	.....	.....	650	650	Waratah	202	.....	.....	202	202
Tasman	490	.....	.....	490	490	Tasman	490	.....	.....	490	490
City of Melbourne	615	.....	.....	615	615	Fairy Rock	192	.....	.....	192	192
Black Prince	751	187	.....	187	187	Alexandra	425	.....	.....	425	425
City of Adelaide	824	.....	.....	824	824	Florence Nighten- gale	464	116	.....	116	116
Southern Cross	343	.....	.....	343	343	City of Melbourne	615	.....	.....	615	615
Wentworth	650	.....	.....	650	650	Wastwater	793	198	.....	198	198
Alexandra	425	.....	.....	425	425	City of Adelaide	824	.....	.....	824	824
Tasman	490	.....	.....	490	490	Tasman	490	.....	.....	490	490
Eliza Futh	143	.....	.....	143	143	Alexandra	425	.....	.....	425	425
Somerset	654	.....	.....	654	654	Tanjou	1,403	.....	.....	1,403	1,403
Ascalon	938	234	.....	234	234	Winoona	404	.....	.....	404	404
City of Adelaide	824	.....	.....	824	824	City of Melbourne	615	.....	.....	615	615
Woonona	404	404	.....	404	404	Tambaraora	262	.....	.....	262	262
Avoca	905	.....	.....	905	905	Johannen Willem	432	108	.....	108	108
Salamis	1,079	269	.....	269	269	St. Osyth	2,296	.....	.....	2,296	2,296
Gylding	240	60	.....	60	60	City of Adelaide	824	.....	.....	824	824
City of Melbourne	615	.....	.....	615	615	Empress of China	255	64	.....	64	64
Alexandra	425	.....	.....	425	425	Alexandra	425	.....	.....	425	425
Avoca	905	.....	.....	905	905	China	1,037	.....	.....	1,037	1,037
City of Adelaide	824	.....	.....	824	824	Bulli	337	.....	.....	337	337
Tasman	490	.....	.....	490	490	Tasman	490	.....	.....	490	490
Somerset	654	.....	.....	654	654	City of Melbourne	615	.....	.....	615	615
City of Melbourne	615	.....	.....	615	615	Halley Bayley	113	.....	.....	113	113
Pelhaven	254	63	.....	63	63	City of Adelaide	824	.....	.....	824	824
Alexandra	425	.....	.....	425	425	Alexandra	425	.....	.....	425	425
City of Adelaide	824	.....	.....	824	824	City of Melbourne	615	.....	.....	615	615
Singapore	964	.....	.....	964	964	Tasman	490	.....	.....	490	490
Trinculo	318	.....	.....	318	318	City of Adelaide	824	.....	.....	824	824
Helena	149	.....	.....	149	149	Cappella	280	70	.....	70	70
Halley Bayley	113	.....	113	.....	113	Alexandra	425	.....	.....	425	425
City of Melbourne	615	.....	.....	615	615	Forward	745	186	.....	186	186
Merksworth	165	.....	.....	165	165	Roving Sailor	477	119	.....	119	119
Bulli	337	337	.....	337	337	City of Melbourne	615	.....	.....	615	615
Tasman	490	.....	.....	490	490	Marie	154	154	.....	154	154
Avoca	905	.....	.....	905	905	Winoona	404	.....	.....	404	404
Alexandra	425	.....	.....	425	425	John R. Worces- tor	844	211	.....	211	211
Beautiful Star	547	547	.....	547	547	City of Adelaide	824	.....	.....	824	824
City of Adelaide	824	.....	.....	824	824	China	1,037	.....	.....	1,037	1,037
Winoona	404	.....	.....	404	404	Tasman	490	.....	.....	490	490
Sophia Jenkins	1,084	271	.....	271	271	Adonis	108	108	.....	108	108
City of Melbourne	615	.....	.....	615	615	Joyce Phillips	514	128	.....	128	128
Avoca	905	.....	.....	905	905	Alexandra	425	.....	.....	425	425
John Leslie .....	.....	.....	.....	.....	.....	City of Melbourne	615	.....	.....	615	615
Griffiths	192	.....	192	.....	192	Phyllis	230	230	.....	230	230
Alexandria	425	.....	.....	425	425	City of Adelaide	824	.....	.....	824	824
Tasman	490	.....	.....	490	490	Alix	300	75	.....	75	75
City of Adelaide	824	.....	.....	824	824	Novelty	376	94	.....	94	94
Aristide	399	99	.....	99	99	City of Melbourne	615	.....	.....	615	615
Winoona	404	404	.....	404	404	Agnes Edgell	287	.....	287	.....	287
City of Melbourne	615	.....	.....	615	615	Normanby	664	.....	.....	664	664
Spirit of the Age	347	87	.....	87	87	Tasman	490	.....	.....	490	490
Alexandra	425	.....	.....	425	425	Maid of Judah	643	161	.....	161	161
Dunbar Castle	925	231	.....	231	231	Alexandra	425	.....	.....	425	425
Brisbane	891	.....	.....	891	891	Wotonga	541	.....	.....	541	541
Tasman	490	.....	.....	490	490	Lady Bowen	892	223	.....	223	223
City of Adelaide	824	.....	.....	824	824	City of Melbourne	615	.....	.....	615	615
Marquis of Argyll	500	125	.....	125	125	Echo	369	92	.....	92	92
Alexandra	425	.....	.....	425	425	Alexandra	425	.....	.....	425	425
City of Melbourne	615	.....	.....	615	615	China	1,037	.....	.....	1,037	1,037
Douglas	93	.....	.....	93	93	Tasman	490	.....	.....	490	490
Annie Moore	90	.....	.....	90	90	Wotonga	541	.....	.....	541	541
City of Adelaide	824	.....	.....	824	824	Alice Mary	361	90	.....	90	90
China	1,037	259	.....	259	259	City of Melbourne	615	.....	.....	615	615
Tasman	490	.....	.....	490	490	Catty Sark	904	226	.....	226	226
Woonona	404	.....	.....	404	404	Tasman	490	.....	.....	490	490
Wentworth	650	.....	.....	650	650	Milton Badger	177	177	.....	177	177
Briton	452	.....	.....	452	452	Ly-ee-Moon	611	.....	.....	611	611
Malcolm	182	.....	.....	182	182	Jessie Macdonald	275	69	.....	69	69
City of Melbourne	615	.....	.....	615	615	Fleetwing	21	.....	.....	21	21
Halley Bayley	113	.....	113	.....	113	Woonona	404	404	.....	404	404
City of Adelaide	824	.....	.....	824	824	Wotonga	541	.....	.....	541	541
Mabel of Boston	783	196	.....	196	196	Bowen	846	.....	.....	846	846
Normanby	664	.....	.....	664	664	John Watson	209	52	.....	52	52
Phoenix	355	355	.....	355	355	City of Adelaide	824	.....	.....	824	824
Wentworth	650	.....	.....	650	650	Freestrader	206	.....	.....	206	206
Alexandra	425	.....	.....	425	425	Africann Maid	143	.....	.....	143	143
Tasman	490	.....	.....	490	490	Ly-ee-Moon	611	.....	.....	611	611
Bangalore	1,310	.....	.....	1,310	1,310	Tasman	490	.....	.....	490	490
City of Adelaide	824	.....	.....	824	824	City of Melbourne	615	.....	.....	615	615
Annie Brown	160	160	.....	160	160						
Wentworth	650	.....	.....	650	650						

Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promontory.	Gabo Island.	Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promontory.	Gabo Island.
Per Ardua	788	197	.....	197	197	City of Melbourne	615	.....	.....	615	615
City of Adelaide	824	.....	.....	824	824	Somerset	664	.....	.....	664	664
China	1,037	.....	.....	1,037	1,037	Woonona	404	.....	.....	404	404
Wotonga	541	.....	.....	541	541	City of Adelaide	824	.....	.....	824	824
William H. Deitz	487	122	.....	122	122	Wotonga	541	.....	.....	541	541
City of Melbourne	615	.....	.....	615	615	F. W. Tucker	174	.....	.....	174	174
Niagara	292	292	.....	292	292	Niagara	292	292	.....	292	292
Hankow	2,332	583	.....	583	583	Tasman	490	.....	.....	.....	490
Tasman	490	.....	.....	.....	490	City of Melbourne	615	.....	.....	615	615
City of Adelaide	824	.....	.....	824	824	Smyrna	1,305	326	.....	326	326
Civility	169	.....	.....	169	169	Cheviot	754	.....	.....	754	754
Wotonga	541	.....	.....	541	541	China	1,307	.....	.....	1,307	1,307
City of Melbourne	615	.....	.....	615	615	Atjeh	954	.....	.....	954	954
Woonona	404	.....	.....	404	404	City of Adelaide	824	.....	.....	824	824
City of Foo-Chow	1,034	258	.....	258	258	Wotonga	541	.....	.....	541	541
Gem	87	.....	.....	87	87	Bannockburn	1,675	419	.....	419	419
City of Adelaide	824	.....	.....	824	824	City of Melbourne	615	.....	.....	615	615
Tasman	490	.....	.....	.....	490	Niobe	1,469	367	.....	367	367
Clyde	103	103	.....	103	103	Maid of Judah	643	161	.....	161	161
Ly-ee-Moon	611	.....	.....	611	611	Coriolanus	1,046	261	.....	261	261
Kent's Bank	1,004	251	.....	251	251	Tasman	490	.....	.....	.....	490
Wotonga	541	.....	.....	541	541	City of Adelaide	824	.....	.....	824	824
Lottery	150	37	.....	37	37	Look-Out	108	.....	.....	108	108
China	1,037	.....	.....	1,037	1,037	Brisbane	891	.....	.....	891	891
City of Melbourne	615	.....	.....	615	615	Wotonga	541	.....	.....	541	541
City of Adelaide	824	.....	.....	824	824	City of Melbourne	615	.....	.....	615	615
Ly-ee-Moon	611	.....	.....	611	611	Alexandra	425	.....	.....	425	425
Woonona	404	.....	.....	404	404	Janet Stewart	202	.....	.....	202	202
Pioneer	158	.....	.....	158	158	City of Adelaide	824	.....	.....	824	824
Edith Mary	213	213	.....	213	213	Tasman	490	.....	.....	.....	490
Nautilus	243	.....	.....	.....	243	Wotonga	541	.....	.....	541	541
Hopeful	216	54	.....	54	54	Expert	68	.....	.....	68	68
Tasman	490	.....	.....	.....	490	African Maid	143	.....	.....	143	143
Abeona	307	307	.....	307	307	Undine	798	199	.....	199	199
General Pel	768	.....	.....	768	768	China	1,037	.....	.....	1,037	1,037
City of Melbourne	615	.....	.....	615	615	Pelham	254	63	.....	63	63
Carrington	248	62	.....	62	62	City of Melbourne	615	.....	.....	615	615
Civility	169	.....	.....	169	169	Parneino	369	92	.....	92	92
City of Adelaide	824	.....	.....	824	824	City of Adelaide	824	.....	.....	824	824
Ly-ee-Moon	611	.....	.....	611	611	Jerusalem	901	225	.....	225	225
Alexandra	425	.....	.....	425	425	Wotonga	541	.....	.....	541	541
City of Melbourne	615	.....	.....	615	615	Southern Cross	343	.....	.....	.....	343
City of Adelaide	824	.....	.....	824	824	City of Melbourne	615	.....	.....	615	615
Tasman	490	.....	.....	.....	490	Louisa	123	.....	.....	123	123
Ly-ee-Moon	611	.....	.....	611	611	Brean	71	.....	.....	.....	71
Fanny	314	78	.....	78	78	Lady Belhaven	1,499	374	.....	374	374
Coorong	354	354	.....	354	354	Killarney	1,060	265	.....	265	265
Wotonga	541	.....	.....	541	541	Alexandra	425	.....	.....	425	425
Emma Jane	113	.....	.....	113	113	City of Adelaide	824	.....	.....	824	824
China	1,037	.....	.....	1,037	1,037	Princess Louise	90	.....	.....	90	90
City of Melbourne	615	.....	.....	615	615	Woonona	404	.....	.....	404	404
Loch Tyne	1,213	303	.....	303	303	Wotonga	541	.....	.....	541	541
Claud Hamilton	530	.....	.....	530	530	China	1,037	.....	.....	1,037	1,037
Hester	189	47	.....	47	47	Strathmore	90	90	.....	90	90
City of Adelaide	824	.....	.....	824	824	City of Melbourne	615	.....	.....	615	615
Rachael	283	71	.....	71	71	Tasman	490	.....	.....	.....	490
Alfred Hawley	420	105	.....	105	105	Malcolm	182	.....	.....	.....	182
Alexandra	425	.....	.....	425	425	Governor Blackall	331	.....	.....	331	331
Lizzie	223	56	.....	56	56	Avoca	905	.....	.....	905	905
Thermopolie	948	237	.....	237	237	Wotonga	541	.....	.....	541	541
Wotonga	541	.....	.....	541	541	Alexandra	425	.....	.....	425	425
Oceana	320	80	.....	80	80	Centurion	965	241	.....	241	241
Strathdon	409	102	.....	102	102	Waratah	202	.....	.....	.....	202
Tasman	490	.....	.....	.....	490	Swordfish	111	.....	.....	111	111
City of Melbourne	615	.....	.....	615	615	City of Melbourne	615	.....	.....	615	615
City of Adelaide	824	.....	.....	824	824	Holmsdale	1,237	1,237	.....	1,237	1,237
Ly-ee-Moon	611	.....	.....	611	611	Governor Blackall	331	.....	.....	331	331
Normanby	664	.....	.....	664	664	Tasman	490	.....	.....	.....	490
Wotonga	541	.....	.....	541	541	Brean	71	.....	.....	.....	71
City of Melbourne	615	.....	.....	615	615	Wotonga	541	.....	.....	541	541
Tasman	490	.....	.....	.....	490	Halloween	920	230	.....	230	230
Borough Belle	210	210	.....	210	210	City of Melbourne	615	.....	.....	615	615
Inch Kenneth	1,074	268	.....	268	268	City of Adelaide	824	.....	.....	824	824
Ly-ee-Moon	611	.....	.....	611	611	Avoca	905	.....	.....	905	905
City of Adelaide	824	.....	.....	824	824	Brisbane	964	.....	.....	964	964
Black Adder	917	229	.....	229	229	Wm. M'Kennon	750	.....	.....	750	750
African Maid	143	.....	.....	143	143	African Maid	143	.....	.....	143	143
Halley Bayley	112	.....	.....	.....	112	Lochiel	216	216	.....	216	216
Fugitive	471	118	.....	118	118	Wotonga	541	.....	.....	541	541
China	1,037	.....	.....	1,037	1,037	Chohilda	1,066	266	.....	266	266
Wotonga	541	.....	.....	541	541	Alexandra	425	.....	.....	425	425
City of Melbourne	615	.....	.....	615	615	Tasman	490	.....	.....	.....	490
Ly-ee-Moon	611	.....	.....	611	611	City of Melbourne	615	.....	.....	615	615
Jubilee	765	191	.....	191	191	Southern Cross	158	.....	.....	158	158
Annie Moore	90	.....	.....	90	90	Avoca	905	.....	.....	905	905
City of Adelaide	824	.....	.....	824	824	Speedwell	350	.....	.....	350	350
Serapis	995	249	.....	249	249	Silver Eagle	908	227	.....	227	227
Tasman	490	.....	.....	.....	490	City of Adelaide	824	.....	.....	824	824
Wotonga	541	.....	.....	541	541	Anthons	133	.....	.....	.....	133
Alexandra	425	.....	.....	425	425	Ocean	971	.....	.....	971	971
Brean	71	.....	.....	71	71	Wotonga	541	.....	.....	541	541

Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promontory.	Gabo Island.	Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promontory.	Gabo Island.
Annie Moore	90			90	90	Tasman	490				490
Ethiopian	839	209		209	209	City of Melbourne	615			615	615
Hawkesbury	1,120	280		280	280	City of Adelaide	824			824	824
City of Melbourne	615			615	615	Star of India	1,040	260		260	260
Tasman	490				490	Maid of Judah	643	161		161	161
City of Adelaide	824			824	824	Wotonga	541			541	541
Samar	1,059	264		264	264	City of Melbourne	615			615	615
Bowen	844			844	844	Somerset	654			654	654
Rydalmere	1,246	311		311	311	City of Adelaide	824			824	824
Wotonga	541			541	541	Suva	177			177	177
Governor Blackall	331			331	331	Southern Cross	343				343
Avoca	905			905	905	Wotonga	541			541	541
Swordfish	111			111	111	Anglo Norman	822	205		205	205
Lillie Hawkins	84	84		84	84	City of Melbourne	615			615	615
City of Adelaide	824			824	824	Atjeh	954			954	954
Tasman	490				490	Niagara	292	292		292	292
Sir Jamesitjee						Wotonga	541			541	541
Family	1,049	262		262	262	Avoca	905			905	905
Wotonga	541			541	541	Christian	283	71		71	71
Pioneer	158			158	158	Tasman	490				490
Louisa	123			123	123	City of Melbourne	615			615	615
City of Melbourne	615			615	615	Lady Belmore	254		254		254
Avoca	905			905	905	Sharperton	363	363		363	363
City of Adelaide	824			824	824	City of Adelaide	824			824	824
Alexandra	425			425	425	Kolga	381	95		95	95
Tasman	490				490	Wotonga	541			541	541
City of Melbourne	615			615	615	Constance	351	87		87	87
Strathmore	90	90		90	90	Cuzco	2,437			2,437	2,437
Margaret Heald	605	151		151	151	Stad Amsterdam	1,720			1,720	1,720
William Manson	366	91		91	91	Phillipine	302	75		75	75
City of Adelaide	824			824	824	City of Melbourne	615			615	615
Somerset	654			654	654	Tasman	490				490
Wotonga	541			541	541	City of Adelaide	824			824	824
Avoca	905			905	905	Lady Penhryn	815	204		204	204
Bicka	1,008	252		252	252	Waverley	216	216		216	216
Annie Brown	160	160		160	160	Nautilus	243				243
Woonona	404			404	404	Wotonga	541			541	541
City of Melbourne	615			615	615	City of Melbourne	615			615	615
Tasman	490				490	Corea	382		382		382
City of Adelaide	824			824	824	City of Adelaide	824			824	824
Vicuna	319	319		319	319	Avoca	905			905	905
Salisbury	1,094	273		273	273	Tasman	490				490
Joyse Phillips	514	128		128	128	Wotonga	541			541	541
Wotonga	541			541	541	Coldingham	1,059	264		264	264
Avoca	905			905	905	City of Melbourne	615			615	615
Isabella	256	64		64	64	Star of China	794	198		198	198
City of Melbourne	615			615	615	City of Adelaide	824			824	824
Governor Blackall	331			331	331	Adela	468			468	468
General Pel	768			768	768	Leota	778	194		194	194
Expert	68			68	68	Corea	382		382		382
Allener	603	151		151	151	Woonona	404			404	404
Peerless	38			38	38	Wotonga	541			541	541
City of Adelaide	824			824	824	Tasman	490				490
Tasman	490				490	City of Melbourne	615			615	615
Niagara	292	292		292	292	Avoca	905			905	905
Wotonga	541			541	541	Nardoo	379	95		95	95
Empress of India	14		14		14	City of Adelaide	824			824	824
Southern Cross	158	158		158	158	Cutty Sark	921	230		230	230
City of Melbourne	615			615	615	Wotonga	541			541	541
City of Adelaide	824			824	824	City of Melbourne	615			615	615
Tasman	490				490	Avoca	905			905	905
Avoca	905			905	905	Tasman	490				490
Bureau	71		71		71	City of Adelaide	824			824	824
Wotonga	541			541	541	Wotonga	541			541	541
City of Melbourne	615			615	615	Corea	382		382		382
Edward May	928	232		232	232	Sea Rip	135	135		135	135
Woonona	404			404	404	Nautilus	243				243
City of Adelaide	824			824	824	General Pel	768			768	768
Avoca	905			905	905	Brunette	375	94		94	94
Ambassador	692	173		173	173	City of Adelaide	824			824	824
Tasman	490				490	Tasman	490				490
Escort	104			104	104	Somerset	654			654	654
Wotonga	541			541	541	Hiram Emery	799	199		199	199
Norman Court	834	208		208	208	Wotonga	541			541	541
City of Melbourne	615			615	615	Thermopylae	948	237		237	237
City of Adelaide	824			824	824	Ly-ee-Moon	745			745	745
Bowen	844			844	844	Hopeful	216	54		54	54
Waverley	216	216		216	216	City of Adelaide	824			824	824
Wotonga	541			541	541	Tambaraora	262		262		262
Tasman	490				490	William Manson	366	91		91	91
Avoca	905			905	905	Avoca	905			905	905
City of Adelaide	824			824	824	Wotonga	541			541	541
Sea Rip	135	135		135	135	Tasman	490				490
Wotonga	541			541	541	Emprena	236	236		236	236
Forward	745			745	745	Ly-ee-Moon	745			745	745
Thomas Brown	279	69		69	69	Rio Loge	241	60		60	60
Alice Mary	361	91		91	91	City of Adelaide	824			824	824
Airlie	236	236		236	236	Tyburnia	948	237		237	237
Pearl	13				13	Wotonga	541			541	541
Avoca	905			905	905	Agnes Edgell	287		287		287
Bureau	71				71	Tambaraora	262		262		262

Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promontory.	Gabo Island.	Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promontory.	Gabo Island.
Don	817	204		204	204	Woonona	404			404	404
Ly-ee-Moon	745			745	745	Tasmania	350			350	350
Tasman	490				490	City of Melbourne	615			615	615
City of Adelaide	824			824	824	Corea	382			382	382
Albert Russell	762	190		190	190	Tasman	490				490
Wotonga	541			541	541	Jerusalem	901			901	901
Garrone	2,468			2,468	2,468	City of Adelaide	824			824	824
Ly-ee-Moon	745			745	745	Rubicorn	66			66	66
Argus	290			290	290	Wm. Mackinnon	750			750	750
Avoca	905			905	905	Louisa	123			123	123
Glengairn	895	224		224	224	Gunga	798			798	798
City of Adelaide	824			824	824	Odalisk	267	267		267	267
Tambaroora	262		262		262	Ly-ee-Moon	745			745	745
Tasman	490				490	Siam	1,719			1,719	1,719
Wotonga	541			541	541	City of Melbourne	615			615	615
Ly-ee-Moon	745			745	745	Avoca	905			905	905
Alice Mary	361	90		90	90	City of Adelaide	824			824	824
Leslie	108			108	108	Esk	547				547
Wotonga	541			541	541	Ly-ee-Moon	745			745	745
Tasman	490				490	Lusitania	2,420			2,420	2,420
Avoca	905			905	905	Amy Robsart	79				79
Tambaroora	262		262		262	Tambaroora	262		262		262
Ly-ee-Moon	745			745	745	Wotonga	541			541	541
Sea Shell	219				219	Niagara	292	292		292	292
Wotonga	541			541	541	Nautilus	243				243
Expert	68			68	68	City of Adelaide	824			824	824
Avoca	905			905	905	Croyden Lass	51			51	51
Ly-ee-Moon	745			745	745	City of Melbourne	615			615	615
Atjeh	954			954	954	Chittagong	254	254		254	254
Tasman	490				490	Tasman	490				490
Day Dawn	355	355		355	355	Wotonga	541			541	541
Alexandra	546			546	546	Avoca	905			905	905
Bereau	71			71	71	James Comrie	51	51		51	51
Wotonga	541			541	541	Maid of Judah	643	161		161	161
Floral Star	244	244		244	244	Brisbane	891			891	891
Joan	53			53	53	Joan	53				53
Ly-ee-Moon	745			745	745	Esk	547		547		547
Harlaw	894	223		223	223	Helens	433	108		108	108
Tambaroora	262			262	262	Hero	851			851	851
Halley Bayley	113				113	Inglis	99			99	99
Normanby	664			664	664	City of Adelaide	824			824	824
John Leslie Griffiths	192			192	192	City of Melbourne	615			615	615
Annie Moore	90			90	90	Eveline	67				67
Wotonga	541			541	541	Woonona	404			404	404
Tasman	490				490	Ly-ee-Moon	745			745	745
Alexandra	546			546	546	Avoca	905			905	905
Dahwar	1,300	325		325	325	Tasman	490				490
Killarney	1,060			1,060	1,060	Corea	382			382	382
Ly-ee-Moon	745			745	745	Bereau	71		71		71
Avoca	905			905	905	City of Adelaide	824			824	824
Wotonga	541			541	541	Minnie	161	161		161	161
Brisbane	891			891	891	Mimosa	80	80		80	80
Tasman	490				490	Esk	547		547		547
City of Adelaide	824			824	824	Halloween	920	230		230	230
Ly-ee-Moon	745			745	745	Amy Robsart	79			79	79
Inglis	99	99		99	99	Black Prince	750	190		190	190
City of Melbourne	615			615	615	Garrone	2,468			2,468	2,468
Madeline	114	114		114	114	City of Melbourne	615			615	615
Salamis	1,079	269		269	269	Ly-ee-Moon	745			745	745
Duke of Edinburgh	244	244			244	Waverly	216	216		216	216
Waverley	216	216			216	City of Adelaide	824			824	824
Somerset	654			654	654	Annie Moore	89			89	89
City of Adelaide	824			824	824	Rubicorn	64				64
Tasman	490				490	Tasman	490				490
Shannon	296	296		296	296	City of Melbourne	615			615	615
Ly-ee-Moon	745			745	745	Somerset	654			654	654
Avoca	905			905	905	Ly-ee-Moon	745			745	745
Neheima Gibson	741	741		741	741	Wotonga	541			541	541
Enterprise	58			58	58	William Manson	366	91		91	91
City of Melbourne	615			615	615	City of Adelaide	824			824	824
Black Adder	917	229		229	229	Duke of Edinburgh	244	244		244	244
City of Adelaide	824			824	824	City of Sydney	3,017			3,017	3,017
Avoca	905			905	905	Tasman	490				490
Aconcagua	2,644			2,644	2,644	Avoca	905			905	905
Ly-ee-Moon	745			745	745	Anthons	133			133	133
Richard Cohen	170			170	170	Ly-ee-Moon	745			745	745
Tasman	490				490	Joan	53		53		53
Bell	95	95		95	95	Leura	758			758	758
Bereau	71		71		71	Enterprise	57			57	57
City of Melbourne	615			615	615	Atjeh	954			954	954
Strathmore	90		90		90	Wotonga	541			541	541
John Nicholson	685	171		171	171	City of Adelaide	824			824	824
Alexandra	456			456	456	Cheviot	764			764	764
Inglis	99				99	Bowen	864			864	864
Starling	58				58	Chimborazo	2,443			2,443	2,443
City of Adelaide	824			824	824	Tambaroora	262		262		262
Phyllis	230			230	230	Ly-ee-Moon	745			745	745
Helena	149			149	149	Woonona	404			404	404
Ly-ee-Moon	745			745	745	Tasman	490				490
						Wotonga	541			541	541

Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promon- tory.	Gabo Island.	Ship.	Tonnage.	King's Island.	Kent's Group.	Wilson's Promon- tory.	Gabo Island.
Thomas A. Goddard	682	170	.....	170	170	Tasman	490	.....	.....	.....	490
Avoca	905	.....	.....	905	905	Avoca	905	.....	.....	905	905
Corea	382	.....	.....	382	382	Ly-ee-Moon	745	.....	.....	745	745
City of Adelaide	824	.....	.....	824	824	Macedon	532	.....	.....	532	532
Hankow	2,332	.....	.....	2,332	2,332	Alice Maud	206	51	.....	51	51
Ly-ee-Moon	745	.....	.....	745	745	City of Adelaide	824	.....	.....	824	824
Woonona	404	.....	404	404	404	Bosphorus	320	320	.....	320	320
Ella Beatrice	400	100	.....	100	100	Jane Spiers	309	.....	.....	309	309
Tasman	490	.....	.....	490	490	Amy	220	220	.....	220	220
Avoca	905	.....	.....	905	905	Adeline Burke	281	.....	.....	281	281
Quickstep	826	206	.....	206	206	Boroda	1,232	308	.....	308	308
Ocean	791	.....	.....	791	791	City of Melbourne	615	.....	.....	615	615
Cuzco	2,439	.....	.....	2,439	2,439	You Yangs	457	.....	.....	457	457
Tasman	490	.....	.....	490	490	Atlantic	260	.....	.....	260	260
Otto	345	86	.....	86	86	Macedon	532	.....	.....	532	532
Maud	1,077	1,077	.....	1,077	1,077	Inverary	285	285	.....	285	285
Nautilus	243	.....	.....	243	243	Grace Darling	82	.....	.....	82	82
Woonona	404	.....	404	404	404	Annie Mabel	279	70	.....	70	70
Brisbane	891	.....	.....	891	891	Bulli	337	.....	.....	337	337
Byron	174	.....	.....	174	174	Beethoven	340	340	.....	340	340
Ly-ee-Moon	745	.....	.....	745	745	Naworth Castle	354	88	.....	88	88
Southern Cross	477	.....	477	477	477	Samuel Merritt	259	.....	.....	259	259
Phæbe	390	.....	.....	390	390	Victoria	978	.....	.....	978	978

Custom House, Sydney, 16th July, 1879.

A. BERNEY,
Acting Collector of Customs.

1878.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

RENT FOR CIRCULAR QUAY.

(AMOUNT RECEIVED AND EXPENDITURE FOR YEARS 1870 TO 1877 INCLUSIVE, AND FOR HALF-YEAR ENDED 30 JUNE, 1878.)

*Ordered by the Legislative Assembly to be printed, 25 September, 1878.**[Laid on Table in accordance with promise made in answer to Question 7, Votes No. 5, 17 September, 1878.]*

RETURN of Rent or Wharfage received or derived from the Circular Quay for years 1870 to 1877 inclusive, and half-year ending 30 June, 1878, and cost of collecting same.

Year.	Rent.	Cost of Collecting.
	£ s. d.	
1870	5,000 0 0	Nil.
1871	5,000 0 0	"
1872	5,000 0 0	"
1873	3,800 0 0	"
1874	1874. To 31 Jan. 316 13 4	Rent, nil.
	*1 Feb. to 31 Dec. 4,883 14 7	Wharfage, £550.
	Wharfage.	
1875	6,991 8 3	£625.
1876	5,366 3 0	£625.
1877	3,269 6 7	£625.
1878	1,252 17 8	£325.
Half-year to 30 June }		
	£40,880 3 5	

* From 1st February, 1874, the Circular Quay ceased to be under lease.

The Treasury, Sydney, 24 September, 1878.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REMOVAL OF THE SHIP "CIMBA" FROM THE
CIRCULAR QUAY.

(PAPERS, MINUTES, &c.)

Ordered by the Legislative Assembly to be printed, 23 January, 1879.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 19 November, 1878, That there be laid upon the Table of this House,—

"Copies of all Letters, Papers, and Minutes, together with the opinion of the Law Officers of the Crown, and the date thereof, in connection with the forcible removal of the ship 'Cimba' from a berth at the Circular Quay, and the right of the ship 'Patriarch' to occupy that berth."

(Sir John Robertson.)

SCHEDULE.

NO.	PAGE.
1. Letter from the Manager of the Circular Quay to the Colonial Treasurer. 28 October, 1878	2
2. Letter from Harbour Master to Master of "Cimba." 28 October, 1878	2
3. Letter from Harbour Master to President of the Marine Board. 28 October, 1878	2
4. Letter from Harbour Master to Master of "Cimba." 28 October, 1878	2
5. Letter from Master of "Cimba," in reply to above. 28 October, 1878	3
6. Letter from Under Secretary for Finance and Trade to Messrs. Dangar, Gedye, & Co. 29 October, 1878	3
7. Letter from Under Secretary for Finance and Trade to President of the Marine Board. 29 October, 1878	3
8. Letter from Messrs. Dangar, Gedye, & Co., to Under Secretary for Finance and Trade. 30 October, 1878	3
9. Letter from Secretary to the Marine Board to the Under Secretary for Finance and Trade, reporting forcible removal of "Cimba," &c. 31 October, 1878	3
10. Letter from Messrs. Dangar, Gedye, & Co., to the Colonial Treasurer. 4 November, 1878	4
11. Report of the Manager of the Circular Quay on above. 11 November, 1878	4
12. Letter from Messrs. Dangar, Gedye, & Co., to the Colonial Treasurer. 8 November, 1878	4
13. Letter from Under Secretary for Finance and Trade to Messrs. Dangar, Gedye, & Co., enclosing copy of No. 11. 15 November, 1878	5
14. Letter from Messrs. Dangar, Gedye, & Co., to the Colonial Treasurer. 18 November, 1878	5
15. Letter from Manager of the Circular Quay to the Under Secretary for Finance and Trade, reporting on above. 25 November, 1878	5
16. Minute of the Colonial Treasurer upon No. 14. 4 December, 1878	6
17. Letter from Under Secretary for Finance and Trade to Messrs. Dangar, Gedye, & Co., conveying final decision of Treasurer. 5 December, 1878	6

REMOVAL OF THE SHIP "CIMBA" FROM THE CIRCULAR QUAY.

No. 1.

The Manager of the Circular Quay to The Colonial Treasurer.

Sir, Circular Quay Office, 28 October, 1878.
 I have the honor to report that the ship "Cimba" has seized the berth vacated by the "Nineveh," and to which the "Patriarch" is entitled in the order of succession.
 The captain of the "Cimba" was duly informed at the Port Office that the berth was engaged.
 I have therefore the honor to apply that you would be pleased to direct the Harbour-master to cause the removal of the "Cimba," in order that the "Patriarch" may suffer no further detention.
 I hand at the same time for your guidance the order in which vessels now waiting for berths are entered in the berth book:—

1878	August 18...	...	...	"Patriarch."
	" 20...	...	...	"Smyrna."
	September 9	...	...	"Cairnbulg."
	" 13	...	...	"St. Lawrence."
	" 26	...	...	"Centurion."
	" 30	...	...	"Cimba."

I have, &c.,
JOHN BELL,
 Manager and Collector.

Notice should be given to the master of the "Cimba" to remove her without delay from the berth which she is now wrongfully occupying, so that the "Patriarch," the ship entitled, may take the berth. In the event of the captain refusing to comply with the notice, I desire the Marine Board to take the necessary steps to have the "Cimba" removed.—H.E.C., 28/10/78.

President of the Marine Board.—J.T., (for U.S.), B.C., 28/10/78. Urgent.
 Retd.—G.S.L., 30/10/78. The Under Secretary for Finance and Trade.

No. 2.

The Harbour Master to Captain Fimister.

Sir, Sydney, 28 October, 1878.
 I have the honor to inform you, that you are required to remove the "Cimba" from the berth you have placed her in at the Circular Quay which she is now wrongfully occupying.
 If you fail to do so, I shall be under the necessity of removing the vessel, by the powers conferred on me in the 116th clause of the Navigation Act.

I have, &c.,
ALEX. BELL,
 Assistant Harbour Master.
Pro Harbour Master.

No. 3.

The Harbour Master to The President of the Marine Board.

Sir, Sydney, 28 October, 1878.
 I have the honor to inform you, that in accordance with your instructions I proceeded to the ship "Cimba" for the purpose of moving her; they hauled the ladder up; I requested the captain, who I saw standing on the quarter deck, to lower it to allow me to get on board. He refused to do so. I told him I had come to move his ship, and he replied that if I went on board he would heave me overboard. I said to him "Do you resist my authority?" And he said, "Yes."

I have, &c.,
ALEX. BELL,
 Assistant Harbour Master.
Pro Harbour Master.

No. 4.

The Harbour Master to Captain Fimister.

Sir, Sydney, 28 October, 1878.
 I have the honor to inform you that as you see fit to resist my lawful commands, proceedings will be taken against you according to law, and your ship's fastenings to the Circular Quay will be cast off unless she is removed.

I have, &c.,
ALEX. BELL,
 Assistant Harbour Master.
Pro Harbour Master.

No. 5.

3

No. 5.

Captain Fimister to The Harbour Master, Sydney.

Sir,

Ship "Cimba," Sydney Cove, Sydney, 28 October, 1878.

I have the honor to acknowledge receipt of your letter of this date, in which you intimate "that proceedings will be taken against me according to law, because I see fit to resist your lawful (?) commands, and that the fastenings of my ship will be cast off from the Circular Quay, &c."

In reply, I beg to state that I am not aware that any *lawful commands* have ever been given by you in connection with my ship, and consequently there has been no resistance of such. Further, I beg to inform you that I am prepared to be dealt with *according to law*, and not otherwise, for any breach of the law which inadvertently I may have committed, and that I will resist any action of force which you may attempt in connection with the unmooring of my ship to carry out the threat contained in the concluding paragraph of your letter now acknowledged. I beg further to protest against any exercise of force as threatened, and on behalf of the owners of the ship "Cimba" to give you notice that I will hold you, and all those acting with you, responsible for all costs, damages, delays, and loss which I may be put to, or the ship "Cimba" may sustain by reason of the removal or attempted removal of my ship from the berth she legally occupies at the quay.

Having thus replied to your letter of this date, I beg to inform you that, as master of the ship "Cimba," I made application to the Harbour Office on Saturday last for the services of a pilot to remove my ship to the Circular Quay, and that no response to my application having been made, I moved my ship and berthed her at a berth then vacant, which I was entitled to do, the Circular Quay being a public wharf, open to the use of all ships on payment of the dues and charges fixed by law, which charges and dues, on behalf of the owners of my ship, I am prepared and willing to pay.

I have, &c.,

JOHN FIMISTER,

Master of ship "Cimba."

No. 6.

The Under Secretary for Finance and Trade to Messrs. Dangar, Gedye, & Co.

Gentlemen,

The Treasury, New South Wales, Sydney, 29 October, 1878.

I have the honor, by direction of the Colonial Treasurer, to inform you, as agents for the ship "Cimba," that the Government, acting under legal advice, will take such steps as they deem advisable for the purpose, unless the ship remove from her present position at the Circular Quay to such position as the Harbour Master may under the law direct.

I have, &c.,

G. EAGAR.

No. 7.

The Under Secretary for Finance and Trade to The President of the Marine Board.

Sir,

The Treasury, New South Wales, Sydney, 29 October, 1878.

I have the honor to convey to you the instruction of the Colonial Treasurer that unless the ship "Cimba" remove forthwith from her present position at the Circular Quay, to such position as the Harbour Master may, under the law, direct, you will at once take the necessary steps to effect such removal.

I have, &c.,

G. EAGAR.

No. 8.

Messrs. Dangar, Gedye, & Co., to The Under Secretary for Finance and Trade.

Sir,

21, Macquarie-place, Sydney, 30 October, 1878.

We have the honor to acknowledge the receipt of your letter of 29th October, M. 1,360, intimating to us, as agents of the ship "Cimba," that acting under legal advice "the Government will take such steps as they deem advisable for the purpose, &c."

We are agents for the ship "Cimba" in regard to her loading outwards, but the captain of that vessel is responsible for all acts in connection with his ship and her berthing at the Circular Quay, and we beg that you will inform that gentleman of your intentions with regard to his vessel.

We have, &c.,

DANGAR, GEDYE, & CO.

Seen.—H.E.C., 31/10/78.

No. 9.

The Secretary of the Marine Board to The Under Secretary for Finance and Trade.

Sir,

Sydney, 31 October, 1878.

In reply to your letter of the 29th instant, I have the honor, by direction of the Marine Board, to inform you that the ship "Cimba" was forcibly removed, the captain having declined to move his vessel when required to do so, according to law, from the Circular Quay in accordance with instructions received on the subject.

An expense of £28 4s. was incurred in the performance of this service. Papers relating to the matter were forwarded on request to the Treasury yesterday.

It

It is presumed that the Hon. the Attorney General, who is familiar with the case, will recover these expenses for the Harbour Master under the provisions of the 116th clause of the Navigation Act, and otherwise vindicate the law in the cases in which it has been defied by John Fimister, the master of this vessel.

I have, &c.,

GEO. S. LINDEMAN, Lieut., R.N.,
Secretary.

Send this with the previous papers for the opinion of the Attorney General as to any infringement of the law by the captain of the *Cimba*, and my hon. colleague will perhaps favour me with his opinion.—H.E.C., 1/11/78. The Attorney General. The Secretary to the Attorney General, B.C., G.E., 1/11/78. Inform Secretary to the Treasury that upon the papers being returned to me I will place them in the hands of the Crown Solicitor to cause the necessary steps to be taken to recover the penalty for refusal to remove the ship, and also the expense of removing her from the wharf.—W.J.F., 2/11/78. B.C., The Under Secretary for Finance and Trade.—G.H.R., 2/11/78. Approved.—H.E.C., 6/11/78. The Secretary to the Attorney General, B.C.—G.E., 6/11/78. The Crown Solicitor for proceedings, B.C., G.H.R., 6/11/78.

No. 10.

Messrs. Dangar, Gedye, & Co., to The Colonial Treasurer.

Sir,

Sydney, 4 November, 1878.

With reference to the forcible removal of the ship "*Cimba*" from the berth she occupied at the Circular Quay in favour of the "*Patriarch*," for which ship Messrs. Montefiore, Joseph, & Co. are agents, we beg very respectfully to protest against that ship retaining the berth in question for the following reasons:—

That the ship "*Patriarch*" was booked for the Circular Quay in the ordinary course of business on the 18th August, two days after her arrival from London, and that she failed to occupy "in the order of succession" any one of the three berths which were ready for her towards the middle or end of September, but which berths were taken by the ships "*Cynisca*," "*Thos. Stephens*," and "*Cambrian Princess*," arriving from London in the order named, eight, fifteen, and twenty-one days after the "*Patriarch*," and therefore could not have been booked for a berth at the Circular Quay for many days subsequently to that ship; and as the "*Patriarch*," to suit the convenience of her agents and stevedores, failed to occupy any one of the three berths referred to, she has, we submit, forfeited her right to the berth from which the "*Cimba*" has been removed, and should thus be compelled to book *de novo*.

We therefore ask that the circumstances adduced by us be fully inquired into, and if found correct that you will at once give instructions for the removal of the ship "*Patriarch*" from the berth at the Circular Quay which she must thus have obtained unfairly, and not "in the order of succession."

We have, &c.,

DANGAR, GEDYE, & CO.

The Manager of the Circular Quay.—H.E.C., 7/11/78.

G.E., 7/11/78, B.C.

No. 11.

The Manager of the Circular Quay to The Under Secretary for Finance and Trade.

Sir,

Circular Quay Office, 11 November, 1878.

To the letter of Dangar, Gedye, & Co., referred for explanation, I have the honor to state as follows:—

1st. Ships requiring a berth at the quay enter at this office in a book kept for the purpose to take their turn.

2nd. Should a vessel not be in readiness to move to the berth when her turn arrives then the next vessel on the list takes the turn, and the vessel so losing her turn takes the next succeeding turn on the list if ready. This system has been in operation during the last sixteen years, and recognized by all the leading houses, and was two years ago enacted for adoption at Newcastle.

3rd. The "*Cimba*," on entering the port, booked to take her turn.

4th. The objection made against the "*Patriarch*," even if tenable, would be no justification for depriving four other vessels of their turn.

5th. That Dangar & Co. have themselves practised what they complain of in the "*Patriarch*," I give the following as an example:—In the last wool season they entered the "*Martha Birnie*" for a loading berth on the 21st September, 1877. Not being ready when her turn came, the following vessels that were entered after her successively took precedence, due notice of turn having in each case been given to the "*Martha Birnie*":—

1877.			
The " <i>Nineveh</i> "	entered	24th Sept. ; berthed	8th Oct.
" " <i>Indus</i> "	"	12 Oct. ;	19 "
" " <i>Dunbar Castle</i> "	"	19 "	26 "
" " <i>Cairnbulg</i> "	"	22 "	7th Nov.
" " <i>Martha Birnie</i> "	was next berthed		10 "

I have, &c.,

JOHN BELL,

Manager and Collector.

No. 12.

Messrs. Dangar, Gedye, & Co., to The Colonial Treasurer.

Sir,

Sydney, 8 November, 1878.

With reference to our letter to you of 4th inst., to which no reply has yet been received, we beg to ask if any steps have been taken by your department towards the removal of the ship "*Patriarch*" from the berth she now improperly occupies at the Circular Quay, and which was obtained in direct violation of the rules laid down for the management of the Circular Quay.

We

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We feel certain that there is no desire on the part of the Government to show, through its subordinate officers, any partiality; and as in this instance Mr. John Bell, the Manager and Collector for the Circular Quay, has allowed a very gross violation of the rules, we ask for the fullest inquiry into the matter, in order that the question of any undue preference having been shown may be cleared up.

We have, &c.

DANGAR, GEDYE, & CO.

Upon the report of Mr. Bell, 78/9,897, I see no ground for ordering the removal of the "Patriarch," and copy of the report may be sent to Messrs. Dangar, Gedye, & Co., when they are informed of my decision.—H.E.C., 14/11/78. Mr. Ross.—G.E., 14/11/78. Done.—R.M.R., 15.

No. 13.

The Under Secretary for Finance and Trade to Messrs. Dangar, Gedye, & Co.
(M. 1,437-10,055.)

Gentlemen,

The Treasury, New South Wales, Sydney, 15 November, 1878.

I have the honor, by desire of the Colonial Treasurer, to acknowledge receipt of your letters of 4th and 8th instants, respecting the berthing of the ship "Patriarch" at the Circular Quay, and I am to inform you, in reply, that after consideration of the report of the manager of the Quay (a copy of which is enclosed), Mr. Cohen sees no grounds for ordering her removal.

I have, &c.,

G. EAGAR.

No. 14.

Messrs. Dangar, Gedye, & Co., to The Colonial Treasurer.

Sir,

Sydney, 18 November, 1878.

We have the honor to acknowledge the receipt of your letter (M. 1,437-10,055) of 15th instant, in answer to ours of 4th and 8th instants, enclosing copy of a report from Mr. John Bell, the manager of the Circular Quay, and on which you decline to take any action with reference to the removal of the ship "Patriarch" from the berth into which she was improperly placed by him, and not "in the order of succession" as most clearly pointed out in our letter of the 4th instant, and to which Mr. John Bell's report makes no reference whatever, thus evading in a very marked manner the real question at issue, and on which our complaint was founded.

We therefore cannot but express our great regret that an adverse opinion should have been arrived at by you, based on a report which studiously avoids any information on the important fact, which we venture to think must have been well known to Mr. Jno. Bell, viz., that the ship "Patriarch" was ready to occupy one of the berths subsequently taken by either the "Cynisca," "Thos. Stephens," or "Cambrian Princess;" and we feel certain that if dates were gone into it would be found that the "Patriarch" was "laid up" in Farm Cove, when one at least of the ships named (all of which arrived after her) was moored at the Quay, thus clearly proving that she was ready when her turn came for a berth, but which, to suit the convenience of her agents, she refused to occupy. It is of this partiality that we complain.

It is idle for Mr. Jno. Bell to attempt to make good his position by telling you "that Dangar & Co." (meaning, we presume, ourselves) "have themselves practised what they complain of in the 'Patriarch,'" when he refers to the "Martha Birnie;" as the case of that ship has no analogy whatever to the one under notice, for, although the "Martha Birnie" was booked on 21st September, 1877, as stated by him, it was for some time uncertain whether she was fit to load for London at all, as she had to undergo surveys and repairs, and eventually came to the Circular Quay to load a rough cargo, there not being a bale of wool in it.

Still feeling that the facts disclosed show that an undue, and we must say unfair, preference has been shown to the ship "Patriarch," we respectfully ask at your hands for a reconsideration of the case.

Regretting the necessity for troubling you at such length,

We have, &c.,

DANGAR, GEDYE, & CO.

The Manager of the Circular Quay.—H.E.C., 20/11/78.

B.C., 20 Nov., 1878.—J.T., for U.S.

No. 15.

The Manager of the Circular Quay to The Under Secretary for Finance and Trade.

Sir,

Circular Quay Office, 25 November, 1878.

I have the honor to return the papers connected with the case of the "Cimba," referred to me on the 20th instant, together with a letter of Messrs. Dangar, Gedye, & Co., for explanation.

In my statement of the 11th instant I have explained the rule which is observed in berthing ships, and made statements which I am fully prepared to substantiate.

As all papers referring to this matter have to be submitted to Parliament, and this I presume among them, I avail myself of the opportunity of again referring to the questions which have to be decided, and require separate consideration; and first as to the "Cimba":—

1st. Was the "Cimba" entitled to the berth which she took possession of? My reply is that five ships were entered, and awaiting their turn before the "Cimba" even entered the port, and whose rights she attempted to supersede.

2nd. With regard to the "Patriarch" I have shown by the rule that she had a right to the berth, and if otherwise, were not the other four vessels abovementioned entitled to and in turn before the "Cimba," and is it probable the agents and captains of those ships would quietly allow the "Patriarch" possession of a berth to which she was not entitled? They would be the parties injured, and they are silent as they know according to rule the "Patriarch" had the right.

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I have stated in my report of the 11th instant the rules observed in regard to the berthing of ships, and here it will be better to explain their operation.

Thus, a ship enters for a loading berth, which entitles her in her turn to priority of choice. It may be that a berth vacated is not suitable for her, being at distance from the store where her cargo is stored, or from other causes. She concedes her right to the next in turn, still retaining her priority of choice; the latter by this operation obtains her berth in advance, and this can be repeated till the desired berth has been obtained. In the case now in question the result is, that by the reticence of the "Patriarch" four ships successively obtained their berths in advance. It is a matter of frequent occurrence that this right is exercised by all houses when desired. I have shown in my report of the 11th that the "Martha Birnie," for which Messrs. Dangar were agents, was entered for berth in turn, and, like the "Patriarch," gave precedence to four ships successively.

It was known to Messrs. Dangar as well as others concerned, weeks before, that the "Patriarch" would follow on to the berth when the "Ninevah" vacated it. Could they not have complained to the Treasurer that a wrong was about to be committed, who would have immediately asked from me an explanation? Would not that course have been more becoming than to obtain the berth in the clandestine manner pursued?

Mr. Dangar, in common with all others engaged in extensive affairs, must necessarily employ assistants, and to them is committed in some degree the honor and character of the house. Mr. Dangar, I believe, knew nothing of the earlier part of these proceedings. It is with those under him that I have to deal, and they have pursued a course hardly in conformity with the implied trust, and have involved his name in a transaction of a very questionable nature.

At the same time they have made a direct charge against me of dishonesty in the performance of my duty, and I have therefore to call respectfully that inquiry may be made, in order that I may be justified or condemned. The inquiry would be more opportune at the present time, as in addition to the evidence of other loading houses always available there are also in port those commanders of ships who have been trading here for many years who would be able to testify to the rules of berthing. I think it necessary to report that immediately following the "Cimba's" case an attempt from another quarter was made to deprive another vessel of her berth.

These occurrences much disturbed the commanders of those ships, orderly awaiting their turn. The prompt action taken by the Government has now reassured them, and I think it unlikely that anything of a similar nature is likely again to occur.

I have now only to ask that inquiry may be made into the charge against me made by Dangar, Gedye, and Co., and

I have, &c.,
JOHN BELL,
Manager and Collector.

No. 16.

Minute of The Colonial Treasurer.

*Subject:—*Messrs. Dangar, Gedye, & Co.'s letter of November 18th respecting the berthing of the ship "Patriarch" at the Circular Quay:—

The Treasury, New South Wales, Sydney, 4 December, 1878.

It appears to me that the question raised by Messrs. Dangar, Gedye, & Co. is highly technical, and one which, if made the essence of the regulations for berthing vessels at the Quay, would lead to inquiries of a protracted and unsatisfactory character, and much inconvenience.

By their letter of November 18th last they would make the test of a vessel's claim to priority of berth her physical fitness to receive cargo when her turn arrives, wanting in which they urge she should lose her place on the list, and be transferred to the bottom of it; in other language they would construe the word "ready" to mean a sufficiently "sound and staunch state" to receive cargo. If this is to be the guide of the department, where promptness in berthing ships is necessary, especially in the busy season, the controversies likely to arise, in investigating into and determining upon the "fitness" of a vessel to take cargo on board, would in all probability result in inquiries of so lengthened and intricate a character as to seriously hamper, if not for the time to absolutely stop the business of the Quay. For these reasons, in addition to the long-established practice of regulating the turn for berthing, according to the "readiness," or in other words the "willingness" of a vessel to take a vacant berth at the Quay, and apart from any consideration of her "fitness" or "unfitness" to receive cargo, I am unable to concede the argument of Messrs. Dangar, Gedye, & Co., or to modify the determination I have already arrived at in this case.

I see no foundation for any charge of unfairness or partiality on the part of Mr. Bell, who has simply acted in accordance with and not in "direct" or "gross violation" of the rules laid down for the management of the Circular Quay, which I have been informed have hitherto given general satisfaction, and it is somewhat curious that such a charge, if there be any reason for it, has not been preferred by the owners or agents of the ships entitled to berths in precedence of the "Cimba," who have the greater cause to complain if Mr. Bell has been guilty of any unfairness.

H.E.C.

Mr. Ross,—Inform Messrs. Dangar, Gedye, & Co. accordingly.—G.E., 5/12/78. Done.—R.M.R., 5.

No. 17.

The Under Secretary for Finance and Trade to Messrs. Dangar, Gedye, & Co.

Gentlemen,

The Treasury, New South Wales, Sydney, 5 December, 1878.

I have the honor, by desire of the Colonial Treasurer, to acknowledge receipt of your letter of 18th ultimo, asking for a reconsideration of the decision communicated to you in my letter of 15th *idem*, in regard to the berthing of the ship "Patriarch" at the Circular Quay.

I am to inform you in reply, that after a full consideration of all the facts of the case, Mr. Cohen is of opinion that the conduct of Mr. Bell, the manager of the Circular Quay, with respect to this matter, is perfectly satisfactory; and he is therefore unable to alter the determination which has already been communicated to you.

I have, &c.,
G. EAGAR.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

JAMES GARDNER.

(PETITION OF.)

Ordered by the Legislative Assembly to be printed, 14 March, 1879.

To the Honorable the Speaker and Members of the Legislative Assembly, in Parliament assembled.}

The humble Petition of James Gardner, of Wentworth Wharf, Darling Harbour,—

HUMBLY SHOWETH:—

That about the end of October last your Petitioner, being the lessee of the said wharf and adjacent land, upon which he had erected five lime-kilns at a considerable outlay, for the purpose of carrying on his business as a lime merchant; and your Petitioner begs to make known to your Honorable House, that about the time mentioned the Government dredge came in front of the said wharf for the purpose of deepening the channel. When your Petitioner saw the danger likely to take place to his property, he warned the men in charge off, which they would not do, and the consequence has been a portion of the wharf gave way by the foundation being undermined. The kilns have also been vent, and therefore useless to him in his business; and the loss to your Petitioner is disastrous, taking from him his means of livelihood, several contracts which he had has been turned over to other lime merchants; also, by this untoward circumstance, your Petitioner has been compelled to dispose of his lease of said wharf for a mere trifle, and your Petitioner two months previous was offered four hundred pounds for a half-interest in his said business.

Your Petitioner was, at the time mentioned, one of the principal lime merchants in the city of Sydney, having been the first burner and introducer of stone lime into this market, also a successful exhibitor at the several Colonial Exhibitions, having been awarded prizes five times.

Your humble Petitioner has exhausted all the means in his power and within his knowledge to obtain redress for his loss, from the department to which this matter particularly belongs, but without any success, and your humble Petitioner has at last determined to lay his grievance before your most Honorable House, with the hope that the loss he has sustained may be in some measure compensated to him.

Your humble Petitioner has a large family to educate and support, and which now is far beyond his means, his means of livelihood having by this disastrous accident been taken from him.

Your humble Petitioner prays for your favourable consideration of his case.

Will ever pray.

J. S. GARDNER.

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1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

WENTWORTH WHARF, DARLING HARBOUR.

(CORRESPONDENCE BETWEEN THE GOVERNMENT AND JAMES GARDNER.)

Ordered by the Legislative Assembly to be printed, 9 May, 1879.

RETURN to an Order made by the Honorable the Legislative Assembly of New South Wales, dated 2nd April, 1879, That there be laid upon the Table of this House,—

“Copies of all Correspondence, Reports, and Minutes thereon, that have
 “taken place with Mr. Gardner, of Wentworth Wharf, Darling
 “Harbour, and the Government, having reference to an alleged loss
 “sustained by him by the dredging of the harbour adjacent to the
 “wharf of which he was lessee.”

(Mr. Macintosh.)

SCHEDULE.

NO.	PAGE.
1. Letter from James Gardner to Engineer-in-Chief for Harbours and Rivers, drawing attention to injury done to wharf and limekilns by dredge working so close to them. 23 December, 1878	2
2. Letter from D. S. Kirkwood, Master of Dredge “Archimedes,” to Engineer-in-Chief for Harbours and Rivers, reporting on work done at Gardner’s Wharf. 28 December, 1878.....	2
3. Letter from James Greer to Minister for Works, stating that he had been instructed by James Gardner to write and inform that he would hold Government responsible for all damage sustained to his property by dredge undermining his wharf and limekilns. 24 December, 1878	2
4. Letter from Crown Solicitor to Under Secretary for Works, stating that James Gardner’s application for compensation for injury done to his wharf should be refused, and that any action commenced should be defended. 21 January, 1879	2
5. Letter from Under Secretary for Works to James Greer, informing him Government do not acknowledge any responsibility	2

WENTWORTH WHARF, DARLING HARBOUR.

No. 1.

Mr. J. G. Gardner to The Engineer-in-Chief for Harbours and Rivers.

Sir,

Druitt-street, Sydney, 23 December, 1878.

I beg to draw your attention to the injury done to my wharf and limekilns at foot of Druitt-street, by reason of the dredge working so close to them, and I hope you will kindly have the matter inquired into at once, so that steps might be taken to remedy the evil.

I have, &c.,

J. G. GARDNER.

Applicant verbally informed that the Government were not responsible, and that we could not entertain this letter.—(For E.O.M.) J.S., 27/12/78. Mr. Kirkwood, for full report on this matter.—(For E.O.M.) J.B., 27/12/78. Report attached.—D.S.K., 28/12/78. See 78/5,157.

No. 2.

The Master of Dredge "Archimedes" to The Engineer-in-Chief for Harbours and Rivers.

WHEN I resumed charge of the "Archimedes" it was, by order, at the foot of Druitt-street, clearing away deposits from the sewer at that place. In doing this it was necessary to work near Mr. Gardner's wharf, who also appeared anxious to have the water deepened at the end of his wharf, that had a facing of stones about 6 feet deep, 4 feet above and 2 feet below water, that had been roughly built many years ago, without foundation, on loose soil.

We dredged to within 3 feet of the wall, then Mr. G.'s men, I presume, thinking the dredge had not been so close as they wished, broke off the top part of the 3 feet of soil that we left facing the wall.

I then moved the dredge to the next sewer, a few yards to the south. After the dredge left, a coasting vessel landed a cargo of heavy round hardwood logs on Mr. G.'s wharf. A few days after about 30 feet of the wall fell away from the wharf into 12 feet of water, leaving a small portion of the foundation of a limekiln exposed to the water at high tides. This could be easily protected by some ballast stones being thrown in on the falling wall.

D. S. KIRKWOOD.

78/5,157.

28/12/78.

Seen.—(For E.O.M.) J.S., 7/1/79.

No. 3.

Mr. J. Greer to The Secretary for Public Works.

Sir,

1, Wentworth-place, Elizabeth-street, Sydney, N.S.W., 24 December, 1878.

I am instructed by James Gardner, of Druitt-street, Sydney, lime merchant, to give you notice that he will hold the Government liable for all damages he may sustain by reason of the injury done to his property situated at the bottom of Druitt-street, in consequence of the Government dredging machine having undermined his wharf and limekilns, whereby he is deprived of the use of them, and his business seriously injured; and some of the land has now fallen into the harbour, and the kilns will also tumble in afterwards, unless immediate action is taken by the Government to prevent this destruction of private property. Mr. Gardner has verbally and by letter drawn the attention of the Government to the matter, but no notice has as yet been taken of the injury done, although the captain of the dredge promised he would see about it at once.

I have, &c.,

JAMES GREER.

Harbours and Rivers.—J.R., B.C., 8/1/79.

The circumstances connected with this matter will be found detailed with accompanying report 78/5,157. I would suggest that the writer be informed that the Government does not acknowledge any responsibility in the matter. Perhaps, however, before any answer is sent, it would be as well to ask the C. Solicitor if he approves of the course suggested herein.—(For E. O. Moriarty) JOHN SKINNER, 14/1/79.

B.C., Under Secy. P. Works., P.W.O., 15/1/79. Crown Solicitor to advise.—J.R., B.C., 17/1/79.

No. 4.

The Crown Solicitor to The Under Secretary for Public Works.

Sir,

Crown Solicitor's Office, Sydney, 21 January, 1879.

I have the honor to return the papers relating to the application on behalf of Mr. James Gardner for compensation for injury said to have been done to his wharf, and to state that assuming the report 78/5,157 to be correct, and that the 3 feet of bank left in front of the wharf was sufficient to uphold the wharf under ordinary circumstances, I think the application should be refused, and any action that may be commenced be defended.

I have, &c.,

JOHN WILLIAMS,

Crown Solicitor.

Inform.—J.L., 24/1/79. James Greer, Esq., 30/1/79. Harbours and Rivers.—J.R., B.C., 30/1/79.

Seen.—(For E.O.M.) J.S., 6/2/79. B.C., Under Secretary Public Works. Put away for the present.—J.R. Harbours and Rivers.—W.F. (for U.S.), B.C., 2/4/79.

No. 5.

The Under Secretary for Public Works to Mr. J. Greer.

Sir,

Department of Public Works, Sydney, 30 January, 1879.

In reply to your letter of the 24th ultimo, respecting alleged damage by dredging operations in Darling Harbour, near Gardner's Wharf, I am directed to inform you that the Government do not acknowledge any responsibility in the matter.

I have, &c.,

JOHN RAE.

1878-9.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

STEAM DREDGE "SAMSON."
(MONEYS PAID TO JOHN LAING.)

Ordered by the Legislative Assembly to be printed, 6 May, 1879.

RETURN showing (under the following headings, viz., Salary, Victualling, Travelling, &c.) the Amounts received by Mr. John Laing, Master of the Steam Dredge "Samson," from the date of his appointment to the 31st December, 1878, together with memorandum respecting Night-work, during years 1876, 1877, and 1878.

Particulars.	Date of Appointment, 1868. From 1st Aug.	1869.	1870.	1871.	1872.	1873.	1874.	1875.	1876.	1877.	1878.	Total.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Salary	104 3 4	250 0 0	250 0 0	239 0 0	238 0 0	250 0 0	300 0 0	300 0 0	300 0 0	300 0 0	300 0 0	2,831 3 4
Night allowance .....	.....	.....	.....	.....	.....	.....	.....	.....	52 0 0	52 0 0	39 0 0	143 0 0
Victualling .....	.....	.....	.....	.....	.....	.....	.....	17 12 6	37 5 0	38 12 6	22 10 0	116 0 0
Travelling, &c. ....	.....	20 8 0	6 7 0	.....	0 12 0	.....	41 3 6	54 6 0	0 19 6	29 17 6	36 18 6	190 12 0
		*	†				‡	‡		§	§	
												£ 3,280 15 4

* At Brisbane on account of dredge "Fitz Roy," and Newcastle on account of new Cranes.
† At Newcastle on account of dredge "Vulcan."

‡ At Shoalhaven on account of dredge "Pluto."
§ At Clarence River on account of dredge "Clarence."

Memorandum respecting Night-work.

Mr. Laing resided on board the dredge while the night-work was being carried on, so as to be at call in cases of emergency. The night allowance granted was to compensate him for the extra responsibility of a double crew working under his orders, one shift of which worked at night.

For E.O.M., J.S., 2/5/79.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

STEAM DREDGE "SAMSON."

(PARTICULARS OF MR. LAING'S SERVICE AND PAY.)

Ordered by the Legislative Assembly to be printed, 27 May, 1879.

12. MR. BENNETT to ask THE SECRETARY FOR PUBLIC WORKS,—

- (1.) How many days was the dredge "Samson" laid up for repairs and from other causes during the years 1876, 1877, and 1878?
- (2.) Did the master of the steam dredge "Samson" receive full pay and extra allowance money during the period the "Samson" was undergoing repairs; if so, what amount?
- (3.) Did the officers and the crews of the steam dredge "Samson" and steamer "Thetis" receive full pay and the usual extra allowance money during the time the said vessels were undergoing repairs in the years 1876, 1877, and 1878; if so, what were the amounts separately?
- (4.) Did the master of the dredge "Samson" receive his night-pay and extra allowance money in addition to the travelling expenses while away at the Clarence River?
- (5.) What is the name of the person who had charge of the dredge "Samson" during the absence of Mr. Laing at the Clarence River?
- (6.) Did such person receive an additional pay to his usual salary for such service, as acting master of the dredge, during the absence of Mr. Laing; if so, what amount?
- (7.) Have the Government, or do they intend, to call on Mr. Laing to refund the amount of night-pay he received while absent from the dredge "Samson" at the Clarence River, and extra allowance money?

I beg to lay upon the Table of this House replies in the form of a Return to the Questions of the Honorable Member for Liverpool Plains on the 20th instant, respecting the dredge "Samson."

DREDGE "SAMSON."

1. The dredge "Samson" was laid up in 1876 for 129 days, in 1877 for 73 days, and in 1878 for 127½ days. This includes laying up on account of repairs, &c., and detention from rough weather, which latter was a fruitful cause of delay, as the "Samson" was working in a very exposed position at the Sow and Pigs Shoal. The following night-work was lost by reason of rough weather, viz:—In 1876, 36½ nights; in 1877, 39 nights; and in 1878, 41 nights.
2. The master of the dredge "Samson" did receive his full salary, but not ration allowance, while his dredge was under repairs, which he superintended. A Return has been recently laid by me on the Table, giving full information respecting the salary, allowances, &c., of the master of the dredge "Samson."
3. The officers and crew received their full salaries and wages, but they did not get the usual ration allowance when the dredge was laid up for repairs. The rates of salaries and wages payable on this dredge are as follows:—(that is, when the dredge is at night-work; at present this is discontinued, the night crew discharged, and both night and ration allowances stopped).

DREDGE.

Master	£352 per annum	Including the night allowance (see note in Return above referred to) with ration allowance of 2s. 6d. per diem when working at Sydney Heads.
Mate 1 at	168	With ration allowance of 1s per diem when working at Sydney Heads.
" 1 "	144	"
Blacksmith	156	"
Engine driver 1 at	168	"
" " 1 "	144	"
Fireman each at ...	120	"
Stoker	120	"
Coxswains each at	120	"
Brakesman, Cook,		"
and Seamen each at	104	"

TUG "THETIS."

Master	£240	per annum.
Mate	192	" while at day-work.
	216	" " night-work.
Engineer 1 at ...	240	"
" 1 at ...	168	"
Stokers each ...	120	"
Seamen, leading, each	120	"
" ordinary "	104	"

All officers and men on board the tug receive 1s. per diem ration allowance when working at Sydney Heads.

4. The master received his night allowance on the occasion referred to, because he temporarily took charge of a dredge engaged in night-work, but he was not paid his ration allowance.
5. The late principal mate, Mr. J. M. Tiley.
6. No, the master was only absent about a month on each of the occasions alluded to.
7. It is already shown that Mr. Laing did not receive the ration allowance during his absence at the Clarence, and the Government see no reason for calling upon him to refund the night allowance.

[3d.]

Sydney : Thomas Richards, Government Printer.—1879.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

STEAM DREDGE "SAMSON."

(PARTICULARS OF MR. LAING'S SERVICE.)

Ordered by the Legislative Assembly to be printed, 23 July, 1879.

MR. MACINTOSH to ask THE SECRETARY FOR PUBLIC WORKS,—Referring to Memorandum by Return laid upon the Table respecting extra money paid to Mr. Laing for night-work,—

- (1.) How many nights did Mr. Laing sleep on board the Dredge "Samson" whilst she was stationed at East Channel before night allowance was granted him, and how many nights after such allowance was granted?
- (2.) Did not Mr. Laing frequently absent himself from the dredge "Samson" of a night, whilst actually drawing extra pay for sleeping on board?
- (3.) During Mr. Laing's absence at night, if a case of emergency arose, which he was especially paid for looking after (according to papers laid upon the Table), how was he to be called, seeing he resides at Balmain?
- (4.) Why was Mr. Laing paid £1 per week night allowance during the time the dredge was undergoing repairs at Cockatoo Island and working at Circular Quay, seeing he did not sleep on board?
- (5.) What was the reason that the mate in charge of the dredge "Samson" received no extra pay during Mr. Laing's absence, seeing he had to perform Mr. Laing's work and his own, and to remain on board day and night—by minute from the Harbours and Rivers Office?
- (6.) After the prorogation of the House is it the intention of the Government to increase Mr. Laing's salary, paying it as the night allowance was first paid, from the contingent funds?

I BEG to lay upon the Table of this House replies, in the form of a Return, to the questions of the Honorable Member for East Sydney on the 22nd instant respecting the dredge "Samson."

Dredge "Samson."

- (1.) There is no record in the office giving such particulars; but Mr. Laing on the question being asked him reports as follows:—"I cannot say the number of nights I slept on board the dredge 'Samson' while she was stationed at East Channel, either before or after I received allowance for night work. During the first twelve months I generally remained on board every night she was in the Channel, and often when she was lying at the shelter moorings in Vacluse Bay. After I returned from Newcastle and got the dredge examined and repaired in dock, I generally went home one night out of the five working nights per week, weather and other things permitting, and also when the dredge was lying in Vacluse Bay. I may remark that when on board I seldom went to bed before midnight, and sometimes not all night when necessary.
- (2.) See answer to preceding question—Mr. Laing was not paid specifically for "sleeping on board," but "for the extra responsibility of a double crew working under his orders, one shift of which worked at night."
- (3.) It will be seen by answer to question 1 that Mr. Laing was seldom absent, but in the event of an emergency arising during his absence, there were experienced officers under him equal to the occasion.
- (4.) As before stated, Mr. Laing was not paid extra specifically for "sleeping on board," and the occasions referred to were but of comparatively speaking short duration. The double crew being still under his superintendence, it was not therefore considered necessary to discontinue the extra pay, but his ration allowance was stopped.
- (5.) Mr. Laing was only absent about a month each time on the two occasions presumably referred to, and the mate was then only nominally in charge, as he could not perform the duties of an engineer which would have fallen to the lot of the chief engineer of the "Thetis," who is an officer of higher standing and pay, had his services been required; there appeared, therefore, under these circumstances, no call for extra remuneration to the mate.
- (6.) This question has already been answered in the negative.

1957

BIOGRAPHICAL SKETCH

J. Edgar Hoover

Mr. J. Edgar Hoover was born on January 22, 1895, at Alton, Illinois. He was educated at the University of Illinois and the University of Chicago.

Mr. Hoover served in the United States Army during World War I, and was later employed by the Federal Bureau of Investigation.

Mr. Hoover was appointed Director of the Federal Bureau of Investigation in 1935, and has since that time been the head of the agency. He has been instrumental in the development of the FBI into one of the most efficient and powerful law enforcement agencies in the world. He has also been instrumental in the development of the Federal Bureau of Investigation's reputation as a leading agency in the field of criminal investigation.

Mr. Hoover has been a member of the United States Senate, the United States House of Representatives, and the United States Supreme Court. He has also been a member of the United States Army, the United States Navy, and the United States Air Force. He has been a member of the United States Coast Guard, the United States Marine Corps, and the United States Army Air Corps. He has been a member of the United States Army Air Corps, the United States Army Air Corps, and the United States Army Air Corps.

1878.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

DREDGE "NEWCASTLE" AND TENDER "AJAX."

(MEMORANDUM OF THE ENGINEER-IN-CHIEF FOR HARBOURS AND RIVERS, RESPECTING PAY OF CREWS.)

Ordered by the Legislative Assembly to be printed, 15 November, 1878.

(Laid upon Table in accordance with promise made in answer to Question 3, Votes No. 36, 15 November, 1878.)

Respecting petition from crews of "Newcastle" and "Ajax" for an increase of salary.

I CANNOT recommend any increase in this case. The salaries were fixed with reference to those of steamers and others employed in the coasting service.

Messrs. Darley and Portus state that our men on board the "Newcastle" receive about 10% less than is paid in private employment in sea-going steamers.

In my opinion the difference in the nature of the employment is quite equal to the difference of 10% in the rates of remuneration.

Our men have their houses to go to every night, unless when working as night crew, when they receive extra remuneration; they work no longer hours, nor such irregular hours as sea-going sailors, nor is their work any heavier; they have little or nothing to do in stormy and bad weather, when the latter, if not risking their lives, must be exceedingly uncomfortable at sea.

If this increase be granted in the case of the "Newcastle" dredge, it will of course have to be also granted in case of all the other dredges, which have not as yet asked for it.

I am therefore, though I confess with considerable reluctance, compelled to report that in my opinion the men are fairly and adequately remunerated.

E. O. MORIARTY.

20/6/78.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON

PILOT STEAMER "CAPTAIN COOK";

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

4 July, 1879.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1879.

1878-9.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 21. TUESDAY, 22 OCTOBER, 1878.

19. PILOT STEAMER "CAPTAIN COOK":—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 of the Pilot Steamer "Captain Cook."
(2.) That such Committee consist of Mr. Cohen, Mr. Long, Mr. Driver, Mr. J. Davies, Mr. Coonan, Mr. Eckford, Mr. McElhone, Mr. Greenwood, and the Mover.
Debate ensued.
Question put and passed.

VOTES No. 148. FRIDAY, 4 JULY, 1879.

5. PILOT STEAMER "CAPTAIN COOK":—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 22nd October, 1878; together with Appendix.
Ordered to be printed.

CONTENTS.

	PAGE.
Extracts from the Votes and Proceedings	2
Report	3
Proceedings of the Committee	5
List of Witnesses	8
Minutes of Evidence	1
Appendix	44

1878-9.

PILOT STEAMER "CAPTAIN COOK."

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly appointed on the 22nd October, 1878,—*"with power to send for persons and papers, to inquire into and report upon the management of the Pilot Steamer 'Captain Cook,'"*—have agreed to the following Report:—

Your Committee have examined the witnesses named in the List,* and after See List, page 8. mature consideration find as follows:—

That in their opinion the management of the Pilot steamer "Captain Cook" is very unsatisfactory, for the following reasons:—

1. That there seems to be a total absence of unanimity of action between the Pilots and the Commanding Officer of the steamer, the result as it appears, of their respective positions having never been thoroughly defined by the Marine Board, nor their conduct ever inquired into by that body when any complaint has been made.
2. That the command of the vessel by Captains Smith and Creer has been of an extremely negligent character, as is shown by the evidence (which your Committee see no reason to doubt), in which they are stated to have been repeatedly absent from the vessel for days together.

The payment of the men by the private cheque of the captain, and the provedoring of the ship by the same officer, seems to your Committee to be a highly undesirable course of procedure, and one which in the hands of a dishonest man is capable of great manipulation; and your Committee would recommend its immediate alteration. At the same time, it is only fair to the officers named to say that no charge of such a nature exists against them. Your Committee would, however, direct attention to the fact that Captain Creer admits having received percentages from tradesmen out of the moneys paid by him for supplying the crew with provisions, and he seems to hold the opinion that he is entitled to the same as an addition to his salary,—a fact which we think the Colonial Treasurer should give his early attention to.

While upon this part of their Report, your Committee would express the opinion that the conduct of Captain Smith in dismissing Mr. Davies, the provedore, seems to have been arbitrary in the extreme, and the evidence is almost unanimous to the effect that Captain Smith himself failed afterwards to carry out the duties in as satisfactory a manner; in fact, Captain Smith seems to be a person whose
demeanour

demeanour to those under his control renders it extremely undesirable that he should hold any position of command; and the fact that he resigned his position and applied for one at a much lower salary, while your Committee was inquiring into a matter in which he was so deeply concerned, lends colour to the supposition that he was anxious to escape from the consequences of his own conduct while so engaged. Your Committee have no hesitation in saying that had Captain Smith still occupied the position of Commander of the "Captain Cook," they would undoubtedly have recommended his removal therefrom.

Your Committee are further of opinion that the appointment of Captain Creer, the junior Pilot of the Service, to the command of the "Captain Cook" was a mistake, inasmuch as it is calculated to create a feeling of dissatisfaction in the Pilot Service, while the fact of Captain Creer having a relative at the Marine Board seems to give rise to the impression that favouritism existed in this matter.

Apart however from the appointment of the junior Pilot to the senior position, your Committee are decidedly of opinion that the number of officers on board the vessel is altogether too large.

Making all reasonable allowance for the changes or shifts of labour necessary for carrying out the duties of the vessel, your Committee cannot but think that the services of Captain Creer might be totally dispensed with as Commander of the steamer, and the charge given to the present chief officer, who is perfectly capable of performing the duties; while Captain Creer might be more usefully employed as a Pilot, as he was previous to his present appointment.

In conclusion, your Committee cannot help remarking that the supervision exercised by the Marine Board has been altogether too lax,—as the evidence with regard to the use of the ship's coals, employment of the seamen at the captain's residence, and several other minor matters, tends to show. In fact, the majority of the statements made by the witnesses were, as the President of the Board admits, quite unknown to him; and he was not in a position to state whether they were true or not.

Your Committee are of opinion that no time should be lost in instituting inquiries as to the general efficiency of the Service, which seems to have been to a certain extent impaired by the state of affairs your Committee has brought under notice.

*No. 2 Committee Room,
Sydney, 3rd July, 1879.*

ANGUS CAMERON,
Chairman.

PROCEEDINGS OF THE COMMITTEE.

WEDNESDAY, 30 OCTOBER, 1878.

MEMBERS PRESENT:—

Mr. Cameron, | Mr. J. Davies,
Mr. Eckford.

Mr. Cameron called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, read by the Clerk.
Committee deliberated.

Ordered,—That Mr. Henry Davis be summoned to give evidence next meeting.

[Adjourned to To-morrow, at *Eleven* o'clock.]

THURSDAY, 31 OCTOBER, 1878.

MEMBERS PRESENT:—

Mr. Cameron, | Mr. Eckford.

In the absence of a Quorum, the meeting called for this day lapsed.

FRIDAY, 15 NOVEMBER, 1878.

MEMBERS PRESENT:—

Mr. Cameron in the Chair.

Mr. Greenwood, | Mr. J. Davies,
Mr. Eckford.

Clerk laid before the Committee a telegram from Captain Cork, who had been summoned to attend and give evidence, stating that he was unable to attend to-day, and asking for longer notice.
Committee deliberated.

Ordered,—That Captain Cork and Mr. Henry Davis be summoned to give evidence next meeting.

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

WEDNESDAY, 20 NOVEMBER, 1878.

MEMBERS PRESENT:—

Mr. Cameron in the Chair.

Mr. J. Davies, | Mr. Eckford,
Mr. Greenwood.

Mr. Henry Davis called in and examined.

Witness withdrew.

Captain Robert Cork (*Sea Pilot*), called in and examined.

Witness withdrew.

Committee deliberated.

Ordered,—That Captain Coutts be summoned to give evidence next meeting.

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

WEDNESDAY, 27 NOVEMBER, 1878.

In the absence of a Quorum, the meeting called for this day lapsed.

FRIDAY, 6 DECEMBER, 1878.

MEMBERS PRESENT:—

Mr. Cameron in the Chair.

Mr. Eckford, | Mr. McElhone,
Mr. J. Davies.

Captain James Thompson (*Master Mariner*), called in and examined.

Witness withdrew.

Committee deliberated.

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

[Adjourned.]

WEDNESDAY,

WEDNESDAY, 19 FEBRUARY, 1879.

MEMBERS PRESENT:—

Mr. Eckford, | Mr. Greenwood.

In the absence of a Quorum, the meeting called for this day lapsed.

THURSDAY, 27 FEBRUARY, 1879.

MEMBER PRESENT:—

Mr. Cameron.

In the absence of a Quorum, the meeting called for this day lapsed.

WEDNESDAY, 5 MARCH, 1879.

In the absence of a Quorum, the meeting called for this day lapsed.

FRIDAY, 14 MARCH, 1879.

In the absence of a Quorum, the meeting called for this day lapsed.

FRIDAY, 28 MARCH, 1879.

MEMBERS PRESENT:—

Mr. J. Davies, | Mr. Driver.

In the absence of a Quorum, the meeting called for this day lapsed.

WEDNESDAY, 23 APRIL, 1879.

MEMBERS PRESENT:—

Mr. Cameron in the Chair.

Mr. Eckford, | Mr. McElhone,
Mr. J. Davies.

Mr. Richard Hyatt (*Fireman s.s. "Captain Cook"*), called in and examined.
Witness withdrew.

Mr. Edward Broderick (*Engineer s.s. "Captain Cook"*), called in and examined.
Witness withdrew.

Mr. Henry Davis called in and further examined.
Witness withdrew.

Committee deliberated.

Ordered,—That Captain Coutts and Captain Jack be summoned to give evidence next meeting.

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

FRIDAY, 25 APRIL, 1879.

In the absence of a Quorum, the meeting called for this day lapsed.

WEDNESDAY, 30 APRIL, 1879.

MEMBERS PRESENT:—

Mr. Cameron in the Chair.

Mr. McElhone, | Mr. Eckford.

Clerk laid before the Committee a statement of Mr. Broderick's, showing the coals supplied to the *s.s. "Captain Cook"* during the years 1877 and 1878 by the contractor, with memoranda showing the quantity kept back for Captain Smith and others.

Statement ordered to be appended to Mr. Broderick's evidence. (*See Appendix A.*)

Captain Alexander Coutts (*Sea Pilot*), called in and examined.

Witness withdrew.

Mr. James Blackadder (*Engineer s.s. "Thetis"*), called in and examined.

Witness withdrew.

Committee deliberated.

Ordered,—That Captain Jack, Captain Smith, and Captain Creer be summoned to give evidence next meeting.

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

FRIDAY, 2 MAY, 1879.

In the absence of a Quorum, the meeting called for this day lapsed.

THURSDAY,

THURSDAY, 8 MAY, 1879.

MEMBERS PRESENT:—

Mr. Cameron in the Chair.

Mr. Eckford, | Mr. McElhone.

Captain Andrew William Jack (*Sea Pilot*), called in and examined.

Witness withdrew.

Captain Joseph Creer (*Pilot Steamer "Captain Cook"*), called in and examined.

Witness withdrew.

Captain Charles Smith (*Assistant Harbour Master*), called in and examined.

Witness withdrew.

Ordered,—That Captain Smith be summoned to give evidence next meeting.

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

WEDNESDAY, 14 MAY, 1879.

MEMBERS PRESENT:—

Mr. Cameron in the Chair.

Mr. Eckford, | Mr. McElhone.

Captain Charles Smith called in and further examined.

Witness produced the agreement made between him and Mr. Davis for provedoring the s.s. "Captain Cook."

Witness withdrew.

Committee deliberated.

[Adjourned to Thursday, 22nd May, at *Eleven* o'clock.]

THURSDAY, 22 MAY, 1879.

The meeting called for this day was postponed to Tuesday next.

TUESDAY, 27 MAY, 1879.

MEMBERS PRESENT:—

Mr. Cameron, | Mr. Eckford.

In the absence of a Quorum, the meeting called for this day lapsed.

THURSDAY, 29 MAY, 1879.

MEMBERS PRESENT:—

Mr. Cameron in the Chair.

Mr. McElhone, | Mr. Eckford,
Mr. J. Davies.

Captain Francis Hixson, R.N. (*President of the Marine Board*), called in and examined.

Witness withdrew.

Committee deliberated.

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

THURSDAY, 5 JUNE, 1879.

In the absence of a Quorum, the meeting called for this day lapsed.

THURSDAY, 12 JUNE, 1879.

MEMBERS PRESENT:—

Mr. Cameron, | Mr. McElhone.

In the absence of a Quorum, the meeting called for this day lapsed.

WEDNESDAY, 18 JUNE, 1879.

In the absence of a Quorum, the meeting called for this day lapsed.

FRIDAY, 20 JUNE, 1879.

MEMBERS PRESENT:—

Mr. J. Davies, | Mr. Eckford.

In the absence of a Quorum, the meeting called for this day lapsed.

THURSDAY,

THURSDAY, 3 JULY, 1879.

MEMBERS PRESENT:—

Mr. Cameron in the Chair.

Mr. McElhone,

Mr. Coonan.

Chairman submitted Draft Report.

Same read and agreed to.

Chairman to report to the House.

LIST OF WITNESSES.

	PAGE.
Blackadder, Mr. James	20
Broderick, Mr. Edward	14
Cork, Captain Robert	6
Coutts, Captain Alexander.....	17
Creer, Captain Joseph.....	24
Davis, Mr. Henry	1, 16
Hixson, Captain Francis, R.N.	37
Hyatt, Mr. Richard	10
Jack, Captain Andrew William	21
Smith, Captain Charles	29, 32
Thompson, Captain James	8

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

PILOT STEAMER "CAPTAIN COOK."

WEDNESDAY, 20 NOVEMBER, 1878.

Present:—

MR. CAMERON,
MR. J. DAVIES,MR. ECKFORD,
MR. GREENWOOD.

ANGUS CAMERON, Esq., IN THE CHAIR.

Mr. Henry Davis examined:—

1. *Chairman.*] What are you? Provodore of a steam-ship.
2. You were at one time provodore of the pilot steamer the "Captain Cook"? Yes.
3. How long were you in that position? Six months.
4. During what period? From the 1st December, 1877, to 1st June, 1878.
5. You carried on the provodoring by contract? Yes.
6. To whom was your tender addressed? To Captain Smith.
7. Not to the Marine Board? No.
8. Was your tender according to a schedule of prices—so much for certain articles? No, so much for each man—so much for each of the pilots, and so much for each man.
9. What was the scale? 18s. a week for the pilots, and £2 10s. a month for the men, excepting one man who lived at Watson's Bay, and I allowed him 5s. a month, because he sometimes went ashore and took his food with his family.
10. That scale related of course to the men alone, and not to their wives and families? No, only to the men on board the pilot steamer.
11. Do the majority of the men live at Watson's Bay? No, only one besides the pilots.
12. During the performance of your contract, was any complaint made to you by the master or the crew as to the manner in which you supplied the ship? No one ever complained; indeed they have told me since that it was never better supplied before or since. Both the pilots and men have given me great praise, and they say it has fallen off since.
13. Who is the provodore at the present time? Captain Smith.
14. Himself? Himself.
15. How many are there on board the ship? Seventeen, all told.
16. Officers and men? There are supposed to be two pilots on board all the time, but sometimes one was on shore or on board another ship; still I was paid for the two.
17. You left on the 1st June, 1878? Yes.
18. Did you leave of your own account? No.
19. You were dismissed? Yes.
20. By whom? Captain Smith.
21. Did he assign any reason for getting rid of your services? None whatever; but I suppose it was because I did not give him so much percentage as I had been giving him. He had been receiving a discount from me, or a percentage, as provodore.

Mr. H. Davis.
20 Nov., 1878.

- Mr. H. Davis. 22. When you tendered for this contract, did you make any agreement, either in writing or verbally, to give Captain Smith any percentage upon your contract? He told me outside the door of the Marine Board, that the last provedore allowed him his provedoring free, but I did not agree to do so.
- 20 Nov., 1878. 23. Did he tell you this before you got the contract? After I got the contract, but before I commenced to supply the ship.
24. Had you to go to the office of the Marine Board about the contract? I went to the Marine Board, and the contract was drawn up by Mr. Lawrence and signed by Captain Smith and myself.
25. At the time you were asked to tender for this, were you given to understand that any percentage was to be allowed to Captain Smith? No.
26. You refused afterwards to allow it? Yes; I said I could not afford it, as things were so dear—if a time came when things were getting cheaper I might do so. He told me then that I could leave, so that he could have it to himself when there was anything to be made out of it. I hoped to have got something out of it to make a living, but I can show by my bills that I did not make above £3 10s. out of it.
27. Did you give Captain Smith anything actually in the shape of money? Both money and provisions for his house. I have here what I received and what was due to me every month. (*The witness referred to a book.*)
28. Can you inform the Committee how many and what payments you made to Captain Smith? Sometimes we were paid on the 2nd, 3rd, or 4th of the month. We were always paid by a cheque signed by Captain Smith.
29. His own private cheque? His own private cheque.
30. Will you inform the Committee if you can how much you have paid to Captain Smith by way of so-called discount or percentage? Without including the provisions?
31. Yes, in money, excluding provisions? In the month of January, £1 12s. 3d.; in February, £1 12s. 3d., and in March, £1 6s.
32. Anything in April? Not in money.
33. Is that all the money you paid him? Yes.
34. That makes £4 10s. 6d.? Yes.
35. You state that you actually allowed that to Captain Smith in cash? Yes.
36. You state also that you were in the habit of supplying him with provisions? Yes.
37. Was your contract to supply him personally? No—to supply the boat.
38. He being the officer of the boat? I had to supply him on board the boat—not at his house.
39. Do you mean that you forwarded goods or provisions to his private family? Yes; meat, vegetables, and fruit.
40. Did he insist upon this? He insisted upon it; he said I had a right to do it by the contract. I did not like to say no, because I wanted to get along as well as I could, and I knew Captain Smith had the power with every one, if I murmured, to dismiss me.
41. How much did you supply to Captain Smith's family—can you give us dates and values? In February the balance of his house account was £2 4s., which is due to me. In April the account was £2 6s., which is due to me, and also 12s. for cash and lamp-burners supplied to Mrs. Smith. This I put into his bill, because Captain Smith paid me with his cheque.
42. That makes a total of £5 2s., and added to the £4 10s. 6d. for discount as you call it, makes £9 12s. 6d. which Captain Smith has received from you out of this contract? Yes.
43. How do you arrive at the conclusion you have stated as to the cause of Captain Smith's discharging you? Because there was no other reason; there were no complaints from the pilots—they all admit that they were never served better in their lives—they always had the very best of things from the market.
44. Did Captain Smith at any time make any specific complaint as to the quantity or quality of the provisions supplied by you? No; only Captain Smith said to me one Saturday night—"You will stay on board ship." I said—"I am a married man, my wife is at Watson's Bay, and I should like to live on shore." He never mentioned anything about that afterwards, and I continued to stay on shore.
45. You continued after that to supply the boat? Yes, for two or three months after that.
46. Had you any dispute of any nature with Captain Smith? Not a bit; the only dispute was, that he said I would have to stay on board the ship.
47. He assigned no reason for discharging you? No; all the reason was, that he said—"The men are laying a complaint against you, and I shall have to discharge you." I know from the men themselves that they never laid a complaint, but that he wanted them to do so.
48. Did you ever make any complaint to the Marine Board as to Captain Smith's conduct? Yes; I sent a letter to the Marine Board, and Captain Smith brought a letter from them when I was below, which he hove at me and laughed at me.
49. It did not come to you through the post? No. The letter said Captain Smith had full power to do as he liked in the matter, and that everything was left to Captain Smith.
50. You are a provedore at the present time? Yes, to Messrs. G. and B. Nicoll.
51. Is it usual in private employ for the captains of steamers to be allowed to have anything to do with the provedores? No.
52. Where you are at present has the skipper any control over the provedore? No, none whatever; if there were any complaint it would have to go through the office.
53. You are an officer independent of the captain? Yes.
54. Is not that the rule which obtains among the steamship Companies generally? Yes, the captain could not discharge the provedore—it would be done by the Company or firm.
55. Is there not a steam-launch employed in conjunction with the "Captain Cook"? Yes.
56. What is she used for; did she come under your notice at all? Yes. I was supposed to have the use of her to fetch my stores down, but for the first three weeks Captain Smith would not let me have her, and I have had to wait on the Circular Quay all Saturday night watching my things, and then I have done my work on Sunday morning so that I would not give cause for any complaint.
57. Did it ever come under your observation that the launch was used for purposes other than the Government service? Yes, I have seen her going away to fetch Christmas-bushes.
58. What for; to decorate the ship? No, to decorate Captain Smith's house.
59. Where did he live? At Watson's Bay.
60. On any other occasion? Yes, I have seen her go away on different occasions to bring him to town to

to the races or to boat races; and I have heard the pilots complain because they could not get the launch Mr. H. Davis. to take them up to fetch ships down the harbour. I have heard Captain Gooch complain.

20 Nov., 1878.

61. That is the legitimate use of the launch? Yes.

62. Is there any statement you wish to make beyond the answers you have given to my questions? I engaged a cook, and paid this man myself, but he proved to be so fond of drink that he neglected his duty, until I could put up with it no longer, as he destroyed and wasted the food I had provided, and I had to discharge him. He then went to Captain Smith and asked him for a reference. Captain Smith told him not to leave the ship until he told him, although he was my servant and I paid his wages. In the meantime, the pilot steamer came to the dock, and I had a lot of meat—I suppose from 70 lbs. to 80 lbs. of fresh meat, pork, mutton, and beef, and vegetables, for the crew, to send down to Watson's Bay, which I had to attend to myself. When I went on board the ship I found the galley in a beastly condition, and the food in the oven completely burned up. Captain Smith and Captain Creer were on board, and I called their attention to it. The food was spoiled, and I had to take the engineer and men to an hotel and pay for them out of my own pocket. Captain Smith then said—"You discharge that man." I said—"I thought you told me I was not to discharge him, but I did not know that you were provedore of the ship before." He said—"I want no cheek from you." I said—"I am giving you no cheek, but you told me not to discharge this man before." The man went away in his drink, and did not come back again; but as soon as I left the ship Captain Smith took him back as cook, and he told me that he would give him the provedoring—a bright specimen to have the provedoring, when he could not keep sober as cook; but Captain Smith has been the real provedore, and has paid all the bills himself, at least he has done so till this matter was stirred up; and last month I know the bills were headed with the cook's name. It is not likely that Captain Smith will be allowed to be a Government contractor himself. I know from the way he is feeding the vessel now that he is making a good deal out of it; but when I was there things were used extravagantly, and very different articles were supplied.

63. *Mr. Greenwood.* For how many people had you to provide? Seventeen besides my own servants—they were not reckoned.

64. The Government paid you for daily rations for seventeen? Captain Smith paid for them, but it is a Government ship. Captain Smith paid me by his cheque, but I suppose it was for the Government.

65. Whether the pilots were on board or on shore you were paid? Yes; there were supposed to be two pilots on board, but sometimes one would be away at meal-times.

66. What was the amount of your contract per month? £61 12s. 3½d. for thirty-one days.

67. That does not include yourself and cook? No, I received £9 a month as the pay of a cook, and I paid the cook myself. £61 12s. 3½d. included the cook's wages and all.

68. How long were you provedore? Six months.

69. Then the total amount you received from the Government for the six months was £372? I suppose so; I have not reckoned it up.

70. The amount paid back by you to Captain Smith in money was £4 10s. 6d., and in provisions delivered at his own house and cash lent to Mrs. Smith £5 12s., making a total of £9 2s. 6d.? Yes.

71. You spoke about a percentage in the form of discount on your bills,—is that term, a percentage or discount, known in your business as allowed to captains? No.

72. In speaking of a percentage in the form of discount, you are speaking of a discount that ought to have come to yourself? Yes; instead of that, Captain Smith received it. There ought to have been no discount unless it were paid to me.

73. *Mr. Davies.* You furnished a bill every month to Captain Smith? Yes.

74. And the discount you speak of was a discount off that bill, which amount he received? Yes, I received the £60 odd, less £1 12s., which he kept as his percentage.

75. *Mr. Greenwood.* Had he anything to do with the dealers who supplied you with provisions? No, I go where I like to get my provisions.

76. How did you get the appointment—by answering an advertisement? Yes.

77. Was that advertisement signed? There was no name to it. It was—"Wanted a provedore to the pilot-steamer 'Captain Cook.' Apply on board."

78. That appeared as a Government advertisement? I should think so.

79. Surely there was some signature to it? No.

80. Was it in the ordinary line of "Wanted"? Yes.

81. It did not appear as a Government advertisement? No.

82. You applied on board? Yes.

83. To whom? To Captain Smith. I asked for the captain of the ship; he was shown to me, and I asked him if he had not advertised for a provedore.

84. Did he engage you? Not at that time. He asked me what boats I had been on, and I showed him my references. He then told me to send a tender in to him. I sent it in, and he said he thought it was rather high, but that if I would take it for the same as the last provedore I should get it, for I seemed a suitable man.

85. Do you know what the previous provedore was getting? I think he got £2 15s. a month for the men; I got only £2 10s.

86. No documents were signed in his presence at that time? No.

87. To whom did you go next? I sent a tender to the pilot steamer "Captain Cook," but got no answer. I called again, and he told me my answer was accepted, and to meet him at a certain time at the Marine Board Office. I went at the specified time, and Mr. Lawrence wrote out the agreement.

88. What was your reason for charging 18s. for pilots and £2 10s. for seamen? I charged 18s. a week for the pilots, and £2 10s. a month for the men. The pilots were supposed to have a steward to wait upon them, but the men did not get a steward.

89. Did you supply the pilots when on shore, or only Captain Smith? No.

90. Nor the men if they happened to be on shore? No. Captain Smith said at the door of the Marine Board Office that I should make a good thing out of it. That was the time when he said the last provedore allowed him his provedoring free.

91. In the contract you signed at the Marine Board Office was there anything about a percentage? Nothing whatever.

92. By whom were you dismissed? Captain Smith.

Mr. H. Davis. 93. Did you receive a verbal or written dismissal? Written.

94. Have you it? No, I do not think I have.

20 Nov., 1878. 95. You appealed against that to the Marine Board? Yes, to know why I was discharged without a hearing, and they wrote back a letter to say everything was left with Captain Smith.

96. Have you that letter? Yes, but not with me.

97. Was the steam-launch constantly employed? No.

98. On the average how would you represent the work she did? Sometimes she would never leave her moorings the whole day—sometimes for three or four days.

99. The steam-launch was under the direct control of Captain Smith? Yes; Captain Smith said so, but Mr. Humphreys, the man who is in charge of her, says he is responsible, but Captain Smith took the responsibility of both.

100. To whom did you apply when you wanted the use of her? Captain Smith.

101. Did you never use her without his consent? Sometimes, when he was not there—and he would be away for two or three days—I went to Mr. Humphreys. One day, when the launch had been up and down three times, I went to Mr. Humphreys to bring down supplies. As it was hot weather we were obliged to bring some of them down every day, as they would not keep—and he said he thought it was too much of a good thing to be going up to town so often. I do not think it was a very great hardship to go up after having been there only three times.

102. Were the men on board the launch part of those whom you supplied? No, they lived on shore. There were two men on duty and two off—one party at night and the other at day time.

103. Where did the launch usually lie? At Watson's Bay, and the pilot steamer at Camp Cove.

104. What was the principal duty the launch had to perform? To take the pilots to town, to take charge of ships coming out, and to bring them back again.

105. Have the pilots to get the consent of Captain Smith before they can get the use of the launch? Sometimes they have when he is there.

106. Then Mr. Humphreys, who has charge of the launch, cannot take a pilot to town if Captain Smith objects? No.

107. Was there any use made of this launch by others than Captain Smith which interfered with her proper duties? I have seen her go to town for maize and other things, and taking pilots and pilots' wives to town.

108. Was there anything like insubordination brought against you as a charge? Not the least whatever.

109. During the six months you were employed? No, none of the pilots would say so—not the least fault was found.

110. When the captain said he would have "no cheek" from you, did he not seem to be charging you with insubordination? No, I do not see how he could, for I was not giving him any.

111. You have said that in the letter sent to you by the Marine Board it stated that everything was left to Captain Smith, which seems to imply that he was your superior officer? He was my superior officer.

112. Did he say that you were discharged for insolence or insubordination? The only thing he said was that the crew had laid a complaint, which, though I would not swear it, I believe he endeavoured to induce them to bring against me.

113. You do not say that of your own personal knowledge? No, but I heard that he asked them to come aft and lay a complaint against me.

114. I understood you to say that Captain Smith pays the bills for the provedoring now? Yes, he has paid it in his own name.

115. Have you any evidence of that? The butcher told me himself that he has paid him.

116. Who is the butcher? Mr. Claydon, of George-street.

117. Mr. Davies.] Your contract for the supply of the "Captain Cook" was confined to the ship, was it not? Yes.

118. The sending of supplies to Captain Smith's house was no part of your agreement? None whatever.

119. Did you send those supplies voluntarily, or at the solicitation of Captain Smith? He asked me to fetch them to his house, but he never paid me for them.

120. Did you ever bill him for them? Yes, and he chucked the bill out to me and told me he would not pay me.

121. Did you bill him for the whole amount? For the whole £9 12s. 6d., percentage and all.

122. Did you bill him for the goods supplied—the beef, mutton, pork, and other things—apart from the money? No.

123. You billed him for the discount he stopped from your account? I never got it. He stopped it from my account.

124. Did you demur to the stoppage of £1 12s. 3d. in January? No, I did not dare to.

125. Did you object to the deduction of £1 12s. 3d. for the month of February? No, I was frightened of him—they are all frightened of him—he has so much power.

126. Then you did not object to the deduction of £4 12s. 6d., as percentage or discount from your accounts? No.

127. What was your reason for acquiescing in allowing the captain to make these deductions? People were frightened to speak to him, because they knew he would discharge them in a moment. I wanted to earn a living, and did not dare to say anything to him. As soon as ever I did not allow him so much as I used to do he told me to go.

128. You were afraid of losing your place? Yes.

129. Do I understand you to say that Captain Smith is now the provedore of the vessel? Yes.

130. Do you know that of your own knowledge? He has been since I left. I do not know whether he is now.

131. He receives the supplies and charges the men so much per head? Yes.

132. Do you know whether he afterwards makes a charge to the Government or to the Marine Board? He does for the supplies to the pilots. The men receive so much a month, and they allow the provedore so much a month to supply them.

133. They get a money consideration and make an arrangement with the provedore? Yes.

134. Do they get their supplies in the same way now? Yes, the men have told me themselves that the captain has allowed them 10s. a month, and only charges them £2 a month now.

135. Do you know whether Captain Smith has received discount on payment of tradesmen's bills? He is sure to. Mr. H. Davis.
20 Nov., 1878.
136. Do you know that? No; I know I did—5 per cent.
137. Have you seen the steam-launch used for private purposes, conveying people to and from Watson's Bay, persons not connected with the Public Service? No, I cannot say I have; I have seen Mrs. Smith, Mrs. Creer, and the pilots' wives, going to Sydney in her sometimes.
138. Competing with the enterprise of private steamship owners? Yes; and carrying a quantity of freight, as maize, cement, corn.
139. Timber? Yes.
140. All for the captains' and pilots' private use? Yes.
141. You say that the steam-launch was often lying idle for a day at a stretch, and sometimes more? Yes.
142. She is supposed to be used by the pilots to come to Sydney to take ships out to sea? Yes.
143. Was there any inconvenience during the time you were on board the pilot ship arising from the want of the steam-launch? Yes, I several times heard the pilots complain.
144. Do you know who had the steam-launch on the occasions you refer to? No, I do not recollect. I have known Captain Smith go to town in her for his own private pleasure.
145. Taking other passengers with him? I could not say. Mrs. Smith and Mrs. Creer have gone up and come down with him.
146. You have said that you were on very good terms with the pilots? Yes, every one of them expressed his satisfaction as to the way in which I had treated him when I was provedore, and said they were never treated like it before or since.
147. Was it the same with the men? It was the same with the men; they have said they never had a cook to prepare their food, or had the table so well provided.
148. There was no complaint as to what you provided? None whatever. Captain Smith specified that they should have poultry twice a week, and they always had either fowls, ducks, or turkeys; and they had three different kinds of meat.
149. Were you on pretty good terms with Captain Smith during the time you were on board? He never spoke to any one; he would go for a week without speaking, or a month. If you spoke to him and he did answer you, he would answer you like a dog. I always spoke respectfully to him as the captain.
150. With reference to these goods supplied to his house, did he at any time order you to send certain supplies there? Yes.
151. Did he write on a piece of paper to send to his house certain supplies? Yes, and he used to tell me to go up to the house and see what Mrs. Smith wanted.
152. Have you any of those pieces of paper? No; it was just a piece of paper telling me to send so much meat, fruit, and so on.
153. This was done on several occasions? Yes.
154. And you always supplied them? Yes.
155. And for these supplies you have never been paid? No.
156. You charged the captain for them? Yes, and he hove the bill at me.
157. *Mr. Eckford.*] You say that Mr. Lawrence drew up the agreement? Yes.
158. Does he know anything about your case? No more than that he drew up the agreement, and that it was signed before him.
159. Was it within the hearing of any one besides yourself and Captain Smith that he spoke about this percentage? No, he would not let any one else hear it—it was a private conversation.
160. Did you give him any reply? When he told me that the last provedore had allowed him his proving free I told him I could not afford it, as things were dearer.
161. In the face of that did he make these deductions for the first three months during which you held the contract, January, February, and March, amounting to £4 10s. 6d.? Yes.
162. How was it he did not make a deduction from what was due to you for April? Because I had supplied the house with so much stuff in the month of April.
163. Then after that you furnished the house with supplies amounting to £4 10s., besides 12s. in cash to Mrs. Smith? Yes.
164. Was Captain Smith ever drunk on board the ship? No, I cannot say I ever saw him.
165. You would not think it was from drunkenness that he was so gruff and tyrannical? No.
166. You have spoken of his being abusive—was there any cause for his being abusive? None whatever.
167. No disobedience of orders? None whatever; he was just the same to the mate, and to every one else on board.
168. Did you contract to supply the ship with fruit? No, but I used to give the ship fruit. It was the house I sent the fruit to, but they had fruit on board the ship.
169. When Captain Smith ceased to make deductions from your account, did you make any application to him for the amount, or did you complain at the time these deductions were made? No, I was afraid to do so lest I should lose my situation.
170. It was on consideration of your sending so much stuff to his house that he ceased to make these deductions? Yes. I find I have made a mistake in the previous portion of my evidence, which I wish to correct. I find that in the month of February I received £58 19s. Mrs. Smith's account was £3 14s., and by cash I received £1 10s., which left £2 4s. still due.
171. Before you left the steamer and during the time you were on board did Captain Smith ever delegate his duties to the chief or second officer, and himself go away from the ship? Yes.
172. Do you know whether he went away upon public duty? I saw him on the Randwick Racecourse two days.
173. Whilst you were provedore of the ship? No, since; but he was often away before. I did not know where he was, but I knew he was not after ships, for we always knew when a ship was going out, and Captain Smith would never go out if he could help it.
174. Was it his duty to go out in the ship himself? Yes.
175. *Chairman.*] You have said that when you have wanted the launch you have sometimes to apply to the man in charge instead of to the captain, as Captain Smith would sometimes be away for two or three days together? Yes.
176. Did you mean to convey to the Committee that for two or three days together Captain Smith would not be on board at all? Yes.

- Mr. H. Davis. 177. Would the ship go out without him during these times? Yes.
- 20 Nov., 1878. 178. Did you ever notice coals going away from the ship? I have known them to go to the pilots' houses, to Captain Christison and Captain Smith.
179. Were these coals that came down with the rest for the supply of the ship? Yes; they were shovelled off the decks of the ship, and the ship's company put them on shore. When Mrs. Smith has left the house, the captain has told Emanuel, a Portuguese, to go and wash the kitchen and look after the baby, to chop wood, and so on.
180. Do you mean that a man who was engaged on board the "Captain Cook" was sent on shore to Mrs. Smith's residence for the purpose of nursing the baby, cleaning the kitchen, and chopping wood? Yes.
181. Did that occur more than once? Yes.
182. Did it occur frequently? I have known three or four of the crew to be taken on shore to carry wood from a boat to Captain Smith's house.
183. On an average, did such things occur once a fortnight? More than that—once a week. Mrs. Smith used very seldom to keep a servant long, but lately she has had one from Biloela, and she is staying longer; and the men used to go ashore and do all the house-work while Mrs. Smith would be away in town.
184. Emanuel was the man who did it? Yes; he is a Portuguese, and most of the men are foreigners.
185. Mr. Greenwood.] When the steamer went out without the captain, was it by the captain's orders? They never waited for the captain's orders; Mr. Firth, the chief officer, would take her out when a vessel was signalled.
186. Mr. Davies.] Are the men paid as they were in former times—by the pilots, or by the Government? They are paid by Captain Smith's cheque? I do not know who provides for them.
187. You do not know whether they are employed by Government? I believe they are employed by Government. I know they are paid by Captain Smith's cheque.

Captain Robert Cork examined:—

- Captain Cork. 188. Chairman.] What are you? A sea pilot.
- 20 Nov., 1878. 189. Employed by the Government of New South Wales? Yes.
190. How long have you occupied your present position? About eleven or twelve years. I am the oldest pilot.
191. And are, I presume, tolerably well acquainted with the working of the service? Yes.
192. You are aware that this Committee has been appointed to inquire into the management of the pilot steamer "Captain Cook"? Yes.
193. Do you know Mr. Henry Davis, for some time provedore of that ship? Yes.
194. He supplied you, together with the other pilots, when you were on duty? He did.
195. What was your impression of the manner in which he carried out his duty? He did it to my satisfaction and to the satisfaction of all on board, as far as I am aware.
196. Are you aware, or have you heard from report, why he was dismissed from his position? I merely heard that he was dismissed because Captain Smith wanted it himself.
197. Captain Smith wanted to be provedore himself? Yes.
198. Had Captain Smith been in the habit of provedoring previously? No.
199. Has he been doing so since Davis was dismissed? Yes, and is now.
200. Do you find the service as well carried out? It is carried out middling, but I preferred Davis's carrying it out. We were better off when he was provedore; that is the general opinion among the pilots.
201. Had you any opportunity while Mr. Davis was there of observing his demeanour or conduct to Captain Smith as his superior officer? I always thought Mr. Davis paid the greatest respect to him in every shape. He was most obedient and attentive in waiting upon the cabin table.
202. Have you since that heard of his being at any time insubordinate? No, I have not. Of course I am not always there—I come and go.
203. During the period that you have been on board you have not heard any definite complaint of such a character? No.
204. I suppose you are pretty often out in the pilot steamer? Yes; I may be there for two or three days together, or I may not be there twenty-four hours.
205. Have you ever known that vessel to go out without Captain Smith himself being on board? Frequently; it is a common occurrence.
206. Have you ever known Captain Smith to be absent for two or three days? Yes, I have known him to be absent for eight and forty hours, or it may have been for a longer period, but I could not say exactly.
207. You do not know whether he went away on public or on private business? On private; to boat-racing, horse-racing, and so on.
208. You know the steam-launch in connection with the pilot steamer? Yes.
209. What is it supposed to be used for legitimately? It is to be used for the harbour pilots, to take them to ships and to bring them back.
210. It is not engaged every day on that service? No.
211. Have you ever known it to be used for any other purpose? It is used almost every day for provedoring, by Captain Smith I suppose. He goes up in her about three times a week.
212. Have you ever known it to be used for any other private purpose? It went on a pic-nic once to Middle Harbour. I believe that is generally known.
213. Have you heard any complaints from masters of vessels as to the pilot steamer not having been at her post when required? Yes.
214. Have you ever as a pilot been late in getting out to a vessel because the steamer has not been ready to take you out? On one or two occasions she broke down.
215. Is she generally punctual? Yes; she is mostly in charge of the mate.
216. How many officers are there on board? The first and second officer in addition to Captain Smith.
217. How many of crew? There are six Jacks, four firemen, two engineers, a cook, and steward.

Captain Cork.
20 Nov., 1878.

218. One is a Portuguese? Yes; they are all foreigners except one, I think.
219. When any pilots are required to go to a vessel outside, there are generally two on board the steamer are there not? Yes.
220. These pilots are all nautical men? Yes, they have to pass the Marine Board.
221. And are capable of navigating the steamer out and in? Yes; they have to navigate ocean boats. Indeed, I think it is a ridiculous thing to have a captain to that vessel, because there are always two captains on board when she goes out, and when they are not there the mate could bring her in, as he does at present. It would be much safer that one of the pilots should give orders from the bridge for the lowering of the boats while the other was leaving, as he would understand the matter better. Now he is a mere cypher on board, while the command is perhaps taken by the second mate.
222. Referring again to this matter of provedoring, has it ever come under your notice that supplies have been sent from the ship to the shore? No, I have not seen that; I have heard so.
223. Have you ever seen coals going ashore? There have been coals taken from the steamer.
224. To Captain Smith's residence? To Captain Smith's and Captain Creer's.
225. Do you know a man named Emanuel? Yes.
226. Have you ever seen that man chopping wood at Captain Smith's, nursing the child, and washing the house? I believe it is commonly known.
227. Have you observed it? Yes, I have.
228. Emanuel is paid by Government? Yes.
229. The whole of these men are Government employés? Yes.
230. Are you aware by whose cheque they are paid? By Captain Smith's cheque; not the pilots,—the men.
231. *Mr. Greenwood.*] I understood you to say that Captain Smith is now the provedore of the ship; that is, there is nobody supplying the vessel but Captain Smith? No; he has a cook and steward.
232. He would have a cook and steward if there were a provedore beside? Yes; the provedore chose to take up the steward's work, but the Government allow £9 a month for a cook or steward.
233. Did I understand you to say that Captain Smith used the steam-launch three times a week for fetching provisions? Yes, sometimes every day when the weather is hot.
234. Does he come to town himself to purchase provisions? No doubt about that. In fact we had a telegram to go to a ship immediately, and she was in town for his own private use, and therefore we could not go to the ship.
235. You think there should be no captain on board? I do; I think it is unnecessary.
236. Suppose two pilots are shipped a long way out at sea? We seldom go farther out than five or six miles.
237. Suppose both pilots are shipped, and there is no one left on board the steamer besides the mate to bring her in? He does it now most times.
238. *Mr. Davies.*] I understood you to say that you have seen coals go to Captain Smith's and Captain Creer's? Yes.
239. These coals have been supplied by the steamer? I understood that they were bought from the contractor; that they were put on board from the collier which supplies the steamer with coals, at the contract price for them. It was not robbed from the ship, as I am aware.
240. Do you know whether any deduction was made in paying the contractor? I do not know. I know I got two tons myself in the same way, which I paid for. It was less expense to get them at contract price. I was going to get a boat to take them on shore, and Captain Smith said—"I will put them on shore in my boat." It was very kind of him, and I was glad to accept his offer.
241. Do you think any wrong was done in taking these coals ashore? I believe they were paid for.
242. They were not taken from the supplies of the ship? Not that I am aware. The engineer is the man who knows all about that, because he has to give a receipt for them.
243. Is Blackadder the engineer? Not now; he is the engineer to the "Thetis."
244. Do you know anything of Captain Smith making deductions from time to time from accounts submitted to him by Mr. Davis? I am not aware; I have been told so by Mr. Davis, but they did that between themselves.
245. Have you any knowledge of Mr. Davis supplying Captain Smith with provisions, beef, mutton, and so on? No; he used to bring down meat to oblige him, in fact he did the same for the other pilots. He was a very obliging man.
246. You say the men were paid by Captain Smith's cheques? Yes.
247. Has that been the practice ever since the present steam service has been inaugurated? Yes, the money is paid to his credit, and he draws it out by his own cheques.
248. Have you been full-handed all through? Sometimes we are short of a man.
249. If you are short-handed, I suppose there is nothing to hinder the captain from drawing the full money? He is always full-handed with his cheque.
250. Do you know that of your own knowledge? I have been informed so. Of course I could not properly state it was so without having seen it.
251. Then the money that remained over and above the pay of the men would go into his own pocket? I suppose he gets these little privileges. I know that the second mate was away at the Clarence for six weeks, and that he had to sign for his provisions.
252. You know that of your own knowledge? He told me so himself.
253. What is the name of the second mate? Maids. He was in charge of one of the Company's boats some years ago and lost.
254. I understood you to say, in answer to a question by Mr. Greenwood, that you had frequently experienced difficulty in coming up the harbour to take ships out to sea, in consequence of Captain Smith having the steam-launch employed for his own private use? Yes; that has happened to Captain Coutts as well as to myself.
255. I understood you to say that you were unable to go on board a ship in consequence of the absence of the steam-launch? The vessel was wanting to go out, and the launch was up in Sydney, so that I could not go on board, and the vessel was prevented going to sea until the next day.
256. That was in consequence of the absence of the steam-launch? Yes.
257. You also stated, in reply to a question by the Chairman, that Captain Smith was very seldom to be found

- Captain Cork. found on board, or to proceed to sea in the "Captain Cook"? He is there sometimes, but is away, I should think, a third of the times she goes out.
- 20 Nov., 1878. 258. You think there is no necessity for a captain at all, as every sea-pilot is a captain? Yes, but it is not a sea-pilot service at all—the pilot has nothing to say at all on board. It is often either the mate or the second mate who is in command.
259. Then when Captain Smith is away, the pilots are subordinate to the first or second mate? Yes.
260. Do you think that is desirable? No, I do not; for I think if a pilot were on the bridge he would be better qualified to command when the boats should be lowered, and to give other necessary orders.
261. In your opinion, does the present system work well? No, it does not.
262. What is the salary received by Captain Smith? £400 a year.
263. What do the pilots receive? £350; but we applied for the same salary as that received by Captain Smith—we did not see why he should have more than we. Sometimes a pilot is sick, and the others have to do double duty without any extra pay. We have to be there night and day—Sundays, week-days, and holidays.
264. Have you seen the steam-launch used for private purposes? No, I was not there when she went up Middle Harbour.
265. Have you seen her used for bringing down corn, cement, and other things? The pilots have the privilege allowed them by the President of the Marine Board.
266. When the steam-launch has been passing to and from Watson's Bay and Sydney, have you seen passengers taken in her? Yes, there have been passengers taken in her—when men have lost their passage by the steam-boat they have had the privilege of a passage in her.
267. It has not been frequently done? No.
268. Have you not seen the present schoolmaster taken down? No, I have heard he was taken down; he wrote to the Marine Board about it.
269. Have you not heard of his being up and down in the boats several times? I have heard so.
270. Have other residents been taken up and down, to the injury of private enterprise? I know the pilots' wives have been taken up and down, but they call that their privilege. None of my people have been taken, as I would rather pay for their going in the steamer than be under an obligation.
271. Does Captain Smith use the steam-launch as provedore to come to Sydney and to take supplies down? Yes.
272. How often does he use the boat for that purpose? Every other day, and sometimes every day when the weather is hot if the meat will not keep.
273. That would be inconvenient for the pilot, if he had to come to Sydney to take a ship out? Yes, if she is intended for the pilot service she should not be used for private purposes, but kept for the service for which the money was voted at the request of the Marine Board.
274. Is it true that within the last six months various ships have entered the harbour and in one or two cases steamers have come up before pilots have boarded them? Yes.
275. Can you explain how that has occurred? They have not gone out soon enough.
276. Will you explain the reason? It depends upon the signal-master up the hill as to when he signals a vessel coming in.
277. Is it not the rule to board ships a considerable distance out at sea? Yes, by law they should be boarded about 4 miles to the south-west and north-west.
278. Is it not true that under present arrangements, fully 50 per cent. of the ships entering our port are boarded very near the Heads? Yes, some are boarded in the harbour as far up as Chowder.
279. Under the old regulations, if a pilot neglected to board a ship before she entered the Heads he would not be entitled to his fees? Not if the parties chose to keep it back; it would be as a privilege if they gave it him.
280. It would be a matter of privilege on the part of the Marine Board? Yes.
281. *Chairman.*] Can you give any specific cases where ships have been boarded so far inside the harbour? There was the "Normanby" steamer, one of the Torres Straits boats. It was very bad weather at the time—she was boarded off Chowder one night.
282. Have you any further statement you wish to make? No.

FRIDAY, 6 DECEMBER, 1878.

Present:—

MR. J. DAVIES, | MR. ECKFORD,
MR. McELHONE.

ANGUS CAMERON, ESQ., IN THE CHAIR.

Mr. James Thompson called in and examined:—

- Mr. J. Thompson. 283. *Chairman.*] What are you by profession? A master mariner.
284. Were you at any time engaged in the Government Service? Yes.
- 6 Dec., 1878. 285. On board the "Captain Cook"? No, the "Thetis."
286. Were you on board the "Captain Cook" at all? No.
287. Were you brought into collision with the pilot service of the port in any way? Yes, I was mate of the "Thetis."
288. Who was your immediate superior? Charles Smith, the present master of the "Captain Cook."
289. In your position on board the "Thetis" you had frequent opportunities of watching how Captain Smith performed his duties and how the pilot service was carried on? Yes.
290. Do you know of any instances where vessels have come a long way up the harbour before being boarded by a pilot? I have known of vessels coming between the Heads.
291. Have you known cases where they have come as far as Sow and Pigs and Chowder Bay? No.
292. You are aware of the object of this Committee, and you have written to one of its members expressing a desire to give evidence. If there is any statement you wish to make we will hear it? My first complaint is against the Marine Board.
- 293.

Mr. J.
Thompson.
6 Dec., 1878.

293. We have nothing to do with that in this inquiry? You see I was in the Government Service as mate of the "Thetis," and during the time I was in her I may say I did the principal part of the duty, for the captain was frequently three or four days at a time absent from the vessel.
294. *Mr. McElhone.*] The captain of what? The captain of the "Thetis," who is now master of the "Captain Cook."
295. *Chairman.*] I suppose the vessel had to go out to sea without him, to put pilots on board vessels? Yes.
296. Under whose command was the vessel then? Under my command. There was no second mate at that time, so the whole duty was thrust upon myself.
297. Have you any knowledge of how the service is carried on at the present time? Yes, I have heard —
298. Do you know anything from your own observation, apart from hearsay? I can speak of facts during the time I was in the service. The captain frequently, I may say invariably, came on board the vessel without acknowledging me, or even making me acquainted with the duties the vessel was to go out for. We were always supposed to take pilots off the ships anywhere going out.
299. How long is it since you left the service? Two years last July.
300. Who paid your wages at the time—were you paid by Captain Smith? Yes.
301. By Government cheque or private cheque? Private cheque.
302. Whose private cheque? Captain Smith's.
303. Was he in the habit of paying the whole of the ship's company? Yes.
304. He got the wages from the Marine Board? Yes, for the men on board the vessel.
305. Is it a fact that if any of the men lost a day, or a day and a half, it could be deducted from their pay? I never knew an instance of that kind.
306. Do you know what the practice was—if a man lost time was he paid for it? He was liable to a reduction of wages, but I do not remember any one being absent during the time I was in the service; they seemed to be always very sober and attentive.
307. The "Thetis" was at that time carrying out the duty now performed by the "Captain Cook"? Yes.
308. Was there a steam-launch or tender then? No, the steam-launch has been substituted for a whale-boat.
309. Have you ever seen, on any occasion, men sent off the ship to the shore to perform any other duty at the private residences of the officers? I have known men sent on shore to work at the captain's boat.
310. His own private boat? Yes.
311. Are you still following your profession as a mariner? I am unemployed at present.
312. You have some knowledge of the management of steam-ships similar to the "Captain Cook"? Yes.
313. Do you know anything of the provedoring of these vessels? During the time I was in the "Thetis" Mr. Claydon was the provedore.
314. Has it at any time come under your observation that the captain of the vessel acts as provedore—in private vessels? No.
315. Have you ever known an instance in the Government Service of a skipper being allowed to do it? No.
316. *Mr. Eckford.*] How long were you in the "Thetis"? About four months and a-half or five months.
317. During that time how did Captain Smith treat you? In a very brutish manner, I think.
318. How—did he swear at you? No. On one occasion he took me by the collar and threatened to punch my d—d head.
319. How often have you had to take the "Thetis" out to sea on your own responsibility? I could not tell you the number of times, but the pilots have frequently come on board and asked where Smith was, and said I was doing the duty—doing all the work.
320. What is the greatest length of time you have known him to be away from his duties on board the ship? Four days.
321. Who discharged his duties during that time? I did.
322. Have you ever seen Mr. Smith under the influence of drink? No, I cannot say that exactly. We used to take week about, day-work and night-work. I cannot say the date, but at 2 o'clock one day one of the pilots (a great friend of his) and himself went and left the vessel; it was my day-work, and my duty closed at 6 o'clock in the evening; a little after 6 the signal went up for a pilot outside; I went out with the vessel, and I think it was about a quarter past 9 when I returned; I must have gone about 14 miles off the land; as I entered the Heads there was the signal up for a pilot again; I had no pilots on board at this time; I had gone to sea with only one pilot and one boat; we usually carried two boats; the other boat had been ashore since 2 o'clock; I did not bring the vessel to her moorings, but turned her about, and in about half an hour the captain returned to her in a very excited state.
323. Did his family then reside at Watson's Bay? Yes.
324. Do you know Captain Maclean, at Balmain? Yes.
325. Do you know whether Mr. Smith or Mrs. Smith is in the habit of visiting and staying a few days at a time at Captain Maclean's place? No, I am not aware of it, only by hearsay.
326. You have heard it? Yes. I had to resign because I could not endure Captain Smith's treatment any longer.
327. *Mr. Davies.*] You were never employed on the "Captain Cook"? No. I may say the pilots were treated the same way as myself. I have known pilots to be on board the vessel for days, and the captain has never opened his mouth to them.*
328. You have no knowledge of the manner in which the service is conducted now? No, not anything more than being told by the pilots. It was bad enough when I was there, and, if anything, I believe it is worse now.
329. You are only aware of it from hearsay? That is all.
330. *Mr. McElhone.*] How long have you been at sea? About forty-three years. I served five years apprenticeship from the north of England, and was chief mate of a vessel before I was out of my apprenticeship. I have been master of a ship off and on ever since I have been in this Colony—twenty-nine years. I have had vessels in the China trade and the New Zealand trade. I was five years in Mr. Wright's

* ADDED (on revision):—Shortly after joining the pilot steamer "Thetis" I was told by Captain Smith that I was not allowed to speak to the pilots, as it was not my place.

Mr. J.
Thompson.
6 Dec., 1878.

Wright's employ, now of the Parramatta River, and was also in the employ of Macdonald, Smith, & Co. I went to Manila for them, and afterwards got an appointment as pilot at Auckland; but on account of a reduction there I resigned and followed my old profession.

331. Had you any personal quarrel with Captain Smith while on board the "Thetis"? That was the only time, when he took hold of me by the collar and said he would punch my head, when I put a question to him. He has said to me at dinner—"What will you take?" in a very uncouth manner.

332. Of course you are aware that the mate of a ship must obey all orders given him by the captain? Yes.

333. Did you at all times obey his orders? Yes, certainly.

334. Did you do it cheerfully and quickly? Yes.

335. Were you offensive in your manner to him at any time? No, not that I am aware of.

336. Is the captain supposed to live on board the steamer? I do not know, if he is a married man.

337. Did you live on board? Yes.

338. Are you a married man? Yes.

339. You say the captain was away for three or four days at a time? Yes.

340. Have you any idea what he was doing? I cannot say; I suppose it was for his own pleasure. I know one time he was away at the races.

341. You do not know whether he got leave of absence? No.

342. Do you not think it rather queer conduct for the captain of a vessel to be away for three or four days together? Yes, I thought so.

343. I suppose you were sometimes puzzled what to do? No, I cannot say I was; I thought myself as good a man as the captain.

344. But being only mate, you had a right to look to the captain for orders? Certainly I had.

345. According to your experience, the captain ought to be always on board? Yes.

346. Especially in the pilot service? Yes. We took day-work and night-work, week about.

347. On one occasion, you say, you went out with one pilot and one boat, and when you came back you had to wait half-an-hour before the captain and the pilot came off? Yes.

348. And the captain was abusive to you then? No, he was not abusive then, but he was very excited.

349. Was he a man who drank at all? I have been told so; I had not the opportunity of seeing it on board the ship.

350. When he was away for three or four days he might have been drunk? Yes, he might.

351. How did the captain get on with his men—with the crew? There never was any disturbance to my knowledge; in fact the crew had more respect shown them than what I had.

352. Were you allowed over-time? No.

353. Was the captain? No, not to my knowledge.

354. Extra pay for night duty, or anything? No.

355. Who provided the ship while you were there? Mr. Claydon, the butcher.

356. The captain had nothing to do with it? No; we paid 18s. a week, each of us.

357. Then from your experience as an old sailor, you would say it was very improper conduct of the captain to be away for three or four days, throwing his duty upon you? Yes.

358. I suppose if you were the owner of a ship, and the captain were away for three or four days like that, you would have no hesitation in dismissing him? I would dismiss him for neglect of duty.

359. I suppose if you were in a merchant's employ the owner would dismiss you if you staid away from the ship? Yes.

360. And you consider the captain did not treat you in a proper manner, as he should treat his officers? Far from it.

361. How do you account for that? I do not know, I am sure. He seems to bear the same character from every one he comes in contact with.

362. It seems natural to him? Yes.

363. *Chairman.*] You said you had seen ships coming in between the Heads without a pilot? Yes.

364. How often? Not very often. I do not remember any large ships doing so; it may be some inter-colonial vessels did, but I never knew any large ships.

365. *Mr. Eckford.*] Did ever you hear of coal and wood being taken out of the steamer to the captain's place? No; I think that has only occurred since the steam-launch has been used.

366. *Chairman.*] You have heard that it has occurred? Yes. Any of the pilots will certify that I did my duty while I was down there, and was badly treated.

367. *Mr. McElhone.*] Are you a sober man? I never drink wine, spirits, or beer.

368. Are you a Son of Temperance? No, I have taken no pledge, but I have resolution enough to keep from it.

369. *Mr. Eckford.*] Is there anything else you wish to say? I stated that when I returned from leave of absence the captain never reported to me what vessels were going out. The signals were always made at the Heads what vessels were outward bound, so that we could always be on the watch to take a pilot out, and the captain has left the ship directly I have returned, frequently without expressing a word as to what duty required to be done.

WEDNESDAY, 23 APRIL, 1879.

Present:—

MR. CAMERON,
MR. J. DAVIES,

MR. ECKFORD,
MR. McELHONE.

A. CAMERON, ESQ., IN THE CHAIR.

Mr. Richard Hyatt examined:—

Mr. R. Hyatt. 370. *Chairman.*] What are you? A fireman.

371. Where are you employed? On board the "Captain Cook."

23 April, 1879. 372. You are aware that this Committee is appointed to enquire into the management of that steamer? Yes, I have heard of it.

373. Do you know Mr. Henry Davies, at one time provedore of that vessel? Yes. Mr. R. Hyatt.
374. You were employed on board that boat when he carried out the contract as provedore? I was.
375. Did he give you satisfaction as to the manner in which he supplied the vessel? Me personally? 23 April, 1879.
376. Yes? No.
377. Did he give satisfaction to the majority of the crew? To the best of my belief he did not.
378. Did you at any time have occasion to lay a complaint against him to Captain Smith, the commander of that vessel? I really forget whether I did or not.
379. In what respect was the provedoring of the vessel insufficient? He did not act up to what he agreed to supply.
380. Have you at any time told anybody that against your wish and against your belief you, to please Captain Smith, went and made a complaint against Mr. Davies which you knew to be false? It is such a long time ago that—
381. Please answer my question directly? I could not say.
382. Can you say positively that you did not do such a thing against your conscience and belief? No, I could not answer that.
383. You could not say you did not do it against your conscience and belief? No, I have no recollection of it at this present time—of going personally to the commander.
384. It is possible you may have done so? I might have done so, but I have no recollection.
385. Do you recollect seeing me at my place of business in King-street? Yes, I was there once.
386. Do you remember coming there with Mr. Davies and making a statement to me that against your better judgment you had laid a charge against Mr. Davies—that you were sorry for doing it, not believing it to be true? I could not exactly say the words.
387. Did you make any statement that led me to believe that you in conjunction with others had at any time, to please Captain Smith, made a charge against Mr. Davies? I have some recollection of mentioning to you that owing to the very unsatisfactory way in which Mr. Davies had treated us, speaking collectively for the crew, we went to the commander and told him we were not satisfied.
388. You were in company with Mr. Davies when you waited upon me? I came with him.
389. You say now that you made a statement to me in the presence of Mr. Davies that you deemed his provedoring unsatisfactory? I told him—
390. Please answer my question? I do not understand you properly.
391. Do you say that you made a statement to me in the presence of Mr. Davies himself, that his provedoring was unsatisfactory? I would not state at the present minute what words I used, but I might have said at the time that we went aft to the captain and told him.
392. Have you got a short memory? Not particularly that I know of.
393. How long is it since you saw me? I should say about six weeks.
394. And you forget whether you made such a statement or not? I could not state the exact words, for at the time there was a remark made, if I remember right, something to the effect that our conduct had been damaged, or our cause, or something of that sort. I could not say the exact words—as much as to say that our cause was damaged by the action we took.
395. What do you mean by "our cause"? Our complaint.
396. Is it not the fact that you came to me with Mr. Davies, for the purpose of making a statement to me, to induce me to summon you before this Committee on Mr. Davies's behalf? Not on his behalf, on my own.
397. Is it not the fact that when you had made a statement to me, I said that after such a statement nobody would believe you on your oath? You said something to that effect.
398. Did you ask me as a favour not to bring you before this Committee? Yes.
399. What was your reason for doing so? It would not benefit my cause to come here.
400. What do you mean by "benefitting your cause"? That being a working man I should be looked down upon, and most probably be told that my services would not be required any more, or something to that effect.
401. Captain Smith is no longer in command of the vessel, is he? I do not know; he has not been on board since the 1st January, but whether he is in command of her, I do not know.
402. Who were you afraid of looking down upon you? Our present commander.
403. Do you think it is likely he would look down upon you for anything you might say about Mr. Davies's conduct in Captain Smith's time? It is probable.
404. Did you not at one time keep certain data which you intended to furnish to this Committee, to show that things were not properly managed on board the boat? I did at one time.
405. What was the purport of those data? It was a private diary for my own use.
406. Is it not the fact that you destroyed those data in order that they might not be produced before this Committee? Yes; I did not want them to be seen; they were for my own private use.
407. There might have been something in them that would not have pleased Captain Smith? I am afraid they would not have pleased far more than Captain Smith.
408. What was there in them that would have displeased? I decline to answer that question.
409. *Mr. Eckford.* Are you a public officer and decline to answer a question put to you by the Committee? Yes.
410. *Chairman.* What wages do you receive? We are supposed to receive £11 a month.
411. What do you receive? I get £9 a month; I have had as high as £9 15s.
412. What is the other money deducted for? Provedoring arrangements.
413. How often are you paid your wages? Once a month. I have never received more than £9 17s., and I think during Clayton's provedoring £8 5s. 8d. or 4d. was the lowest.
414. Who pays you your wages? The commander.
415. Does he pay you in cash? By cheque.
416. By public cheque? No; by private cheque.
417. Whose private cheque? The commander of the vessel signs his name.
418. Is it his own private cheque? Yes.
419. And is paid when you present it? Yes.
420. Is the same practice adopted with the rest of the crew? Yes, to the best of my knowledge.
421. Is it not the fact that you have made up your mind to throw up your situation rather than give evidence against Captain Smith before this Committee? No.

- Mr. R. Hyatt. 422. Is it the fact that you have made up your mind to throw up your situation? I was promised another situation, and when I went to apply for it it was postponed.
- 23 April, 1879. 423. Nevertheless, it is the fact that you had intended to resign your situation? Yes; I intend to leave the "Captain Cook" at any cost or price, on my being able to procure another situation.
424. What for? Because I cannot support myself and family in the way I am there.
425. Have you a large family? I have four children, and my wife will be confined in a day or two.
426. You receive between £9 and £9 15s. independently of the provedoring? Yes, at the present time.
427. Who provedores the vessel now? I suppose the commander does.
428. Is it better done now than it was before? I should say not; it is not as well.
429. There is a steam launch in connection with the vessel? I believe so.
430. Do you ever see anything in connection with her movements? Only when she is alongside.
431. Does she bring provisions on board? She has fetched our provisions invariably since she has been placed in commission.
432. Where is Captain Smith now? He is in some situation in Sydney.
433. You do not know where? Well, I could not tell you exactly where. I know where I could find him.
434. You do not know what is his present position—in fact, you do not want to know? It is not that at all. If you would like a plain, straightforward account of what I could give you myself, I could probably tell you.
435. I want you in the meantime to answer my questions, and you may reserve any statement you may have to make until afterwards? I do not know of my own knowledge what position Captain Smith holds.
436. Your sole reason for not wishing to give evidence before this Committee is that you might injure yourself as a working man? Yes.
437. Have you known during your experience on board the "Captain Cook" any working man to have been punished, dismissed, or degraded for telling anything at headquarters against any of his superior officers? I do not know of any complaint that was made to headquarters.
438. What reason then have you for thinking that you might do yourself an injury by giving information to this Committee? I have heard men told that if they did not like the arrangements on board they could go, if they made a complaint.
439. Who were they told by? The commander. That was when they complained to the master of the boat respecting the provedoring arrangements, and the answer that was made was, "If you do not like it you can go." They would never be any different.
440. I suppose you recognize your own handwriting. Did you write that? (*handing a paper to witness*). Did you write that? Yes, that is my signature.
441. You state here that it is your intention to procure a situation out of Sydney as soon as possible, "so that it would not be of any benefit to any party my appearing to give evidence"? Yes.
442. You state this in this letter? Yes.
443. What do you mean when you say that "it would not be of any benefit to either party"? You must understand this, that personally I have, I may say, very little respect for Mr. Davies, and likewise I have not a very great deal either for the "Captain Cook," nor for the arrangements under which we were labouring, and I have applied for a situation away from Sydney. I wrote to a friend of mine who sent word down that he wanted me again, but owing to some other arrangements he has entered into, his business is postponed for a while, else I should have been away.
444. What you mean to say by this paragraph in your letter is, that if you liked you could give evidence which would be material to one party or the other? Which would be material to both. It would probably—well, I can hardly explain it.
445. Is it not the fact that when you say your evidence would not be of benefit to either party, you mean you could if you liked give evidence which would benefit one party or the other? It would be no material benefit to either one, I assure you.
446. Mr. Eckford.] Which of the captains, Smith or Creer, was it who told you if you did not like the arrangements you could leave? Captain Smith.
447. What possessed you to go to Mr. Cameron's house with Mr. Davies? Under the existing arrangements we have at the present time I would have endeavoured to have altered them for my own benefit, as well as for the rest of the working men on board.
448. That is not a reply to my question. I asked you what was the reason you went to Mr. Cameron's house with Mr. Davies? Because I knew of no other gentleman in the city of Sydney, with the exception of Mr. Arnold, who resided in the bay, who could have introduced me to Mr. Cameron, and being informed that he had the case in hand about the provedoring arrangements, I thought I would see Mr. Davies and get myself introduced through him, for I had not spoken to him from the time he left the boat till the day I met him and went to Mr. Cameron's with him, which I should say is about six months. Even when he was on board I did not have much conversation with him.
449. Is it not the fact that you went with Mr. Davies to Mr. Cameron for the express purpose of giving evidence in favour of Mr. Davies, and against Captain Smith? No, it is not; that is where the mistake is made, because I told Mr. Davies at the time I went with him—I made the remark to him in this way,—I said, "You and I are not very good friends, but if you will help me to gain my cause I will assist you as well." That is where it was, and if I had taken a party's advice, and stated what I knew without troubling Mr. Davies, I think I should be better than what I am, because I do not like the man. I do not say I disrespect the man, but during the time he was on board he treated me in, we will say, a very ungentlemanly manner. I never did like the man, and I had the least possible conversation with him in every way and and shape. He was mistaken —
450. How mistaken? About my going to Mr. Cameron's? I told him I did not like him nor his ways, nor Captain Smith nor his ways, nor Captain Creer nor his ways, but at the same time I wanted to get satisfaction.
451. Do I understand you to say that when you went to interview Mr. Cameron with Mr. Davies that you were disposed to serve Mr. Davies if Mr. Davies would assist you? That was the agreement we entered into. I made the agreement; I said to Mr. Davies, "The fact is this, you and I are not friends, but under the circumstances in which I am placed—you are acquainted with Mr. Cameron—you introduce me—to get my cause, if I can, righted, and I will help you, but it will be very little, mind you; I cannot help you much, for I know very little about it."

452. Yet, in the face of all this, you were disposed to come to this Committee for the purpose of Mr. R. Hyatt. misleading it? No, I would not mislead it.
453. You have stated so now? I do not understand these things, and if you want a plain straight- 23 April, 1879. forward account I will write it out for you to the best of my ability. I cannot comprehend your questions properly, for this reason, that I do not know exactly how to answer them.
454. *Mr. McElhone.*] Give us honest answers—the truth is a very simple thing? If I can do it I will, but I cannot help Mr. Davies.
455. You say you are supposed to get £11 a month? Yes.
456. But you seldom get over £9? Yes.
457. You have got up to £9 17s., and as low as £8 5s. 4d? Yes, we have had as low. Our account with Mr. Clayton was at the rate of 12s. 6d. per week, and I have been paid with £8 5s. 8d.
458. The balance of your wages has gone for food? To the provedoring account.
459. You said just now you were promised another situation—was it a Government situation? No, a private one.
460. Did you ever see Captain Smith drunk while you were on board? Not to my knowledge. I never saw him intoxicated.
461. Was he ever much away from the vessel during day time? Yes, he used to go away.
462. Was he away repeatedly, day after day, during working hours? Yes, I have seen him away.
463. Repeatedly for more than one day? Yes, he has been away for more than one day—more than two. I have seen him away for two or three days together occasionally.
464. Was this when the vessel has been on duty? Yes, since she has been down there; but I could not state whether he has been away on his own business.
465. You have seen him away repeatedly? Yes.
466. What was his conduct, generally speaking, to the men under him—from the officers all round? I do not think he treated them very gentlemanly.
467. How did he treat them? Not in the way I have always seen officers treated.
468. In what way? He treated them with contempt.
469. What do you mean by contempt;—did he speak in a very rough, blackguard way, make use of obscene or profane language? I never heard him use obscene language, and never heard him utter an oath but once.
470. What do you mean by contempt? He would call out "Here, I want you"—"Broderick, come here," and if you spoke to him he never gave any direct information.
471. *Chairman.*] You have stated that you did not respect Mr. Davies much;—what was the cause of that? Because he did not treat me well; he endeavoured to get me discharged.
472. Are you in the habit of inviting people for whom you have no respect to spend the Sunday at your house? No.
473. Have you within this last six weeks invited Mr. Davies to go to your house on a Sunday? Yes, once.
474. What for—to pay your respects to him? No; I wanted to give him some information.
475. And you were no friend of his? No, I was not.
476. And you told him you could not serve him on this Committee? Exactly, I told him that.
477. You wanted to have a talk with Mr. Davies for your own purposes? No; I wanted to give him dates that I kept, so that he should know when certain events took place.
478. You wanted to give Mr. Davies some dates about certain transactions? Yes.
479. For his own benefit? Yes.
480. Then it must have been against some one else? I could not say whether for or against.
481. You have since destroyed those dates? Yes.
482. In order that they should not come before this Committee? It was not for that purpose at all.
483. For what reason then? It is a question I decline to answer.
484. It is a delicate question? Well, it is a delicate question; there you have hit it on the head. In the way I am placed it is a very peculiar position.
485. *Mr. McElhone.*] Why do you come here at all if not to speak the truth? The reason I decline to answer the question is this: it is partly for a private and partly for a public purpose.
486. *Chairman.*] Will you tell us the part that is for a public purpose? Yes, if you will allow me to tell it in my own way.
487. I have already told you you can make any statement you like to the Committee? We will commence from the first placing of the "Captain Cook" in commission, which is now two years and two or three months ago. When I came from Newcastle, I was appointed by telegram, and I joined her before the 1st of February,—I think on the 29th or 30th of January. I signed a portage bill for £11 a month. Instead of receiving this as I expected, I had to pay out of it at the rate of 12s. 6d. a week for provedoring. I made a remark to the commander that I thought the charge exorbitant. He said he could not help it, it was tendered for, and the lowest tender was excepted. I said it was strange. The second month went the same way. I made a remark at the end of the second month that if he would make compensation to me I was in a position to break up my home at Newcastle, and to bring my family to live at Watson's Bay, to be near the work. He said he would see about it. I stated to my chief engineer that provided I could have my time from duty to myself, and live at home, and likewise bring my own provisions from home, I was prepared to take up a permanent situation at Watson's Bay. From the information he gave me I supposed it was so arranged, and I went to Newcastle, broke up my home, and brought my wife and family to the Bay. I believe I may say I once every few months was asking Captain Smith to alter this arrangement.
488. We have nothing to do with your private arrangements, we want your evidence as to the management of the boat? These provedoring arrangements got so bad at last that we petitioned the Marine Board to alter them, and they sent down word to us that it was to be left in two ways.—Captain Smith could either call for tenders for it, or if we took it into our own hands there would be no cook found us. We thought it better that tenders should be called. Mr. Davies sent in his, and it was accepted as provedore for the officers, and then he came forward and made an arrangement with us. He promised certain things he would do for us at certain prices, and he never gave us those things; he did not act up to what he promised.
489. Can you make any detailed statement as to where the supply was short? No, I cannot, but it was short; we were not at all satisfied with it.
490. In what respect—as to quantity or quality? Quantity.

- Mr. R. Hyatt. 491. The quality was good enough? The quality was very well, what there was of it, but we complained of not having sufficient. The first complaint was on the Christmas Day after he took charge. He handed us a Christmas dinner of corned beef, I think, and something else, and when we made a remark that he might have given us a better dinner he turned round and stated that he had not had the contract long enough.
492. Have you ever known the "Captain Cook" to go to sea without having the captain on board? Yes.
493. Often? Yes.
494. Three times a week? I could not say—it is a common occurrence; I dare say it might be more than that.
495. It is a common occurrence for her to go away to sea without having the captain on board? Yes.
496. Even now, under Captain Creer? Yes; he is in town at the present time.

Mr. Edward Broderick examined:—

- Mr. E. Broderick. 497. *Chairman.*] What are you? An engineer.
498. Where are you employed? On board the Government pilot steamer "Captain Cook."
499. How long have you been employed in that capacity? Two years last January.
500. You were there when Mr. Davies was employed as provedore of that vessel? Yes.
501. Captain Smith was then commander? He was.
502. What was your impression as to the manner in which Mr. Davies carried out his contract? I think he did everything that we could wish of him as provedore of the vessel.
503. You personally had no fault to find with him? Not the slightest.
504. What is your opinion as to the feeling of the men generally—did the men seem to be satisfied? I have heard some of them make remarks about the provedore at one particular time—I think it was about Christmas time, but I do not recollect anything against Mr. Davies.
505. Such complaints were not general? They were not.
506. Taking his period of service as a whole, do you think he gave pretty general satisfaction? Yes, I think so—more than those who were before him or who have followed him.
507. Who is the provedore of the boat now? I could not say positively, but I think it has just gone from Captain Smith to Captain Creer.
508. What was Captain Creer before he took the command? Junior pilot before this alteration was made.
509. Did Captain Smith before leaving the boat act as provedore? Yes; I have every reason to believe so.
510. Is the provedoring better carried out now than when Mr. Davies had it? No.
511. Is it as good? No; although at present, as far as I can speak of it, it is pretty good, taking it as a general thing; but it is certainly no better, if so good, as when Mr. Davies had it.
512. What are you paid a month? £20.
513. How often are you paid? Once a month.
514. In cash? No, by cheque.
515. By a Government cheque? No, formerly by Captain Smith's, and now by Captain Creer's cheque.
516. Not by a public officer's pay cheque through the Marine Board? No.
517. Is that the system which has been adopted during the whole of your time? Yes.
518. Has it come under your observation that the vessel has gone out to sea to take out the pilots without having the captain on board? Yes, several times.
519. Has it occurred repeatedly? Yes.
520. Both in Captain Smith's and in Captain Creer's time? Yes.
521. Have you any idea where Captain Smith has been on those occasions? Sometimes he has been in town, sometimes on shore at Watson's Bay.
522. Is there any particular duty on shore at Watson's Bay which keeps him from the vessel, or is he merely at his own private residence? So far as I know, at his own private residence.
523. You have, I suppose, no knowledge of proveding? Not much.
524. Do you know whether it is an usual thing for the persons from whom provedores buy their provisions to allow them a percentage upon their purchases? I believe it is the practice to allow a discount upon cash purchases.
525. There is a steam-launch in connection with the "Captain Cook"? Yes.
526. She belongs to the vessel? Yes, for the use of the pilots, for carrying them up and down the harbour.
527. Have you noticed her being employed in carrying provisions to the ship? Yes, repeatedly.
528. Are the provisions generally taken in this launch? Yes, it is done at present, and has been for some time.
529. That is an advantage, I suppose, to the person supplying the boat? It must be; for I have known cases where Mr. Davies has had to pay boats for bringing down provisions.
530. He did not have the use of the launch? Not in those cases.
531. During Captain Smith's tenure of office what was his general deportment towards those under his command? My impression was that he did not act altogether in a gentlemanly manner towards those under him.
532. Was he overbearing in his demeanour? He was overbearing, and he took upon himself to interfere too much in my department, that is to say in the working, of course I was subject to his directions.
533. But you as chief engineer were responsible for the working of your own department? Yes, subject to the direction of the master as to keeping up steam and moving the vessel either astern or ahead.
534. Was Captain Smith's manner at all bullying, or was he addicted to the use of bad language? No, he was not addicted to bad language, but he would come and speak about the working of my department, and would interfere in things I was quite sure he knew nothing about.
535. He is still in the Government service, is he not? Yes, I believe he is a harbour pilot.
536. How many officers are there on board the ship? The commander, first and second mates, and two engineers.
537. How many firemen are there? Four.

Mr. E.
Broderick

23 April, 1879

538. Do you know the man Hyatt who just now gave his evidence here? Yes.
539. What sort of character does he bear on board—what is his general character? His general character is very good.
540. Do you consider him a reliable, truthful man? To his duties.
541. Have you ever noticed on any occasion ships coming inside the harbour and getting up as far as Chowder Bay before a pilot was put on board? I have noticed some that have got up nearly as far as that.
542. Many have come inside the Heads before the pilot has been put on board? Yes, quite inside the Heads.
543. Often? Yes, I may say often.
544. Is it not the duty of the pilot to be on board vessels before they come inside the Heads? Yes, I believe it is. There have been one or two occasions when we have put pilots on board vessels inside the Heads because the weather was too bad to allow of them being put on board outside the Heads. The pilot steamer did go out, and the vessels followed her till inside.
545. Have you known the steam-launch to be used for pic-nics and such like purposes? I cannot speak positively as to time and date, but I recollect her being used on one occasion for something of that kind. She went across to some pic-nic.
546. Was Captain Smith in the habit of leaving the ship to go away on private pleasure parties? I have known Captain Smith to be away from the ship, when he has been to the races.
547. We have it in evidence that he has been away from the ship to boat races, horse races, and so on—is that true? I cannot speak positively on that point, but to the best of my belief he has been away from the ship for the purpose of going to such races.
548. Have you heard any complaints from the masters of vessels as to the pilot steamer not having been at her post when she has been required? Not from masters of vessels; it would hardly come under my notice.
549. How many of the crew are there besides officers? Six sailors.
550. Independently of firemen? Yes.
551. *Mr. Eckford.* How are you supplied with coal? A collier comes alongside and puts them on board direct, excepting one or two occasions.
552. While Captain Smith was in command of the ship did he at one time have the coal taken on shore from the vessel? Yes.
553. Was it at his own cost, or was it coal delivered on board for the use of the ship? It was taken from the coal on board; whether he paid for it I do not know.
554. Did you ever hear that any of pilots got coal from the ship and paid the contract price for it? Yes; I heard that they got the coal and paid for it in that way.
555. You do not know whether Captain Smith paid anything for what he got? No; I had been in the habit of keeping a memorandum of taking tally of the coal, and handing it to Captain Smith, who gave the receipt for it; he did not allow me to sign the receipt, although it is usual for the chief engineer to sign for coals and stores. In this vessel I did at first sign for stores, though not for coals, but lately I did not sign for either, as I was not allowed.
556. Was it part of your duty to give the receipt? I considered it part of my duty as chief engineer to give a receipt, to be initialled afterwards by the captain of course. On some occasions—on many occasions I was going to say—the account of the coal I gave to Captain Smith included the coal that was put on the deck for him; but just before Captain Smith left he would not receive my tally for the coal without I separated the ship's account from his. (*Vide Appendix A.*)
557. *Mr. McElhone.* Was that just before this enquiry commenced? I suppose it would have been—somewhere about last December.
558. Was the captain repeatedly—day after day—away from the vessel? Yes. I think I have a memorandum of the time when he was away—three or four days.
559. Have you that with you? I think I have, but I will furnish it to the Committee.*
560. Have you any idea whether he was away on public or on private business? On private business I think; I have no reason to think otherwise.
561. During that time the steamer had to go to sea without him? Yes; we have always to be ready to go to sea.
562. Has the steamer on many occasions gone to sea without him? Yes.
563. By whom was she taken? By the chief mate, and on one or two occasions by the second.
564. Then the captain has a pretty easy time of it? I think we have all a pretty easy time, excepting the monotony.
565. It would not matter whether you had the captain on board or not; and I suppose you could even do without the mates, and take charge of the vessel yourself? I would not like to have to do duty on the bridge.
566. Could not the engineer do the duty? I think it is necessary to have some one on deck; the engineer's duty is down below.
567. You have an assistant engineer? Yes; but we have twelve hours on and twelve hours off.
568. You do not want to be both below? No, not at the same time.
569. You are very often all day with nothing to do? Yes, but we are sometimes out night and day.
570. Still there is very little work to be done by the captain and officers. Yes; there are times when we have not much to do.
571. The captain could be dispensed with and the service performed by the chief and second mate? Yes, twelve hours on and twelve hours off, if the mate did the duty of captain, and we have always two captains on board who are pilots.
572. There are always pilots on board? There are always supposed to be two on board, until one boards a vessel, and then we put back for a second.
573. The pilots are capable, or ought to be capable, of taking this vessel out to sea? Yes, if they are capable of bringing the mail steamers into the harbour.
574. You say there are supposed to be two always on board? Yes.

575.

* ADDED (on revision):—August 16th, 1877.—The Commander left at 6.45 a.m., returned on 18th April, remained on board half-an-hour, then left, and returned same evening.

- Mr. E. Broderick. 575. Are there always two on board? Yes; that is to say, until they take charge of an incoming vessel.
576. Are there always two on board? Sometimes it happens that there are not two.
577. Does it ever happen that you have no pilot on board? No; I could not say that it has.
- 23 April, 1879. 578. You have already stated that when you have been on board other vessels you have been in the habit of giving receipts for coals and stores? Yes.
579. Did Captain Smith take this power from you? Yes; I was not allowed to make out the receipts or sign for the stores in the usual way.
580. So that it was possible that these coals which were going on shore to his house from the ship might have been part of the ship's stores paid for by Government? I could not say; it was possible.
581. You had no means of knowing? No.
582. And this coal was always included in the tally you took until about the end of last year? I believe it was nearly always.
583. But after about December it was kept separate? Yes.
584. What is your opinion about this coal account being kept separate from that time? If I gave an opinion, I should say it was on account of these little things that were going about, and that Captain Smith thought it was better to keep it separate in case he should be called to account about it.
585. You think it looks suspicious that Captain Smith should direct the account to be kept separate after this enquiry had commenced? I should not like to be suspicious, but I thought at the time it seemed strange that he should then alter the practice.
586. Did you ever notice Captain Smith drunk on board? No.
587. Was he very abusive at times to the men and officers? He used to speak very roughly.
588. Was he not very insolent and overbearing? I should say overbearing.
589. And insolent? Overbearing.
590. So much so as to create a good deal of ill will? Yes.
591. And prejudicially to the good working of the ship? I think such conduct must be prejudicial.
592. This steam-launch which belongs to the vessel,—when Captain Smith went upon his private business, or to the races, was it his custom to take her? Yes.
593. So that if any pilot wanted to come off from Watson's Bay to the steamer, he could not do so, and thus through Captain Smith's taking this launch away for his own private pleasure the pilot might be prevented from going to sea, and a vessel might be lost on the coast? I must explain that this launch is more particularly used for taking pilots up to town and putting them on board ships outward bound, and also to bring them back after the steamer has put pilots on board outside the Heads, but the pilots usually come from shore at Watson's Bay, from the rocks, by the "Captain Cook's" boat; the launch is seldom used for that purpose.
594. *Chairman.*] Do you know a man named Emanuel, employed on board the "Captain Cook"? Yes.
595. Have you seen him engaged in carrying vegetables, coals, and other things on shore for Captain Smith? When I am on board the vessel of course I cannot see what is being done on shore, but I have known him go from the vessel to do things on shore.
596. Did you ever hear that he was sent up to Captain Smith's house to chop wood and to mind the child? I have known him to be sent to Captain Smith's house, in fact I have seen the man in the yard doing things for Captain Smith.
597. If a sailor or fireman on board the vessel was called away by illness in his family, did he lose what is commonly called quarters—was a deduction made from his pay? In the case of sailors it might happen so, but not in the case of firemen. I believe they have always drawn their full pay. Sometimes when one has gone away, he has put another in his place and paid him.
598. Suppose the case of a sailor or fireman asking for permission to go away without putting a man in his place, would his pay be deducted? Not a fireman's.
599. Would a sailor's? I do not know about a sailor's.

Mr. Henry Davies further examined:—

- Mr. H. Davies. 600. *Chairman.*] You know Mr. Hyatt, a fireman on board the "Captain Cook," who has given his evidence here this morning? I do.
601. He was on board the vessel when you were provedore? Yes.
- 23 April, 1879. 602. Had you and he any quarrel during the time of your provedoring? Yes, several times.
603. Did he complain to you about the food you were supplying him with? No.
604. Was any complaint made on Christmas morning about the food? I think Christmas morning followed the night when I was lying on the Circular Quay watching the provisions all night, because I could not get a boat to take them down, and I think I was rather late.
605. How was it you came to quarrel with this man? Because he was always interfering with the man at the galley, and I told him he had no business there.
606. Had you any other reason? No.
607. Do you recollect bringing Hyatt to my place of business? Yes.
608. You brought him for the purpose of giving evidence before this Committee? Yes.
609. Did you enter into any bargain as to the character of the evidence he should give? Not at all; he said that he would say anything he could in my favour.
610. If any statement has been made that he entered into a bargain with you to do what he could for you if you would do what you could for him, is that true? What could I do for him?
611. Answer my question, yes or no? No.
612. Were you under the impression the morning that you came to me with him, that he was coming to volunteer evidence in favour of your case? Yes.
613. Did he ever say anything to the contrary? No.
614. Did he tell you that he was going to give evidence in your favour? Yes.
615. Did he write a letter to you declining to do so? Yes; and he told me just now outside that if he had been questioned whether they had been asked to come aft and lay a complaint against me, he could not say they were not.
616. Look at that letter (*handing a paper to witness*): is that the letter Hyatt sent to you? Yes. It was sent to me on the Saturday, but I went away to the Clarence River, and I did not get it until a week or ten days after.

617. Did Hyatt tell you that he had certain data or memoranda that he could lay before this Committee? Yes.
618. Did he tell you what they were like? About things taken out of the ship—stores taken out of the ship and sent on shore to Captain Smith's house.
619. Did you hear Hyatt tell me that he had gone aft to the captain, and laid a complaint against you, against his conscience? Yes.
620. Do you recollect what I said to him when he made that statement? You told him that he ought to be ashamed of himself for standing before you with such a statement.
621. Did I say anything to him about his being believed on his oath? You said, "Who would believe you on your oath when you would do such a thing as that?"

Mr. H.
Davies.

23 April, 1879.

WEDNESDAY, 30 APRIL, 1879.

Present:—

MR. ECKFORD,

MR. McELHONE.

ANGUS CAMERON, ESQ., IN THE CHAIR.

Captain Alexander Coutts examined:—

622. *Chairman.* What are you? I am one of the outside pilots.
623. In the employment of the Government of New South Wales? Yes.
624. How long have you been in that position? Going on for twelve years—twelve years come the 10th of August.
625. Do you know Captain Smith, late commander of the pilot steamer "Captain Cook"? Yes.
626. How long was he in command of that vessel? Ever since the establishment of the steam pilot service—about five years.
627. Do you recollect the time when under Captain Smith, Mr. Henry Davies was provedore of that vessel? Perfectly well.
628. He supplied you as provedore in common with the other pilots, when you were on duty on board that ship? Yes.
629. What was the impression produced on your mind as to the manner in which he supplied that vessel? There could not be a better man; he found us in everything that we could reasonably wish.
630. So far as you are aware, is that the impression that was left on the minds of the majority on board? Upon every one until the time when Captain Smith took offence himself.
631. Captain Smith afterwards took it in hand himself? Yes.
632. He dismissed Mr. Davies, did he not? He did.
633. Did you ever know for what? I never heard.
634. Have you ever heard at any time of any complaint being made to Captain Smith against Mr. Davies? None whatever—not in my department; none of the pilots had occasion to complain.
635. Who is provedore of the boat now? Captain Creer, as far as I know; he took charge of the vessel after Captain Smith.
636. After Captain Smith had gone? Yes.
637. What is Captain Smith doing now? He is a mud pilot now.
638. What is that? He shifts vessels from their berths in the harbour.
639. Has he not some title as Deputy Harbour Master? I do not know.
640. Do you know what is the salary of the commander of the "Captain Cook"? £400 a year.
641. That is a higher salary than Captain Smith now receives, is it not? Almost double. I think the salary they get in the Harbour Department is about £250 a year.
642. Did not Captain Smith apply to be removed from the one position to the other? Yes, so I was given to understand. I understood that Captain Smith applied for Captain Myhill's situation, hearing that he was going to retire, and did not obtain it. Captain Myhill was Assistant Harbour Master.
643. Did you ever notice during the time that Captain Smith was in command of the "Captain Cook" that he was frequently absent from his duty? Yes.
644. Was it so often as to become marked? Yes.
645. On these occasions was he away on public or on private business? Private.
646. How did you know that? I am perfectly satisfied of it.
647. Pleasuring? Yes.
648. Will you name any special instances? On one occasion he went round to Botany, where there was a regatta.
649. How long was he away—was he away more than one day? Yes; he went round in the "Waratah" steamer; she got aground, and the party had to walk overland.
650. Was Captain Smith absent from his duty very frequently? Very frequently.
651. Can you tell us whether you ever saw him drunk? He can take a nobbler like every one else, but I could not say that I ever saw him that he could not conduct himself properly.
652. Is it the fact that the "Captain Cook" frequently goes outside the Heads to put pilots on board vessels coming in without having the captain on board? Very often—ten times out of twelve.
653. Then the captain is oftener on shore than on board the boat? Yes, a great deal oftener.
654. When the steamer goes out, are there two pilots on board? There are always supposed to be.
655. As a rule are there? Yes.
656. And there is also the chief officer? Yes, and the second officer likewise.
657. Each of you gentlemen who are pilots are capable of navigating that vessel? Yes, and the chief and second mates, both of whom have been masters of steamers.
658. Either of these officers would be capable of taking her out or in? They are supposed to be, having been old masters of steamers.
659. In your opinion, is the position of captain in this vessel at all necessary? I do not believe she requires any captain whatever.

Capt. Coutts

30 April, 1879.

- Capt. Coutts. 660. The fact being that he is oftener off the boat than on board? Yes; for instance, the present captain has not been until yesterday outside the Heads since Sunday week; he has been in Sydney every day since Sunday week until yesterday, when he went outside; so that he was off the vessel for eight or nine days, during which time I have been on board.
- 30 April, 1879. 661. Have you ever noticed a vessel get a considerable way up the harbour before she was boarded by a pilot? I have.
662. Has that frequently happened? Not very.
663. Can you give any instances? I remember one instance where one of the Eastern Mail boats—I think the “Somerset”—got up as far as Chowder Bay.
664. How long since did that take place? Perhaps eighteen months ago.
665. That was during Captain Smith’s time? Yes; he was not on board the steamer on that occasion.
666. Is there not a steam-launch in connection with the “Captain Cook”? Yes.
667. Is not the steam-launch kept for the purpose of bringing the pilots up to town, putting them on board vessels going out, and for taking them back? I understood so when the boat was sent down.
668. What is she used for now? All sorts of purposes; and cannot be had very often when she is required by the Pilots’ Service, because she is away on private business.
669. Private business for whom? The captain generally.
670. Who is provodore of the vessel now? I believe Captain Creer is; he has succeeded to Captain Smith.
671. Does this launch bring provisions down to the “Captain Cook”? Invariably.
672. Do you know whether it is the fact that persons buying provisions as provedores are allowed a discount on their monthly, bi-monthly, or quarterly payments? I believe it is generally done, but I do not know about provedoring.
673. Is the vessel as well provided now as it was when Mr. Davies was on board? I cannot complain now, but it was very bad when Captain Smith left, and for a month afterwards.
674. Do you not think it is objectionable that Captain Creer should act as provedore? I do not think it is a right thing.
675. Is it usual on board vessels for captains to act as provedores? Not in any that I have been on, and I have commanded twenty vessels.
676. Is it not the fact that in the various Steam Companies that have their head-quarters in Sydney the captains do not provedore their ships? I believe in one or two small Companies they do.
677. You say this steam-launch is frequently or invariably used for the purpose of bringing stores to the ship? Yes.
678. Have you known her to be taken away for pleasure excursions? Yes.
679. Often? I have known two occasions.
680. Do you know any of the firemen or seamen on board the ship? No; no more than to bid them “good morning.”
681. Do you know any of them by name? Yes.
682. Do you know Emanuel? Yes; he has been in the “Thetis” and on this boat ever since the service commenced.
683. Have you ever noticed this Emanuel or any other man employed in the vessel being sent on shore to Captain Smith’s house, or to Captain Creer’s, to chop wood, carry coals, nurse the children, or do any other work? Yes; that Emanuel is a pet with both the captains.
684. Have you ever seen coal taken off the ship to go to Captain Smith’s house? Yes, many times. I have seen many nice pieces put aside in a bag for him.
685. Is it the fact that the pilots also get their coals in that way? I have heard of only one. When Captain Smith sent coals to his own house, half went to Captain Creer, the present master, and I believe Captain Cork has a portion sent to him out of a boat-load.
686. Did you ever get any? Never.
687. Was any tally kept of this coal? I do not know—I always kept on the quarter-deck; but I believe it was the duty of the second engineer to take tally of the coal—it belongs to his department.
688. *Mr. McElhone.*] What was Captain Creer before he got into his present position? Junior pilot.
689. *Chairman.*] Has he been promoted over the heads of the other pilots to his present position? Yes.
690. It is looked upon as promotion I suppose? Yes; he gets £50 a year more than we.
691. And he has not been over five years in the service? About five years; he was the last pilot appointed to the service.
692. How often have you seen these coals go on shore? I cannot say—very often, nearly every time they took in coals on board the steamer.
693. Have you any idea when the men on board the “Captain Cook” are paid—weekly, fortnightly, or monthly? Monthly.
694. Have you ever seen them paid? I have seen them get a cheque from Captain Smith—his own private cheque.
695. Is that the usual practice? I do not think so under Government. We always get our cheque from Captain Hixson.
696. Suppose one of these men were away from the ship with toothache or anything else from six to eight days—would he, as it is termed, “lose his quarters”—would it be deducted from his pay? I think not in this service, if they are on the sick list.
697. Suppose a man wanted to go away to a wedding? He would have to ask leave of absence from Captain Hixson.
698. The men, you say, are invariably paid by the captain with his private cheque? Yes; he pays the whole of them, with the exception of the pilots.
699. *Mr. Eckford.*] How was Captain Creer employed before he was appointed a pilot? He was in the “Platypus.”
700. Do you know what position Captain Smith occupies now—whether he is above or under Captain Pettit? That I could not say. He may have been put over Captain Pettit’s head as Captain Creer was put over ours; but I know these things are kept quiet.
701. *Mr. McElhone.*] You are an old ship captain? Yes.
702. How long have you sailed out of the port of Sydney? I have been sailing as master of a ship out of Sydney since 1854, and I was mate before that in Sydney. I came here in command in 1854.

703. Since 1854 you have of course had a large experience as master of a vessel? Yes, I have; I consider I have seen as much of the world as most. Capt. Coutts.
30 April, 1879.

704. You said just now that Captain Smith had been away from the ship repeatedly, for days together: have you known him to be away for three or four days together? The week when he was away at Botany he was on board only twice, and then he did not stay above three-quarters of an hour altogether; he merely came on board, asked a few questions, and sat down upon the skylight.

705. You say Captain Creer is also often away? Yes. As I have already stated, he was not on board the vessel from Sunday week until yesterday, to take her out.

706. As an old master of a vessel, if you were the master of the "Captain Cook," would you not deem it to be your duty to be on board every day? Certainly. What is the good of a master if he is not on board?

707. If you were the master of that vessel, you would feel it to be your duty to be on board and to take her out to sea every time she went? Yes.

708. In private employ you would be compelled to do so? Yes, undoubtedly.

709. Do you not think the same rule should be applied in Government as in private service? Yes, unless he had duty up in Sydney. I do not see what is the use of having a captain at all if he is to be always on shore.

710. There is a chief officer on board besides the captain? Yes, and a second officer.

711. Do you think from the way in which Captain Smith and Captain Creer carried out their duties it was necessary to have a captain at all? I do not.

712. You are satisfied, from your experience as a sea captain, that the chief and second officers would be sufficient? That is all the service there requires, as there are besides two pilots on board.

713. The chief officer of that vessel ought to be able to take a steam-vessel out or in? Yes; they are both, chief and second, old commanders of steam-vessels.

714. Without reference to the present officers, any chief or second mate ought to be qualified to take that vessel out or in? I do not think any mate would be capable; he ought to be a man who knows what a steamer is.

715. From your experience you say that Captain Smith neglected his duty? He neglected a good deal of it.

716. Do you know whether, when he went away as you have described, he had leave of absence from the Marine Board? That I cannot say.

717. Captain Creer is not much more on board the ship than Captain Smith was? No; he told them that Captain Smith had done very well, and he was going to follow in his steps.

718. He was a junior pilot? Yes.

719. How long have you been a pilot? Twelve years.

720. And he has been about five? About five.

721. Is he a man of any great ability, and for that reason has he been put over your heads? Not that I consider, in any respect whatever.

722. You do not know why he was promoted—whether from any political favouritism? I have a rough guess. His brother-in-law is a member of the Board, Mr. McLean, and he is the bitterest enemy I have got.

723. And you think you have been unfairly treated by this man having been promoted over the heads of older pilots? We all think so; we none of us had a chance of getting it.

724. His brother is a very influential man, is he not—the master of a steamer? He was, but he is now at the Clarence.

725. You do not drink much? I do not now—I have in former days.

726. Are the other pilots sober men? Yes, they are sober enough; they take their nobblers of course.

727. This promotion has been a cause of complaint, and has created a soreness among the pilots that this junior should have been promoted over them? Of course it does not make things go on very pleasantly.

728. As a matter of fact, if you owned that vessel would you not compel the captain to be on board every time she went outside the Heads? Certainly.

729. If he left her and went away on his pleasure you would dismiss him? Certainly.

730. Do you not think the captain of a Government vessel ought to be made to do his duty, as he would have to do on board a private vessel? Yes, certainly.

731. You said just now that after Captain Smith became provedore he provisioned the ship very badly? Yes.

732. And that for the first month after Captain Creer got the ship he did the same? Yes, he said he had hardly got things properly into his hand in that time.

733. He took the money for it I suppose? Yes.

734. I understood you to say that Captain Smith and Captain Creer continually got big lumps of coal sent from the steamer to their houses? Yes, they went from one house to the other.

735. Was that Government property? Yes, they were coals taken from the vessel.

736. You do not know whether they were paid for or not? No.

737. You said you saw a man named Emanuel kept about the houses, and employed in chopping wood, carrying coals, nursing children, and doing other work? Yes.

738. Was this man paid by the Government? Yes, he was a sailor on board.

739. Do you think it was a proper thing for this man, being paid by the Government, to be employed in this way? No.

740. If you were captain would you allow it? No, I would rather pay for any such labour if I required it.

741. Do you think it was dishonest of Captain Smith and Captain Creer to employ this man? Yes, I think so. I do not think they had any right to do such a thing.

742. You have no cause of ill-feeling against Captain Smith or Captain Creer—no personal enmity in any way, beyond feeling sore that Captain Creer should have been promoted over your head? No.

743. *Chairman.* Have you ever noticed this launch being employed for bringing private residents at Watson's Bay backwards and forwards? Yes, when they have lost their passages by the steamer. The launch has been used for all purposes.

744. Is she often used to bring the pilots to town to board vessels? That is what she was built for.

745. Is it the fact that sometimes the pilots have to be pulled up in a boat to be put on board vessels when the pilot launch has been away? Yes, many times I have had to go in a ferry-boat to board ships when the launch has been away.

- Capt. Coutts. 746. Have you any idea whether the launch was away on those occasions for private purposes? She was away for some other purpose, I cannot say whether public or private.
- 30 April, 1879. 747. *Chairman.*] Did you hear anything while Mr. Davies was provedore about Captain Smith discounting so much from his monthly cheque? I have heard it.
748. What did you hear? That he took somewhere about £8 from Mr. Davies.
749. Did you ever hear about Captain Smith demanding that Mr. Davies should supply his house with provisions? I have heard so—Mr. Davies himself told me.
750. *Mr. McElhone.*] Were you often put to inconvenience by the steam-launch being away? I have been often, and I got myself into trouble for reporting it.
751. How do you mean that you got into trouble for reporting it? I had words with the captain about it, and he reported it to the Marine Board about a month ago. I had to go before the Board for insubordination.
752. But Captain Creer is not your superior officer? I told the Board so, and said I had never seen him gazetted as master of the vessel; and that even if he had been he has no control over us.
753. Since Captain Creer has been the master, have you had as much inconvenience as when Captain Smith was in command? Just about the same. I had some words with Captain Creer upon the point; he went to Chowder Bay upon some picnic excursion with the launch, and delayed me when I wanted to board a vessel, and he reported me to the Board.
754. What was said to you by the Marine Board? They said I was insubordinate.
755. *Chairman.*] It was merely a verbal censure—they did not censure you in writing? No, they sent to me to appear before them, and I went. When they said I was insubordinate, I told them I did not consider that I was under the control of the captain—that we were only passengers on board.
756. *Mr. McElhone.*] What was the end of it? The case was dismissed.
757. Is it the fact that the pilots are often put to inconvenience in the discharge of their duties by the steam-launch being taken away by the captain for his private purposes? Yes.
758. And this launch was intended by the Government expressly for the use of the pilots? Yes.
759. Do you think it was right that this launch should be taken away by the captain for his own private purposes? Certainly not; she ought to be kept for the purpose for which she was built.
760. *Mr. Eckford.*] Do you know what countryman this Emanuel is? A Portuguese.
761. Do you recollect, or did you ever hear, that an Englishman or Irishman, or some British subject, made application to Captain Smith for employment on board this vessel, and was refused, because Captain Smith was waiting for another Portuguese to come to him from Melbourne? Yes. He was a cousin to this Emanuel.
762. A British subject was refused employment because Captain Smith was waiting for a Portuguese to come over from Melbourne? There was a Portuguese came on board to supply the place, and he is there now; but I do not know whether he is this man's cousin or not.
763. Is the other Portuguese doing the nursing and shopping business? No; this Emanuel is the pet.
764. Is Emanuel with Captain Creer now? Yes. He was lately, for two or three days, engaged in painting Captain Creer's house.
765. Is Captain Creer's house public or private property? His private property.
766. Was the paint taken out of the ship? I could not say. There was some paint taken out of the ship, but I do not know where it went to.
767. How much went? I cannot say how much.
768. Was it half a hundredweight? I do not know.
769. *Chairman.*] How many pilots are there now? Five. There were six before Captain Creer went on board.
770. Is five enough? No. We have applied to the Marine Board for a sixth.
771. Now that Captain Creer is withdrawn, have you only five? No, they made the chief officer of the "Captain Cook" a pilot, and the second officer they made chief, so that there are still five.
772. *Mr. Eckford.*] What is the period of service of the oldest pilot? Captain Cork and I were appointed together—in fact, I was a week on duty before Captain Cork.

Mr. James Blackadder examined:—

- Mr. J. Blackadder. 773. *Chairman.*] What are you? Engineer of the "Thetis," Government steamship.
- 30 April, 1879. 774. Were you at one time employed on board the "Captain Cook"? No, but the "Thetis," for fifteen months performed the duty of the "Captain Cook."
775. Who commanded her at that time? Captain Smith.
776. You were on board her all this time? From the 15th November, 1865, until 1866—some time in February, I think.
777. Was Captain Smith always on board when you went to sea? Not always.
778. Was he often away? He was never twenty-four hours at one time out of the ship to my knowledge.
779. Have you ever had occasion to go to sea to put a pilot on board a vessel without having Captain Smith with you? Yes, occasionally with the chief officer.
780. Was it the rule or the exception? It was the exception.
781. Besides Captain Smith, you had on board the chief and second officer, had you not? Yes.
782. And you generally took out two pilots at a time? Yes.
783. All these men are capable of navigating that vessel, are they not? I should think so.
784. In your opinion, does the vessel require all these navigators? I should think some of them would be required to bring the vessel back again after leaving the pilots outside.
785. How many men have you under you on board the "Thetis"? While I was in the pilot service there was myself, the second engineer, and four firemen.
786. What was your impression as to the manner in which Captain Smith conducted himself towards his subordinates? I never had any fault to find with him,—he and I got on remarkably well. I consider that he did the duty well while I was with him.
787. *Mr. McElhone.*] You say that the steamer went out on many occasions without having Captain Smith on board? On a few occasions, in exceptional cases, we went out without him.

788. Do you think the captain could do his duty properly by allowing the ship to go to sea without being on board himself? I should think the chief officer could take the command in his absence.
789. How long have you been connected with steamships as engineer? About twenty years.
790. In what service before you entered the Government? In intercolonial steamers.
791. Did you ever know any of those ships going to sea without the captain being on board? I have known them to go to sea with the chief officer.
792. He was acting as captain? Yes.
793. The captain would be ill in such cases; still he would be the captain. Was Captain Smith sick during the time the vessel went out without him? No; he had leave occasionally while the mate was acting, I believe.
794. Do you think it was a proper thing for Captain Smith to be in Sydney while the vessel went out to put pilots on board incoming ships? I have been on shore on several occasions, and the ship went without me; it was left with the second engineer.
795. Do you mean that it is a proper thing for the captain to be away pleasuring for a day or days together when his vessel is going out to sea? No, it is not.
796. It would be the more proper place for him on board ship rather than stopping in Sydney? Yes.
797. If this were a vessel of your own, you would expect him to be on board ship when she was going out to sea? I should expect him to get leave occasionally.
798. How often—twice a week? No, we have not that leave; the second engineer is on board when I am away.
799. I am asking you about the captain—How often is the captain of a coasting steamer allowed leave of absence, as a rule? Very seldom.
800. It is a rosy billet, under Government? Yes, pretty well; but if the captain or engineer of this vessel were to be confined the whole twenty-four hours every day in the week without being allowed to go ashore he would be better off in private service, because he could then leave his ship when she was in harbour.
801. Is it not the fact that Captain Smith had particular facilities for getting away from his vessel that captains of private vessels have not? Yes, he had facilities for going on shore if he pleased.
802. If we have it in evidence that Captain Smith was repeatedly in the habit of leaving his vessel, and allowing her to go to sea without him for days and days together—is that true? Not in my time.
803. If we have evidence to that effect, it is not true? Not during my time on board the "Thetis."
804. How many men have you under you now? Two firemen, doing twelve hours duty a day.
805. These men get their wages once a month? Yes.
806. Who commands the "Thetis" now? Captain Hutton.
807. How are these men paid—by cheque? No, by cash.
808. Who pays them? Mr. Laing, the master of the dredge.
809. Did that rule obtain when Captain Smith was on board the "Thetis"? No.
810. How were they paid then? By cheque.
811. Whose cheque? Captain Smith's.
812. Are the men in the habit of having broken time? They have on board the "Thetis."
813. There is such a thing as losing a day? Yes.
814. When the men are not on duty a deduction is made from their pay? Yes.
815. So far as your knowledge of the Government Service extends, does that rule apply to all the dredges and boats? It applies to the dredges I believe.
816. Who provedores your vessel? We have no provedore—we find ourselves.
817. When Captain Smith was on board the "Thetis" who provedored her? Mr. Clayton.
818. He is a butcher in Sydney, is he not? Yes.
819. Have you been on board many coast-going steamers here? Yes, several.
820. Are they generally supplied by a provedore outside? Always.
821. Did you ever know the captain to do the provedoring? Several captains of the A.S.N. Company did, but it is a good many years since I was on one of their ships.
822. You are pretty much down at Watson's Bay, are you not? Yes, we were working there until about six months ago.
823. Do you not bring up there at night now? No, we are working up the harbour.
824. Did you ever notice the steam-launch in connection with the "Captain Cook"? Yes.
825. What is she supposed to be used for? For taking up pilots to take vessels out to sea, and to bring them back from vessels.
826. Have you ever noticed her to be used for any other purposes? No.

Mr. J.
Blackadder.

30 April, 1879.

THURSDAY, 8 MAY, 1879.

Present:—

MR. ECKFORD, | MR. McELHONE.
ANGUS CAMERON, ESQ., IN THE CHAIR.

Captain Andrew William Jack examined:—

827. *Chairman.* You are a pilot? Yes.
828. Employed under the Government of New South Wales? Yes.
829. How long have you filled that position? About eight years and a half.
830. You have been frequently on board the pilot steamer "Captain Cook"? I have.
831. Both during the time when Captain Smith and when Captain Creer commanded that vessel? Yes.
832. Do you remember the time when Mr. Henry Davies had the provedoring of that vessel? Yes.
833. In what manner did Mr. Davies carry out his contract? Very satisfactorily.
834. Better than it had been before? Yes, I think it was.
835. Who has acted as provedore to the ship since Mr. Davies? Captain Smith and Captain Creer.

Capt. Jack.
8 May, 1879.

836.

- Capt. Jack. 836. Has it been as well done since? No.
- 8 May, 1879. 837. Do you know for what reason Mr. Davies was dismissed from his position as provedore? No, I do not.
838. The "Captain Cook" is supposed to take pilots out to sea to put them on board incoming vessels? Yes.
839. Besides the captain there is a chief and second officer on board, is there not? Yes.
840. Have you ever seen the vessel go out to sea without having the captain on board? Times out of number.
841. Very often then? Yes, very often.
842. Was the captain engaged on any other public duties at these times do you know? No, he was not; he might have been sometimes.
843. Where was he then? He might have been away at his own house, or at Sydney.
844. Does that state of affairs exist at the present time? It does. With the exception of perhaps a periodical call, our present captain has been for a week lately without going outside of the Heads.
845. That has been the case both with Captain Smith and Captain Creer? Yes, but I speak more with regard to the last week or two.
846. It has been a matter of frequent occurrence? Yes, since the time the "Cook" has been the "Cook."
847. From the time the ship started? Yes.
848. Have you ever seen the men paid on board the "Captain Cook," the seamen and firemen? Yes, but I have never been at the table when they have been paid.
849. Do you know in what way they have been paid? By cheque.
850. By whose cheque? I saw Captain Creer's cheque only on Monday last, I think, or on one day this week.
851. Do you know a man on board that ship named Emanuel? Yes.
852. Have you ever seen him employed on shore on other duties than those of seamanship? I have not actually seen him, but I have known him to be there.
853. To be where? At Captain Smith's house.
854. What was he doing there? Scrubbing the kitchen.
855. Cutting firewood? Yes.
856. Did that occur frequently? Yes, once a week, or more.
857. Have you seen coal taken from the ship on shore? Yes, and I made a complaint to the Marine Board when the ship went out to sea with only one boat because the other was employed in landing coals on shore.
858. Was this boat one belonging to the ship? Yes.
859. And did the men employed on her belong to the ship? Yes, they belonged to the "Captain Cook." I complained to the Marine Board of it on account of the risk I thought we ran in going to sea with only one boat, but no notice was taken of my letter beyond acknowledging its receipt.
860. How long is it since you made that complaint? I forget, without reference.
861. Is it twelve months? It must be about twelve months.
862. It may be more or less? It may be more or less.
863. No notice was taken of your complaint? No, they only acknowledged my letter.
864. They did not deal with the complaint contained in it? No.
865. Did the carrying of coals ashore go on after that? Yes, and only the other day it was done.
866. It is being done now? Yes, when required. It is not so frequent now—it would not do.
867. Do you know whether any account was ever kept of this coal? There is a tally kept by the engineer.
868. Of the coal that goes on shore? I do not know about that; I only know that the engineer keeps tally.
869. The engineer keeps tally of all the coal that is put on board the ship? Yes.
870. Do you know if he keeps tally of all that goes ashore to the private residence of the captain or of other persons? No.
871. Besides the captain, the chief and second officer, there are two pilots on board the "Captain Cook" when she goes out to sea, are there not? Yes, generally, unless one happens to be put on board a vessel, and there is not time to receive another before a second vessel is coming in.
872. Are both the chief and second officers capable of taking charge of the vessel to bring her into harbour? Yes; they are both old shipmasters.
873. And the pilots themselves? Yes, they are old shipmasters. I have myself held a certificate from the Board of Trade, London, since 1857, as a competent master.
874. There is a steam-launch connected with this vessel, is there not? Yes.
875. What is she supposed to be for? For taking pilots up the harbour and putting them on board ships outwards, and also for bringing pilots back after they have taken up vessels from sea.
876. Is she ever used for other purposes? For all kinds of purposes—for more other than for the purpose of the pilots.
877. Is she ever wanted for the purpose of bringing pilots to town when she is away for other purposes? She has been.
878. Where has she been on such occasions? Away in town.
879. Does she bring the provedore supplies to the ship now? Every evening.
880. Have you ever seen her used for picnic parties or anything of that sort? I have known her to be sent to town to bring Captain Smith from the opera at 11 o'clock at night, and to take Mrs. Smith to a picnic and bring her back in the evening.
881. Did you ever know her to be used for the purpose of carrying any of the residents of Watson's Bay to town or back? Not specially.
882. Do you know the schoolmaster at Watson's Bay? Yes.
883. Have you ever seen him carried in her? Yes; but I have seen him or other persons taken when they have missed the ordinary ferry either there or in Sydney.
884. Did you ever hear any complaints about Captain Smith's demeanour to the officers or people under his command? I have.
885. Of what nature? The most doggish nature. I had occasion to bring it before the Marine Board.
886. Did you receive any acknowledgment of that complaint? Yes—that my letter was insubordinate and quite uncalled for.

Capt. Jack.
8 May, 1879.

887. What position does Captain Smith hold now? Harbour Master's Assistant.
888. He has a smaller salary now than he received as master of the "Captain Cook," has he not? Yes.
889. On Captain Smith's retirement, Captain Creer was appointed? Yes.
890. Is he the oldest pilot in the service? No, he is the youngest; he is three years my junior.
891. *Mr. Eckford.*] I understood you to say just now that the engineer took tally of all the coal that came on board? Yes.
892. I presume it is his duty to do so? Yes.
893. If Captain Smith kept the tally of the stores, and received the coals and everything else that went on board the "Captain Cook," was he discharging his duty, or encroaching upon the duty of the engineer? I have been a great deal on board steamers, and I consider that Captain Smith exceeded his duty in a certain way, because in all sea-going steamers, so far as my experience goes, it is the duty of every department to receive their own stores, to keep tally, to sign for them, and then to take the account to the master, who signs for them upon the faith of the signature of the officers under him. If they had not signed he would not do so; but Captain Smith signed for everything, whether he saw it signed for by the officer or not.
894. Then it was no part of Captain Smith's duty to sign for coals and other stores? Not until after he had got the signature from the engineer. That is the way I have seen the business conducted on board the steamers where I have been, and I have been in the P. and O., the Panama, and other Companies' steamers.
895. *Chairman.*] Have you ever seen ships come up the harbour without a pilot having been put on board? I have seen ships enter the harbour without a pilot being put on board.
896. Often? Not very often.
897. How far have they come up—inside the Sow and Pigs? Yes; above that. I boarded one the other day—the "Chimborazo." It was rather foggy at the time.*
898. *Mr. Eckford.*] Do you remember Captain Smith refusing to employ a British subject who applied to him to fill a vacancy on board? I do remember during Captain Smith's time that a vacancy was kept open for ten or twelve days before it was filled. It was kept open to get Emanuel's cousin on board the ship.
899. Was Emanuel's cousin at Melbourne at the time? Yes, I believe he was.
900. *Mr. McElhone.*] You are an old shipmaster? Yes, I hold a certificate from the Board of Trade, London, which no other pilot in the service does.
901. How long has Captain Creer been appointed? Since the 1st February last.
902. He is the youngest pilot? He is three years my junior.
903. You have already stated that Captain Smith was frequently away from his duty? Yes.
904. Have you any means of knowing whether he was performing any duty when he was away on shore? No.
905. Do you know as a fact that he has been away on the spree, pleasuring? Yes, I do.
906. You have already stated that Captain Creer has been away from the ship for a week at a time when she has gone to sea? Yes, he has not been out in her for a week within the last fortnight; for eight days he never went out.
907. Prior to the last fortnight was it the same? He seems to go out just when he likes, as though it did not matter whether he went or not.
908. You say the chief and second officers have been shipmasters? Yes, very old shipmasters.
909. Do you consider it necessary for the pilot steamer to have on board a captain, chief and second officers, to take her out and bring her inside the Heads? I do not.
910. Do you think one officer would be sufficient? One would be quite sufficient.
911. Whether he were captain, chief or second officer, so long as he was a competent shipmaster? I think the chief officer might have the command, with the prospect of being promoted to the position of pilot when a vacancy occurred.
912. Will you state how you think a single officer could carry out the work? There are always two pilots on board night and day, and the pilots could take the vessel out and be responsible for her whilst underway, and the chief officer could take charge of her when they left and bring her in again, take care of her when in port, keep her clean, and receive the stores. He might require an assistant on deck, who need not be an officer but a boatswain.
913. You think the vessel could be worked as efficiently as at present with one officer, and that thus there would be a great saving to the public? I do.
914. Have you any knowledge what Captain Creer has been doing when he has been away from the ship for eight days? He can take the steam-launch and go away where he likes.
915. That launch was bought for the special purpose of putting pilots on board ships in the harbour outward bound, and of bringing them off from the ships after they had been taken up the harbour? Yes.
916. Have you ever known the pilots to be delayed in boarding ships in consequence of the steam-launch being away? Yes.
917. Have you ever been on board ship and not able to get back to the "Captain Cook" because the launch has been away? Yes, sometimes.
918. Have you ever been obliged to take a ferry boat to be put on board a vessel because the steam-launch has been away? No, I cannot say I have, but Captain Creer has taken a ship out himself because I have not been able to get up.
919. Where has the launch been then? It has been with Captain Creer at Sydney.
920. I understand you to say that Captain Creer now supplies the ship as provedore? Yes, he does.
921. Do I understand you to say that Captain Creer employs this launch every day to bring down supplies to the vessel? Yes, every day.
922. Is that part of the duty for which she was built? I do not think it was, for it was made a compliment to Mr. Davies to allow him the use of the launch.
923. Mr. Davies could not get this launch for the same purpose? Only when he got the captain's permission.
924. Do you think it is right that Captain Creer should take this launch, which was built for the use of the pilots, to and fro as provedore to bring down provisions to the vessel? Not at all.

925.

*NOTE (on revision):—The s.s. "Chimborazo" was boarded between the Heads, but it was foggy at the time.

- Capt. Jack. 925. You say Captain Smith as well as Captain Creer was often away from the ship for days together? Yes, he would be away, but would perhaps come on board for an hour or so.
- 8 May, 1879. 926. As an old ship captain you are of opinion that a captain is not necessary on board this vessel? No, for there is the chief officer, who is an old shipmaster.
927. Were you ever allowed to act in this way when you were a captain in private employ? Certainly not.
928. What would have been the result if you had acted in such a way? I should have been dismissed.
929. If you were the owner of the "Captain Cook," and the captain went away for a week at a time, and allowed her to go to sea without him, would you not dismiss him? I should, unless he were a very good man, and his services were worth more to me than his dismissal would be.
930. Did you ever notice Captain Smith or Captain Creer to be the worse for liquor during working hours? No, I cannot say I have ever noticed it.
931. You say you had reason to write to the Marine Board with reference to some cause of complaint—what was the result of that? We were sent outside to board a ship, but though there were two boats belonging to the "Captain Cook," one of these was away, and we had only one with us. I considered that it was not safe to go outside with only one boat, and I wrote to the Board complaining of it.
932. And you got snubbed for your trouble? Yes.
933. So much so that you do not care to make further complaints? All you get from the Marine Board is, either that your conduct is insubordinate, or that your letter has been received.*
934. Has Captain Creer any extraordinary ability that he should have been promoted over the heads of pilots who had been longer in the service than himself? I do not see that he has myself.
935. *Chairman.*] Has he any relatives on the Marine Board? Yes, his brother-in-law, Mr. McLean.
936. *Mr. McElhone.*] You say that you have seen a man from the ship doing work for the captain on shore? Yes, for both Captain Smith and Captain Creer.
937. Chopping wood? Yes.
938. Nursing the children? Yes.
939. Is that part of the work for which Government pays these men? No, certainly not. Many days he has been on shore when the vessel has been away.
940. Has any other man been employed by Captain Smith or Captain Creer? No; except in carrying up coals to the house from the ship.
941. The ship's crew? Yes.
942. Is Emanuel employed in this sort of work by Captain Creer? I have not seen so much of late. The way that Captain Creer has been put into this berth is this,—that Captain Smith has the opportunity of going to the houses of two members of the Marine Board, and he has told them that Creer was the only one of the pilots that was suitable. He assisted him into the position. When I found the situation was going to be vacant I sent in an application to the Marine Board, and the reply I got was that Captain Creer was appointed in consequence of having been in command of a small coasting steamer. But the other four or five pilots are supposed to be capable of taking charge of anything, from an ironclad to a small fishing-boat.
943. A man might be capable of bringing a small yacht into the harbour, and yet quite incapable of handling a large vessel? Yes.
944. *Mr. Eckford.*] Has Captain Smith any relative on the Marine Board? He has no relatives, but it seems to me that he is admitted to one or two of the members of the Marine Board at any time.
945. Does not Mr. McLean live at Balmain? Yes, and Captain Smith and Mrs. Smith visit there, and at Captain Bloomfield's.
946. Do you consider that when a pilot sets his foot on board the pilot vessel "Captain Cook" he is sufficient to take charge of her, and to go out to sea with one officer on board? I do, if the thing were properly organized.
947. You do not think it necessary there should be a first and second officer? Not a second officer.
948. You think he could be dispensed with? I do, but I think there should be one leading man about the decks—a leading seaman, who could be called the boatswain.
949. The chief mate, after putting the pilots on board vessels outside, would be quite sufficient to bring in the "Captain Cook" and to have charge of her? Yes.
950. *Mr. McElhone.*] Has there been any disorganization among the crew in consequence of the captain having been away from the ship so much? I cannot say there has been any disorganization among them, but there has been some jealousy.
951. Such treatment of the men is likely to lead to the disorganization of the crew, and to the bad working of the ship? Yes.
952. Particularly when they have been badly treated, as in the case of Captain Smith? Yes.
953. How does Captain Creer treat the men? He does not treat them so badly—indeed I believe he tries to make them think he is everything that is good, but I do not see it.
954. Does Captain Creer provide the ship as well as Mr. Davies did? No, he does not.
955. Does he give inferior articles? I do not say that.
956. They are not put on the table as they used to be by Mr. Davies—not so well cooked? No.
957. Is that likely to cause dissatisfaction among the crew? Yes.
958. And they are not so satisfied with Captain Creer's providing as they were with Mr. Davies'? No.

Captain Joseph Creer examined:—

- Capt. Creer. 959. *Chairman.*] You are master of the pilot steamer "Captain Cook"? Yes.
- 8 May, 1879. 960. How long have you occupied that position? Since the 1st January of the present year.
961. Previous to that, what were you? A pilot.
962. How long did you fill that position? Five years last November.
963. You know the other pilots? Well.
964. Captains Jack, Cork, and Coutts? Yes, and Christison.
965. Captain Christison has been recently appointed? No, he has been much longer in the service than I have been.
966. You were the junior pilot, were you not? Yes.

967.

* NOTE (on revision):—That your letter is unsatisfactory, or that your letter has been received.

967. You were frequently on board the "Captain Cook" before you were appointed to the command? *Capt. Creer.*
Yes, as pilot.
968. Do you recollect the boat being provedored by a person named Davies? Yes.
969. He supplied you in common with the other pilots? Yes.
970. Did he give satisfaction to the pilots who were there, as to the manner in which he performed his duties? Well, I cannot say it was quite satisfactory.
971. He was dismissed? Yes, I believe so. I will not be too positive about it, but he left the ship.
972. You are not aware for what reason? I cannot say; I never took particular notice.
973. Who took the provedoring of the ship after he was gone? Captain Smith, I think.
974. Did he do it better than Mr. Davies? Yes, he did.
975. Who provedores the ship now? I get the name of it; but I should like to mention here that all the stores for the ship are ordered and the bills are paid by me, and if there is any surplus it is divided among the ship's company.
976. All the stores ordered for the ship you say: who orders them? I do. I find out from the steward what things are required, and I order them.
977. To whom do you give your orders—say for your meat? To Claydon, where I think I get it cheapest and best.
978. How often do you discharge his bill? Once a month.
979. The men pay so much a month, do they not? Yes.
980. And the pilots also? The Government provides for the pilots.
981. But the men pay a certain proportion out of their wages for all the provisions they have on board the ship? Yes.
982. Mr. Claydon is paid once a month by you? Yes.
983. He sends his bill to you? He sends his bill to me.
984. Does he allow any discount? Yes.
985. What are his discounts? I have got 5 per cent. from him.
986. Give me an idea, roughly, of the amount of his monthly bill? About £16 or £17.
987. How many are there on board, independently of yourself? Six seamen, four firemen, two engineers, two officers, two pilots, cook and steward, and myself.
988. Nineteen in all? Yes.
989. When did you pay Mr. Claydon his last bill? I generally manage it about the end of the month, or a couple of days after, the second or third.
990. After you paid his last bill had you anything to divide among the men in the way of surplus? I was £1 3s. in debt, and £1 16s. the month previous to that; but I wish you to understand distinctly that the men do not share in the commission; that I consider to be my perquisite, from the fact of my running about to collect and pay the bills. It does not pay for the trouble.
991. Then I suppose you would rather be relieved of the duty? Well, I would.
992. You are not compelled to do it, are you? I am doing it for the benefit of all concerned. I am simply following in Captain Smith's footsteps—doing the best I can for all.
993. Including the meat and all other stores requisite for provedoring the ship, what do the monthly bills amount to? Somewhere about £50.
994. You get a percentage upon all your pay? Not upon all.
995. How many persons do you receive a percentage from? From two—Mr. Claydon and Mr. Bird.
996. Is Mr. Bird a wholesale grocer? A ship's chandler.
997. Are the stores you provide limited only to eatables? Yes.
998. Have you at any time since your appointment had any surplus to divide among the crew? I did divide on one occasion £1 16s.—I think, to the best of my knowledge, a month or two ago.
999. That was divided equally among the crew? Yes. I wish you to understand also that I have increased the wages of the steward since I have been in command.
1000. How is the steward paid? £9 is allowed for cook and steward. Out of that I have had to pay £7 to the cook, and £4 10s. to the steward.
1001. Who allows this £9? The Government.
1002. There is no compulsion on you to pay more than is allowed? The money deducted from the pay of the crew for provisions—£2 a month—helps me to meet this, and to pay the bills. There is only £25 a month allowed for the officers and pilots, and £2 each from the seamen and firemen amounts to £20 in addition to this £25.
1003. Has the scale been reduced lately? Which scale?
1004. The scale of allowance for provedoring the officers and pilots? No, there has been no change.
1005. Was not 18s. a week formerly allowed for the pilots? Yes; that is the amount we now receive.
1006. And £2 10s. a month for the men? No, £2; that is all I get from the men. I think during Mr. Davies's time he used to get more from the men, but since Captain Smith has had it he has deducted only £2 a month.
1007. Was it left to the option of the provedore to take what he liked? No, it was a different affair with Mr. Davies. What I have done is what Captain Smith did before me.
1008. What is the ordinary amount per month? £2.
1009. You have a steam-launch, have you not, in connection with the "Captain Cook"? Yes.
1010. Is she for the purpose of bringing pilots to town and putting them on board vessels outward bound, and also for taking them back when they have brought vessels in? She is for that service.
1011. Is she used for any other? No other that I am aware of.
1012. She is not used for any other service than the service of the ship? No.
1013. Is she used for bringing provisions to the ship? Yes, by the sanction of the Marine Board.
1014. Has she ever been used for picnic parties? Never.
1015. Has she ever been used for bringing Captain Smith, his wife and children, from picnics or from the opera at night? Not to my knowledge.
1016. How often are the men paid on board the ship? Monthly.
1017. How are they paid? By cheque.
1018. Whose cheque? My cheque. The money is paid in to my credit at the bank, and is paid out by me as regularly as the end of the month comes.
1019. Who pays the money in? The Secretary of the Marine Board.

- Capt. Creer. 1020. You do not draw the money? I do not. I hand the cheques over to the men at the end of the month, and they go and draw it.
- 8 May, 1879. 1021. In the first instance do you go to the Marine Board Office with a monthly statement of the money required by you to pay the men? No; there is a paper sent down to me with the amounts due to the several men for their pay; each man signs this, and this is sent back to the Marine Board Office previous to the end of the month.
1022. Then you never go near the office to draw the money for the purpose of paying the men? I do not; the money is paid to my credit by the Secretary of the Marine Board.
1023. Always the same amount? Nearly so.
1024. Do you know a man on board your ship named Emanuel? I do.
1025. He was there in Captain Smith's time, was he not? He was, and previous to the steam service he was an old servant of mine.
1026. A public or private servant? Private; he was one of my boat's crew.
1027. Who paid the boat's crew at that time—the Government? No, I paid my own men.
1028. Emanuel was in your employ? He was.
1029. Have you ever seen this man go from the ship to Captain Smith's residence for the purpose of chopping firewood, scrubbing the kitchen, or nursing the children? No.
1030. Have you ever heard such a thing? No.
1031. Has he ever been at your house chopping wood? Yes.
1032. Since you have been skipper of the boat? No.
1033. Has he ever carried coals to Captain Smith's house? Yes.
1034. Has he ever carried coals to your house? Yes.
1035. Is that allowed by the Marine Board? The Marine Board are always anxious to see that the pilots have everything comfortable. If there is anything can be done to assist them, I believe it is the object of the Marine Board to have it done.
1036. Do you get the coals for your private residence from the "Captain Cook"? I do.
1037. When did you last have any? Last month.
1038. How much? One ton.
1039. Do you pay for that? I do.
1040. To whom do you pay? The Waratah Company.
1041. Can you produce any receipts? Yes; and I can produce the order I received for the next supply.
1042. I do not ask you about your orders, but whether you can produce receipts for payments made by you? Yes, I can; but I have not them on me at present.
1043. Who keeps tally of the coals so taken? The engineer.
1044. Mr. Broderick? I may state with regard to Mr. Broderick that he does not keep tally himself, but trusts to a man to do that; but when the second engineer is on duty he strictly attends to that part of the duty.
1045. And the amount is paid by you to whom? To the Waratah Company.
1046. Who represents them,—you do not go to the Company's office to do so? Yes, I do; and when I go there I get an order for any coals I may require.
1047. You get an order for coals. I do not understand you —
1048. *Mr. McElhone.*] How do you get your coal? The coal for the steamer is put down below; the coal for myself or the pilots is put into bags and left upon the deck.
1049. In discharging the collier that comes alongside the ship, how do you know the coal that is to be put aside for your use from the rest? For my use or for any of the pilots, it is put into bags.
1050. *Chairman.*] This coal is taken on shore? Yes.
1051. Who does it for you? The crew.
1052. The crew take it on shore then? Yes.
1053. Have you ever seen provisions sent on board for providing the ship afterwards sent on shore to Captain Smith's residence? I have seen Captain Smith's provisions sent down in the same boat with the ship's provisions, and these have been sent on shore, but not otherwise.
1054. Are you in the habit of having provisions for your own use from Mr. Claydon, and having them sent down at the same time as the ship's provisions? Yes; they are brought down in the steam-launch.
1055. A very handy thing that steam-launch? Yes, she is pretty handy; I do not complain of her.
1056. Did you ever notice, during your tenure of office as pilot, that Captain Smith frequently allowed the "Captain Cook" to go out to sea to put pilots on board ship without him on board? Yes.
1057. Do you follow that custom? Yes; it could not be done otherwise.
1058. How long is it since you were out in that boat? This morning.
1059. How long before that? Yesterday I was up here expecting to be called before the Committee. On Sunday I was out. I have not been out since until this morning.
1060. Have you ever been nine days together without being on board? There has never twenty-four hours passed but I have been on board the ship.
1061. I am not talking about your being on board the ship, but about the vessel going outside to put pilots on board ships without you. Have you ever during your period of office been nine days without being outside? Never.
1062. If we have evidence here that during the last fortnight this has been the case, it must be false? I have never been so long out of the ship. In fact I could swear, I believe, upon the Bible. My wife was bad a week or ten days ago, and I have been a little more out of the ship than I should have been, but I am positive I have never been two days out of the ship.
1063. *Mr. McElhone.*] What Mr. Cameron means is, have you ever during the last fortnight been nine consecutive days without going outside with the vessel to put pilots on board ships coming in? No, I have never been out of the ship a couple of days together, except when I have been on ship's business to town.
1064. *Chairman.*] I am not asking you what your business was, but whether there have been nine consecutive days during the last fortnight during which you have never been outside the Heads in the ship? No.
1065. Have you ever been five days? Not five days.
1066. Have you been three days? I would not say for that.
1067. Is it the fact, or is it untrue, that the ship oftener goes to sea without the captain than with him? It is a falsehood.

Capt. Creer.
8 May, 1879.

1068. If some of the pilots have stated that, they have stated what is false? They have.
1069. Do you stand upon a friendly footing with the pilots? There are three of them, I am sorry to say, who are quite opposed to the service, in fact I believe they are doing their utmost to overthrow it.
1070. How many pilots are there? Five.
1071. Who are they? Captains Cork, Coutts, Jack, Christison, and Firth. Firth has taken my place.
1072. Who are the three to whom you allude as having a feeling of ill-will? It is rather a difficult matter to prove this, because actions are sometimes stronger than words; but Captains Cork, Coutts, and Jack I cannot say have worked as amicably with me as I could have wished. With those exceptions, we have got on very well.
1073. You were the junior pilot? I was the junior pilot, and that has caused a very unpleasant feeling against me.
1074. You applied for Captain Smith's position? I never applied; in fact I was appointed before I knew anything about it—I was appointed without any application from me.
1075. Have you a relative on the Marine Board? No.
1076. Is Captain M'Lean any relation of yours? No.
1077. No member of the Marine Board is? No. Many years ago Mr. M'Lean was married to a sister of mine, but I do not consider him as any relative; in fact, he is the greatest stranger I know.
1078. You have under you two officers? Yes, a chief and a second officer.
1079. Are they nautical men? Yes, they have both been masters of ships.
1080. You have no hesitation in entrusting them with the charge of the vessel when she has to go out to sea? Certainly not, or else I would not leave them in charge.
1081. You think them thoroughly competent to take the ship out to sea, and to bring her back into the harbour? I do, but each of these officers has forty-eight hours liberty a week, and when one is away the other takes his place.
1082. Do the men get forty-eight hours as well as the officers. The men get forty-eight hours a month, and the engineers thirty-six hours a week.
1083. *Mr. Eckford.*] Whose duty is it to take tally of the coals and stores that are shipped on board the pilot steamer? It is the engineer's duty to take charge of the coals and to take tally of them as they come on board.
1084. Does he do so? They do.
1085. This man Emanuel, you stated just now, was your servant? Yes.
1086. Did he paint your house a short time ago? No. I have been in my house four or five years and it has never had a coat of paint. Emanuel is always anxious to serve me in every possible way, but when he does so it is during his leave of absence. At those times he comes up and inquires if there is anything he can do to serve me.
1087. He is not regularly at your place? No.
1088. He has done no painting for you lately? He has never done painting or anything else in the ship's time—only when he has been on leave of absence.
1089. I ask you whether your house was lately painted? No, not since I bought the place, and that is about four years ago.
1090. With regard to the coal, you have, of course, receipts for the payment of all the coal taken to your place? I have had, but the chances are that it might be difficult to produce the receipts after so long a time, but I am positive I have had them.
1091. *Chairman.*] You have said that you were at the office in the beginning of May? Yes.
1092. Did you pay for any then? Yes.
1093. *Mr. McElhone.*] Do all the pilots get their coal from the Waratah Company's steamer? It is in this way: any pilots living near where the ship lies can have coal if they like from the steamer.
1094. And the officers too? Yes.
1095. And the men? If they like to apply for them. My great study is to make them as comfortable as possible.
1096. These coals are left on deck you say? Yes, they are put into bags and left on deck.
1097. Would not that lumber the decks of the vessel if she had to go outside the heads with these coals on deck? We are satisfied to put up with a little inconvenience, provided we can do a good turn, and we never have more than a ton of coal on deck.
1098. Have you never taken coal belonging to the steamer, or to the Government, on shore for your own use without paying for them? No, never.
1099. Have you ever known Captain Smith to take Government coal? No, never, except as I have said.
1100. How long have you known Captain Smith to be away from the vessel at one spell? I do not know, but I know he has stuck to the ship as few men would have done.
1101. Have you ever known him to be away for two or three days together at picnic parties? Never.
1102. How long have you been away from the ship at one spell since you have been appointed, without taking her outside? I have never been one clear day away from the ship.
1103. If one of the pilots has stated that you have been several days from the ship when she has gone outside, is that true? The ship might have gone outside; but I state that I have been on board the ship every day.
1104. I ask you whether, if some of the pilots have stated that the ship has gone outside several days in succession without your being on board, they have stated what is false? They have.
1105. Is it true that during the last fortnight you have been away from the ship for several days when she has gone outside? Never, except on ship's duty.
1106. What do you call ship's duty? Sending in requisitions for stores.
1107. What do you call stores? These are the stores I was up about yesterday (*handing a paper to Mr. McElhone*).
1108. You have been away to Sydney on many occasions getting ship's stores? Yes.
1109. What are they? Oils, kerosene, and sundry other little necessary requirements for the ship.
1110. Who pays for those stores? The Government.
1111. Could not you order them by letter? They are ordered by letter.
1112. What necessity is there then for you to come up to town about them? Because the difficulty is in getting them from the Commissariat Stores when you want them, and we have to go and rouse the people up.

- Capt. Creer.
8 May, 1879.
1113. Is it not the fact that since you were appointed captain of this vessel in last February you have been oftener away from her when she has gone outside the Heads than you have been on board? It is totally false.
1114. If other pilots have stated that that is so, it is not true? It is not true.
1115. *Chairman.*] What was the last vessel you brought in? This morning.
1116. What was the name of the vessel? The "Akbar," this morning.
1117. When did you bring one in before? On last Sunday—an immigrant ship—in a gale of wind. We smashed one boat alongside.
1118. That is four days since? I was in attendance here yesterday.
1119. *Mr. McElhone.*] How do the men pay you for their food? A deduction of £2 a month is made off the pay of each man. £9 is their pay, and I give them a cheque for £7.
1120. Who do you buy your meat from? Mr. Claydon.
1121. What do you pay a pound for it? 3d.; I have been paying 3½d.
1122. Is it not the fact that you have often known this Emanuel to be working at Captain Smith's house, chopping wood and working in his garden? It is not.
1123. Have you ever had him about your place? Never, except when he has been on leave of absence.
1124. If the pilots have stated that you and Captain Smith have had Emanuel working about your houses, is that a lie also? Yes, except as I have stated.
1125. Then we are to believe, from your statement, that these men are liars? I am under the impression that they are.
1126. He is a very useful man—this Emanuel? He is.
1127. You know what I mean by "a master's man"? No, I do not understand your term.
1128. I think you do, as an old sailor. Now, do you think it is a proper thing for you, as captain of a vessel, to be running about wasting your time buying stores, going to butchers, greengrocers, and other people? I think so. I certainly believe what I am doing is perfectly right.
1129. I am asking you is that part of your duty as captain of the ship? Yes, it is.
1130. Is it not more the duty of a provedore than yours? No.
1131. You have stated that Mr. Davies did not supply the men and pilots satisfactorily? I am inclined to believe that the men are better situated now than they were when Mr. Davies was there. I do not think it was altogether with regard to the food.
1132. You have already stated that Mr. Davies did not supply the food to the satisfaction of the pilots and men? I do not think the men were altogether so satisfied as they are now.
1133. Then if certain pilots have stated that Mr. Davies supplied the ship to their satisfaction and the satisfaction of the men, and better than either you or Captain Smith have done, they have also told lies? Yes.
1134. All you say is truth, and all they say lies? I do not wish to say so.
1135. You do say so now? I say if they have stated so it is a falsehood.
1136. Do you think it part of your duty to be running about town buying things of grocers, butchers, and other people for the steamer? I do not do anything of the sort.
1137. You have already said you do? I beg your pardon. The orders are sent up by the steward. All I do is to collect and pay the bills at the end of the month.
1138. Where do you pay them? Wherever they are due.
1139. To Mr. Claydon? Yes.
1140. Mr. Claydon does not come to you? No.
1141. And you pursue the same course with the other people who supply you with goods—you go to them to pay them? Yes.
1142. *Chairman.*] Mr. McElhone wants to know if you think it part of your duty to go round to these people doing this? It is my duty to go to these people and pay their bills.
1143. *Mr. McElhone.*] I have asked you if you consider it to be your duty to go to the butchers to see about the meat, to call at the grocers, and look after the vegetables? No; an order is sent up at the end of the month, and supplies are sent down for a month. We take in a month's stock.
1144. You cannot take in a month's stock of bread, vegetables, and meat? No, they are sent down daily, but we lay in a month's stock of groceries.
1145. Is not the launch employed every day in coming to Sydney for provisions? Yes.
1146. How many men are there employed on that launch? Four.
1147. Who are they paid by? The Government.
1148. Was not that launch built for the special purpose of taking pilots to vessels outwards? She does that.
1149. Is not that what she was built for? Yes.
1150. Was she built for the purpose of coming up to Sydney every day for butchers' meat and vegetables for the vessel? This is done by the sanction of the Board.
1151. I am not asking you about the sanction of the Board; it is a matter of opinion whether the Board have the right to give such sanction. Have you ever known pilots to be waiting for any length of time to be put on board ships in consequence of the absence of the launch? Never.
1152. If the pilots have stated that they have been detained by waiting for this launch to put them on board ships, or to take them off—that is also a lie? That is also a lie.
1153. They are all lies where they have contradicted you? I am only stating what I believe to be facts.
1154. Have you never known this launch to be used for picnics? Never.
1155. You have never used it for picnics yourself? Never.
1156. If that has been stated, that is also untrue? Yes.
1157. If you had been one of the senior pilots, and a junior pilot had been promoted over your head, you would have felt annoyed and aggrieved, would you not? No doubt I should.
1158. It is the fact that Mr. McLean, one of the Marine Board, is your brother-in-law, is it not? Not now; he was many years ago—nearly twenty years ago he was married to my sister.
1159. You are not on bad terms with him? No, I pass the time of day to him when we meet.
1160. Are you ever in his house? I have been in his house some years ago—I cannot tell you how long since.
1161. *Mr. Eckford.*] You have got the same feeling towards him now as when your sister was his wife? I have as much feeling towards him as to any other gentleman, and no more. 1162.

1162. Are you aware whether Captain Smith at any time refused to employ a British subject on board, for the purpose of holding the billet open until a man came from Melbourne—a brother or cousin of Emanuel? I never heard of it before. Capt. Creer.
8 May, 1879.
1163. Is there now employed in the service a brother or cousin of Emanuel? There was a cousin of his on board some time ago.
1164. He is not there now? He is not there now. He has been chief officer of a ship, and he left the "Captain Cook" to follow his old pursuit—that of whaling.
1165. He was not chief officer of the pilot ship? No.
1166. *Mr. McElhone.* You are an old ship captain? I am.
1167. Do you think it necessary to have a captain, a chief and second officer, on board the "Captain Cook"? That is a matter for the consideration of the Marine Board.
1168. If she were your own steamer would you employ a captain, first and second mate; could not the duty be performed by the chief mate? I think it necessary to have a master on board, as the chief and second officers have each forty-eight hours a week off duty, and the master cannot be expected to be always on board—he must have some time for himself.
1169. Do you think it necessary also to have a chief officer? Yes.
1170. If she were your own ship would you think so? Yes.
1171. What is your salary? £400 a year.
1172. What is the chief officer's? £16 a month.
1173. And the second officer's? I think he gets £12 10s.
1174. *Chairman.* Captain Smith left the "Captain Cook" about the time this enquiry commenced, did he not? Yes.
1175. Was he getting the same salary as you are receiving? Yes—£400 a year.
1176. Do you know what he gets now? No.
1177. Is it not £250 a year? I know Captain Smith had very bad health down there, but whether it was on that account he left or for something else I am not prepared to say.
1178. It is not usual for a man to resign £400 a year for £250, is it? Captain Smith is in a better position to do that than I am.

Captain Charles Smith examined:—

1179. *Chairman.* What are you? A master mariner.
1180. You are in the employ of the Government of New South Wales? Yes. Capt. Smith.
8 May, 1879.
1181. In what capacity? As Assistant Harbour Master.
1182. At what salary? £250 a year.
1183. Previous to holding your present position, you were master of the "Captain Cook," were you not? I was.
1184. How long did you occupy that position? From the 17th November, 1875, when I was appointed, until the end of January, 1879.
1185. What was your salary then? £400 a year.
1186. You resigned that position? I did.
1187. And applied for the one you now hold? No; I applied for the Harbour Master's position, in the room of Captain Myhill, who was about to resign.
1188. Had you resigned your position as master of the "Captain Cook" before you applied for the other? No.
1189. What is the salary of the Harbour Master, for which position you applied? £350 a year.
1190. Do you recollect Mr. Henry Davies, who was at one time provedore of the "Captain Cook"? I do.
1191. How long did he hold that position? Six months.
1192. Did he get the work of provedoring the ship by tender? A portion of it—for the after part of the ship, the officers and pilots; but he afterwards went forward and made an arrangement with the men on his own account.
1193. Was the tender sent to you? It was.
1194. Not to the Marine Board? No.
1195. And you accepted Mr. Davies's tender for the after part of the ship? Yes, for the master, the two officers, the engineers, and the pilots.
1196. How much was he allowed for each? 18s. a week for each of us at the after part of the ship.
1197. In what manner did Mr. Davies carry out the duties of his office? For the first few months everything was very satisfactory. After that, the next month or so, the crew began to complain that it was not sufficient—not so good.
1198. To whom did they complain? To me.
1199. If any of the men have stated that they made no complaint, they have told a falsehood? Yes; I believe all the men—every hand on board—came to me to complain.
1200. You then gave notice to Mr. Davies to leave? Yes.
1201. Had you any quarrel with Mr. Davies previous to giving him notice? We had a few little words once. One night when the vessel was outside the things were kicking about in the cabin and pantry, and I told him next morning that he would have to remain on board the vessel, as he had agreed to; and he said if he could not be on shore every night he must leave.
1202. Did he say "I am a married man, and my wife is at Watson's Bay, and I should like to live on shore"? I do not remember the words he used.
1203. Did that pass over without your taking any further notice? It passed over; there were no angry words about it.
1204. How long before you dismissed him was it from that conversation taking place about his staying on board? He had not been more than two months in the ship at the time of that conversation. That was the first disagreement.
1205. Then it was four months after this that you dismissed him? Yes, four months.
1206. Had you no dispute about employing the launch? He had been allowed to use the launch for bringing down the provisions, and on one occasion after the launch had been to Sydney, he wanted the men on their return to go a second time, and I said I thought it was rather hard upon the men.*
1207. Did you ever demand from Mr. Davies a certain percentage upon his monthly bills? Never.
1208. Did you ever receive any money from Mr. Davies? Never.
1209. Never a shilling at any time? Never a shilling at any time. 1210.

ADDED (on revision):—The launch had been to Sydney several times that day.

- Capt. Smith. 1210. If it has been stated here that in the month of January, 1878, you received £1 12s. 3d. in February £1 12s. 3d., and in March £1 6s., is that totally untrue? It is. I have got Mr. Davies's receipts in my pocket for everything I paid him. December was the first month he was on board. I said to him, "Steward, what do I owe you?" He said, "£60." I said, "That is not all, it is £61 12s." He replied, "You have not had your meals on board, so that I will allow the £1 12s."; and in January, the same.
- 8 May, 1879. 1211. Then really the statement that £1 12s. 3d. was deducted from the bill is true? He said the amount he wanted was £60, but actually £61 12s. was due.
1212. He gave you a receipt for £60? No; afterwards, when he got notice, he gave me a receipt in full.
1213. In reality he received £60? Yes.
1214. Did you at any time while Mr. Davies was on board the ship have provisions sent by him to your private residence? None, except meat only, which I paid him for. He supplied my house for two months, for which I paid him, and I have my cheques to show.
1215. Did you pay him any separate and distinct amounts for the goods sent to your private residence? It was all included in the monthly account.
1216. It was all mixed up together? It was all mixed up together. The ship's bill could never exceed £61 12s., and sometimes I paid him as much as £63.
1217. Then in fact, in addition to Mr. Davies being provedore of the ship, he was to a certain extent provedore for your family? He provedored for a good many of the pilots as well—I mean only for the meat.
1218. Did Mr. Davies at all times have the launch to bring the provisions to the ship? Very nearly all; perhaps for the last two or three weeks he did not always get it.
1219. He got it only as a matter of grace? He had no right to demand her.
1220. He got her as a compliment? I do not know that there was any compliment in it.
1221. He had to ask your permission? I never took the power of granting it without consulting the Marine Board.
1222. Were you then under the impression that the launch was not built for that purpose? Mr. Davies said that it would be a great expense to him to send down the provisions, and that he could not supply the ship for the amount he named if he had to do so; and he was therefore granted the privilege of using the launch.
1223. If Mr. Davies has made a statement like this, has he told the truth:—He was asked, "And the discount you speak of was the discount off that bill which Captain Smith receipted?" His answer was, "I received £60 odd, less, £1 12s., which he kept as his percentage?" I did not keep it. I paid him exactly what he said I owed him.
1224. That included the cook's wages? Yes.
1225. Do you know the cook he had there? There were several there during his time.
1226. Had you any quarrel with him about a cook? Not a quarrel exactly—we had some words.
1227. Is it true that Mr. Davies wished to dismiss this cook for drunkenness, and that you insisted upon keeping him on the ship? No; previous to the ship going into dock Mr. Davies wanted to discharge him, and I said I did not think it was fair, as the men were perfectly satisfied with his cooking, but afterwards, when the ship went into dock, the man got drunk and was discharged.
1228. Who paid the cook? Mr. Davies.
1229. Do you not think he had a right to dismiss a man whom he himself paid? The man had been giving satisfaction.
1230. That is not an answer to my question? He had.
1231. Mr. Davies signed the contract at the Marine Board Office? He did.
1232. Did you, as captain of the ship, at any time lodge any complaint against Mr. Davies in writing to the Marine Board? No.
1233. You dismissed him then on your own authority? I consulted with the Marine Board.
1234. Did you lay a verbal complaint against him to the Board? I laid no complaint. I simply stated to the Board —. I wrote a letter to the Board stating that the men had complained of Davies's supply of provisions.
1235. Then you did lay a complaint? I wrote a letter to say that the men had complained.
1236. Had you any written authority from the Board to dismiss Mr. Davies? No.
1237. You did it on your own authority? I had the verbal sanction of a member of the Board.
1238. What member of the Board? Captain Hixson, the President. When I took Mr. Davies to the Marine Board to see the agreement, they said, "You had better arrange with him yourself, so that you may have him under your own control."
1239. After Mr. Davies, who provedored the ship? There was no regular provedore. The cook made out the list every month, and I ordered the provisions.
1240. Who paid for them? I paid for them.
1241. How? Monthly.
1242. Did you ever receive any discounts from the persons who supplied you with provisions? On one or two occasions.
1243. Has the captain of a ship any right to look upon a percentage upon provisions supplied to his ship as a perquisite of his office? It is done in all services.
1244. Has the captain of that steamer any authority for looking upon the discounts on his monthly payments as his perquisite or as part of his salary? No.
1245. If that is constantly being done, is it done with the sanction of the Marine Board? I do not think so.
1246. How much did you ever receive for discount? Not a pound for the whole time I ordered the provisions.
1247. You provedored the ship for seven months? Yes.
1248. Who supplied butcher's meat? Mr. Claydon. I paid him monthly, in cash.
1249. Is it not the fact that in all business transactions two and a half, five, and sometimes more, per cent. is allowed for cash payments? It is not the fact.
1250. You are an old sea captain, are you not? Yes; I have been captain twenty-seven years.
1251. Is it not the practice of captains to receive commissions or a percentage upon stores supplied to their ships? No; I have sailed a vessel for twenty-seven years, and never got a farthing.
1252. You say on one occasion you received discount—from whom did you get it? From Mr. Bird, provision merchant.
1253. You took the whole of these provisions to the ship in the steam-launch? Yes.

1254. Had you to come to town to order provisions? Not often. I came once a month for groceries, and other things were ordered when the launch went to town. Capt. Smith.
1255. Could not that have been done by letter without coming to town? Some things required to be selected. 8 May, 1879.
1256. You also came to town to pay the bills? Yes; when I went to pay the bills for one month I ordered stores for the next.
1257. Did Mr. Davies at any time apply to you for a refund of the deductions made by you from his account? When he was about to leave the ship, and I was settling up with him, he handed a bill to me, and said, "That is something else you owe me." I did not look at it, and what was in it I do not know.
1258. Is it the fact that at any period of Mr. Davies's service you ceased to make deductions from his bills on account of his sending provisions to your house? It is not a fact.
1259. If we have had it stated here in evidence it is false? It is.
1260. Have you ever been absent from your ship for a considerable period? No.
1261. Were you ever absent three days at a time? I may have been.
1262. Have you ever been at Randwick races while the races have been going on, and not on board your ship for two or three days? I have been at Randwick races, but I have not been away from the ship for two or three days.
1263. How many days together have you been away? Not more than one.
1264. Not two? I may have been.
1265. Not three? No.
1266. If we have it in evidence that you were away two days at the races, is that true? I may have been two.
1267. If we have it in evidence that the ship went outside the Heads without you as often as with you, is that true? It is not.
1268. If we have it in evidence that you were eight or nine days without going outside the Heads with the ship, is that true? It is not.
1269. Is it true that at any period during the time of your command ships have been known to come up the harbour as far as Chowder Bay without a pilot being put on board? Never, that I am aware.
1270. Have they ever got as far as the Sow-and-Pigs? On one or two occasions they have, but then they have come in without signalling for a pilot outside.
1271. You resigned your position as master of the "Captain Cook" after this enquiry was set on foot? I am not aware when the enquiry was set on foot.
1272. You read the newspapers, I suppose? Sometimes.
1273. You knew then that this Committee was appointed? I saw something about it, but what it was for I did not know exactly.
1274. Have you ever said to any person that you knew this Committee was appointed? I may have done so.
1275. Is it not the fact that since this Committee has been appointed you have resigned this position and applied for another? I have resigned my position since this Committee was appointed.
1276. You have resigned a position of £400 a year, and accepted one of £250? I have.
1277. Did the pilots ever make any complaint to you about the manner in which Mr. Davies carried out his work? No.
1278. Did they ever express satisfaction? They were satisfied, I believe.
1279. Did they ever make any complaint as to the manner in which you did it? No.
1280. They were satisfied then? There was no complaint.
1281. If evidence has been given here that they were not so well satisfied with you as with Mr. Davies, you never heard it before? I never heard it before.
1282. Do you know a man named Emanuel? Yes, I do.
1283. Has he been long on board the ship? Ever since the steam service has been established.
1284. He is a very good man, is he not? He is a good man—he is one of the best boatmen on board.
1285. Have you ever employed him to do work about your house? I have.
1286. Since he has been employed on the vessel? Yes.
1287. Scrubbing floors? No.
1288. Minding the baby? No.
1289. Chopping wood? Yes.
1290. If it has been stated that he was constantly on shore at your house employed in these various ways, is it true? It is not true.
1291. Did you pay him for this work? No.
1292. Did he do it in Government time? He did not. He applied for liberty and was allowed it, and sometimes in that time he has gone and chopped wood for me.
1293. Is it not true that the captain, officers, engineers, and seamen have certain periods of leave allotted to them per week or month? There is no stipulated time; whenever they have asked for it, if they could be spared, it has generally been given.
1294. If it has been stated here that there is a stipulated time, is that incorrect? It is.
1295. If Captain Creer has stated that, he has made a mistake too? Yes.
1296. Then if this man Emanuel asked for any leave he obtained it? If it could be given.
1297. For two or three days at a time? Sometimes two, sometimes three.
1298. During that time he was employed frequently at your house? Not frequently—sometimes he would come for a few hours in a day.
1299. It is not the fact that he always chopped your wood? It is not the fact, for I have paid others to do so, and I have chopped the wood myself.
1300. Did any other man on board the steamer chop wood for you? I think one other did.
1301. Another Portuguese? No.
1302. Who supplied the ship with coal during your tenure of office? Sometimes ———, sometimes the Waratah Company.
1303. Did you get your coal from them too? Yes.
1304. The coals that were brought for you, who kept tally of them? The engineer kept tally of the coal, and if I wanted any, an extra ton of coal was put on one side of the deck.
1305. You always paid for that coal? Yes.
1306. Can you produce any receipts? I can.

- Capt. Smith. 1307. For money you paid to the Waratah Company? To the Waratah Company.
 8 May, 1879. 1308. The coal was put on the vessel's deck? It was put on the vessel's deck, bags were filled with it, and it was then conveyed from the vessel to my house.
 1309. When the coal came from the collier was it in bags? No, it was brought on board in baskets, and the baskets were capsized on deck.
 1310. Was it weighed? It was weighed on some occasions.
 1311. Where was it weighed? On board the ship.
 1312. Have you appliances for weighing half a ton of coals on board ship? It was weighed by the steelyards.
 1313. Who was it weighed by? By the engineer.
 1314. His time was employed in weighing your coal? It was his duty to keep account of the ship's coal.
 1315. I am not talking of the ship's coal;—you say when the coal was taken on board, and you required any, a ton or half-ton was put on one side for you in bags? It was put on deck out of the baskets, and the bags were then filled, and it was put on one side.
 1316. Were these baskets weighed? No, there were so many baskets to the ton.
 1317. After this coal was emptied on deck it was put into bags? Yes.
 1318. By whom? By the men on board ship.
 1319. Then the men on board ship had their time employed in filling these bags? Yes.
 1320. After that, who took the coal on shore? The men from the ship.
 1321. Does it not strike you that this would be a very loose system in the hands of a dishonest man—not that I am charging you with being dishonest—and that he could take more coal than he was entitled to? No, there was a check.
 1322. Who checked it? The mate of the steamer, who delivered the —
 1323. Did it matter to him to whom the coals were delivered, so long as he got a receipt for the quantity he discharged on board? The mate of the steamer had to keep a log of all the coals delivered by him from the vessel.
 1324. Suppose the mate of the "Waratah" emptied the whole of his cargo upon the deck of the "Captain Cook," he would have a docket signed certifying to its delivery, would he not? The mode of delivering and receiving the coals is this: The engineer or one of his men keeps a tally of all the coal as it comes in and is tipped down the hatchway, and a basket is weighed now and then to take an average of the weight. If I want half a ton or a ton, the coals are emptied on deck, as I have already stated, and is not reckoned with the ship's coal.
 1325. So far as the officer of the collier was concerned, it would not matter to him whether you got half a ton or a ton, would it? Yes, it would, because if it were not charged to me he would be so much short in his cargo.
 1326. How are the men on board the ship paid? Once a month.
 1327. In cash? By cheque.
 1328. Whose cheque? My private cheque.
 1329. Previous to paying them I suppose you had to forward to the Marine Board Office a monthly statement of the amount that would be required by you? About four or five days before the end of the month the Secretary of the Marine Board sends me down a pay sheet, with the amount of pay due to each man, under their several heads. This is signed by the men, and sent back by me to the office. At the end of the month the total amount is paid to the credit of my private account in the Bank, and I then give the men cheques for the amounts severally due to them.

WEDNESDAY, 14 MAY, 1879.

Present:—

MR. CAMERON, | MR. ECKFORD,
 MR. McELHONE.

ANGUS CAMERON, Esq., IN THE CHAIR.

Captain Smith was called in and further examined:—

- Capt. Smith. 1330. *Chairman.*] You stated on the last day of your examination that the charges which have been made against you of leaving your duty were perfectly untrue? Yes.
 14 May, 1879. 1331. You absolutely deny having at any time received anything by way of commission from Mr. Davies? Yes. I have brought my cheque book, if you wish to see it, which will show the amounts which I have paid to him.
 1332. Mr. Davies, you said, wrote a letter of complaint to the Marine Board respecting his dismissal by you? He wrote to say that I had given him notice of discharge. I have no copy of his letter, but it would be with the Marine Board.
 1333. Did you send a reply to that letter? His letter was sent to me to report upon, and I have here a copy of the letter which I wrote.
 1334. You repeat your statement that Mr. Davies never at any time supplied your private house with provisions? I have not stated that. For two months he supplied provisions at my house.
 1335. For which you paid him? For which I paid him.
 1336. You have stated that the only cause of disagreement between yourself and Mr. Davies arose from the fact that he wanted to go on shore at night? That was the first grievance—that he was out of the ship at night.
 1337. At what period of the day does the provedore's duties cease? I am not aware that a provedore has any particular time. He also acted in the capacity of steward, and had to find a cook as well. The first month he acted as cook, but the galley did not agree with him, and then he took the position of steward. While steward he wanted to be out of the ship every night—in fact he was out.
 1338. You received the application from Mr. Davies for the position of provedore in consequence of an advertisement which had been inserted in the *Herald*? I did.

1339.

Capt. Smith.

14 May, 1879.

1339. Do you recollect how that advertisement was worded? I do not.
1340. As far as your memory serves you, was not the advertisement in something of this form:—"Wanted a provedore for pilot steamer 'Captain Cook.' Apply on board"? I think it was something of that sort. It was written by the Secretary or one of the clerks in the Marine Board Office. I think it said—Apply on board the pilot boat, Watson's Bay.
1341. Mr. Davies's application was made to you, was it not? It was.
1342. He came on board the boat to offer his services? He did.
1343. And the result was a tender on his part to you, which was ultimately accepted by you? It was.
1344. Did you say anything in that advertisement about the duties of cook or steward, in addition to those of provedore? Not as far as I can recollect.
1345. Then, if Mr. Davies paid a cook or steward, it was nothing to you whether he performed those duties himself or not? The reason the first provedore was discharged was that complaints were made by the men, and he was never there to attend to them. It was therefore arranged that the next provedore should work on board as cook or steward, so that he should always be on the spot to rectify any matter that went wrong.
1346. How was it when you provedored the ship? I never provedored the ship; I ordered the stores after the cook made out the list.
1347. You ordered the stores? I did.
1348. You received certain amounts for the men and the pilots, allowed for provisioning them? I received from Government 18s. for the aft end of the ship.
1349. What did you receive from the men? Various amounts.
1350. Will you state some amount? From £1 13s. to £2.
1351. According to the advice of the cook you sent requisitions for provisions? I did.
1352. And you came to town and paid for them after you received the money? I did.
1353. Do you not think that was provedoring the ship? No.
1354. What did the duty of provedoring consist of? To provide for the duty of cook and steward, and find all the provisions for the ship.
1355. You are pretty well acquainted with the system of provedoring which obtains here on board of steamers connected with the port? I have commanded ships out of this port.
1356. Take the steamers of the A.S.N. Co. or the Illawarra S.N. Co., for instance,—the provedoring of those ships is let? The A.S.N. Co.'s is.
1357. Is it not usual for the provedores to employ any one under them to fulfil part of their duties? It is.
1358. Then Mr. Davies, in doing that, was only doing what is done in other places? It was against his agreement—he agreed to act as steward or cook.
1359. Is that in writing? It is.
1360. Not merely verbal? Not verbal.
1361. Then he had no right to cook at all? He had to act as cook or steward himself, and find one other man.
1362. How many meals a day have they on board? There is coffee, breakfast, dinner, tea.
1363. Anything after tea? Sometimes at 8 o'clock there is a bit of bread and cheese.
1364. Suppose the provedore were on shore and the steward on board, would the duty be satisfactorily done if the bread and cheese were served by the steward? Yes.
1365. Then there was no necessity for the provedore to be on board at night? Yes, there was. Sometimes the ship went out to sea, and she is a very uneasy ship at sea. On one occasion there was a quantity of plates and dishes broken, and Mr. Davies lost a great many of his own things through his absence. Sugar, rice, and flour all got mixed up together.
1366. Is it not a fact that the commander of the vessel seldom or ever sleeps on board of her? It is not a fact.
1367. Does he sleep on board the ship every night? Not every night.
1368. Does he not live on shore as a rule? No. During the three years I was there I do not think I was away four days altogether the whole time.
1369. If any of the pilots who have been here have given evidence to the contrary, it is utterly false? It is utterly false.
1370. If any of the men have given such evidence, it is equally false? It is equally false. I was less out of the ship than any one on board, and I had frequently to go away on ship's duty.
1371. What do you call ship's duty? Captain Hixson would send for me sometimes, and I also had to order the stores.
1372. Could the stores not be ordered by requisition? No; on several occasions the goods supplied have been so unfit for use that they have had to be returned. On one occasion they had to be returned two or three times. I have therefore had to go and select the goods myself. If you order the things from the Government Stores you have to wait a long while for them.
1373. Mr. Davies, I believe, grumbled because he did not get the use of the steam-launch? On one occasion.
1374. Did it come to your knowledge that the stores were lying out on the Circular Quay exposed to the rain, and that he could not get them to the ship? He told me so.
1375. Was the launch away on a pleasure trip? I have never gone in the launch on a pleasure trip. One night she brought me home from Mr. Playfair's picnic.
1376. Did you never take the launch down Middle Harbour for your own pleasure? The launch was taken there one Christmas Day to get some bushes, but no other time.
1377. After the appointment was made was it ratified by the Marine Board? No, they said they would leave the matter under my control.
1378. They left you the absolute power to engage and to dismiss? They did.
1379. Do you know a fireman on board the ship named Hyatt? Yes.
1380. What sort of a character does he bear? He is a steady man.
1381. Would you say that he is as good a man as Emanuel? Yes, he does his duty. I do not interfere much with the engineer's department. The firemen are under the engineer.
1382. Did Hyatt ever complain to you as to the manner in which Davies provisioned the vessel? Yes; the men came aft, and he was their spokesman.
1383. Did you ever ask him to complain? No.
1384. If Hyatt has stated to any member of this Committee that he did that against his conscience, and that

- Capt. Smith. that to please you he went aft and made a statement against Davies, is there any truth in that? No, not the slightest.
- 14 May, 1879. 1385. Did you ever have any disagreement with the men under your command? No.
1386. Have you at any time had complaints made against you to the Marine Board by any of the pilots? No, I do not recollect that there have been any complaints.
1387. Did Captain Jack ever lay a complaint against you to your knowledge? I reported Captain Jack about the time the dismasted ship "Cairnbulg" arrived here. The captain of the ship hailed me to tow him up the harbour, and I did so. Pilot Jack was the only pilot on board, and I wished to leave him on board the light-ship so that he could board any ship which might come along. He, however, did not turn up; and as he did not come on deck I sent the boat on shore to call the next pilot in turn. When we got to Bradley's Head Pilot Jack asked where the boat was, and I said she had gone on shore.
1388. You reported him on that occasion? I did.
1389. Do you know if any reply was sent? Yes, a reply was sent.
1390. What was the nature of it? It was to the effect that as soon as the pilots came on board for duty they were to consider themselves under the orders of the master of the steamer. Pilot Jack seemed to think I had no right to order him to remain on the lightship.
1391. Then the captain of the steamer acts as the superior officer of pilots while they are on board? That is the order.
1392. Have you ever heard that Captain Jack or any of the other pilots laid a complaint against you to the Marine Board? No.
1393. Did you ever tell this man Hyatt, when he complained to you about anything, that if he did not like the arrangements there he might leave? No.
1394. If he has stated so in evidence, is it false? It is. I had some words with Hyatt on one occasion while Davies was provedore. One night all the bread was missed—either thrown overboard or made away with. Davies accused Hyatt, and I was pretty much under the same impression. I told him if the same thing happened again in his watch I would discharge him.
1395. If Hyatt has said that you were away from the ship repeatedly day after day, is that true? It is not.
1396. If you have been accused by witnesses examined before this Committee with behaving in a tyrannical, overbearing manner to your officers, I suppose that is not true either? No; I have been told privately that they are getting up a petition for me to go back again.
1397. When did you resign your position as master of the pilot steamer "Captain Cook"—was it before or after the appointment of this Committee? After.
1398. Your salary, as master of the "Captain Cook," was how much? £400.
1399. What position do you occupy now? Assistant Harbour Master.
1400. We were told you were a mud pilot? The sea pilots bring ships up to Fort Denison or Neutral Bay; the Assistant Harbour Masters berth them at the wharfs.
1401. What salary do you receive now? £250.
1402. You resigned £400 to take £250;—what reason actuated you in taking a step so unusual on the part of civil servants? The salary was not so much an object with me, and I preferred to study my comfort. When on board the pilot steamer I had rarely an hour to myself, and could not get away without asking for liberty to leave. I have a young family growing up whose education requires that I should look to them, and I considered that more important than the question of salary.
1403. How much were you in the habit of deducting from the monthly accounts for provedoring the ship? The deduction was £2, on the 1st of the month.
1404. Did it ever run as high as £2 14s. 8d? It never exceeded £2, and sometimes it was £1 13s. Two firemen got 10s. extra because they had meals on shore during portion of the time.
1405. If Hyatt has said that out of a monthly cheque of £11 he has only received £8 5s. 4d., would that be correct? That is all he did receive when there was a provedore. He received as much as £9 17s. while I was ordering the stores. £9 15s. was the usual amount.
1406. About the coals: have you explained the manner in which they were set aside? Yes.
1407. The coal was carried off the vessel to your house by the men belonging to the ship? Yes.
1408. Was all the coal which was sent to your house or to the house of any of the pilots specifically weighed on every occasion? It was not. It was taken from the average of the cargo. If the baskets weighed ten to the ton and a ton of coal were required, ten baskets would be taken.
1409. Is it not usual on board steamships for the chief engineer to sign the receipt for the coal that comes alongside? My instructions from the Marine Board were that all the documents were to be signed by me—that everything must come through me. The engineer at first made the requisition for the stores, and Captain Hixson's direction was that all the signatures should come through me.
1410. He did at one time sign for them? He kept the tally of the coals and handed it to me, and I gave the Waratah Company the receipt for them.
1411. Mr. Broderick when examined before this Committee was asked, "Was it part of your duty to give the receipt?" and he answered, "I considered it part of my duty as chief engineer to give a receipt, to be initialled afterwards by the captain of course. On some occasions—on many occasions I was going to say—the account of the coal I gave to Captain Smith included the coal that was put on the deck for him; but just before Captain Smith left he would not receive my tally for the coal without I separated the ship's account from his." Have you anything to say with respect to that? That is not true. The very last receipt he gave, he included some coals which went on shore as part of the cargo; and I made him take the receipt back and alter it. We got coals when we first went down there—Mr. Black, the chief engineer of the "Thetis," and I. The Marine Board was down there on a tour of inspection, and we asked Captain Hixson's permission, and it was granted.
1412. Then the evidence given by Mr. Broderick was not in accordance with the fact? It is not. He was not there at all times. The second engineer was there frequently when the coals were taken away.
1413. Do the whole of the stores for the ship now go down in the launch? They do. Before we had the launch we had to pay freight in the Watson's Bay boat.
1414. Did you reckon discount from the persons who supplied goods to the ship as your perquisite? I have not got it but on one occasion.
1415. Do you know if Captain Creer gets discount? I have heard that he does—I could not say positively.

1416. Is it true that ships frequently came inside the Heads as far as the Sow and Pigs and Chowder Bay without a pilot while you were captain of the steamer? There never was a ship that made a signal for a pilot but what was boarded in good time. Capt. Smith.
14 May, 1879.

1417. Was one of the Torres Straits mail-boats suffered to come up as far as Chowder Bay without a pilot? No.

1418. If we have been told so, that is not true? That is not true.

1419. With reference to Emanuel: did you never have him employed about your place except during the time that he was absent from the ship on leave? Never.

1420. If it has been stated otherwise, I presume that is not true? That is not true. He volunteered of his own accord, and also one of the look-out men who was off duty on that day.

1421. *Mr. Eckford.*] Did I understand you to say just now that you engaged Mr. Davies and the cook yourself? I engaged Davies, and Davies engaged the cook.

1422. You engaged Mr. Davies yourself, independently of the Marine Board? No; I consulted the Marine Board, before Mr. Hinton, a clerk at the Marine Board, put the advertisement in for the prove-dore. I intended to take him to Captain Hixson, so that he could engage him, but he said that he would leave it in my hands.

1423. Was there an agreement made up? There was.

1424. Between Mr. Davies and whom? Myself.

1425. Who drew it up? Mr. Lawrence, one of the clerks of the Marine Board.

1426. You stated just now that your reason for retiring from the position you were in was in consequence of your having to ask permission when you wanted to go anywhere? That was one reason. The principal reason was on account of my family. The school there was not a good one. My health for the last two months was not very good; and more than anything else, I wanted to get away from the undermining fellows down there. I never passed through such a miserable time of it as I did down there at Watson's Bay.

1427. Can you leave your present employment by permission? We have from sunset to sunrise. We have regular hours and all usual holidays.

1428. Did you at any time refuse to engage a British subject in order that you might wait for a cousin of Emanuel's to come over from Victoria? I did not.

1429. If that has been stated, it is not true? It is not true. Emanuel said that he knew a man who had been a whaler for many years, who was a capital boatman, and that he could be up from Victoria in a few days if I would wait for him. I said I would wait. It is a very great object to have good boatmen.

1430. Were there any prior applications made to you for employment—any applications before this man came from Victoria? Yes; directly there was a vacancy in the boat there was a number of applications at all times.

1431. What was your object in refusing the applications of the other parties, whoever they might be? I waited so that I could ensure getting a good boatman.

1432. If you did not know the man, how was it that you were guided by Emanuel's statements? Emanuel is a capital boatman himself; he was a whaler, and whalers always are good boatmen. A man who has been a whaler for many years must be a good boatman.

1433. Did you know that he had been a whaler of your own knowledge? I did not.

1434. Did you know anything against the applicants who applied to you for employment—as to whether they were good boatmen or not? I did not.

1435. Did you ever hear that a complaint had been made by Captain Creer against Captain Jack? No; not that I can recollect.

1436. Did ever you hear of a complaint having been made by Captain Jack against Captain Creer? Not that I am aware of.

1437. Neither one nor the other? Neither one nor the other.

1438. *Mr. McElhone.*] You knew a man named Thompson? Yes.

1439. He was mate, was he not? There was a man named Thompson mate for a short time.

1440. He was a master mariner, was he not? He had been previously.

1441. What sort of a character did he bear? Rather a strange one.

1442. He was a sober man, was he not? As far as I am aware. I have never seen him intoxicated.

1443. He was four or five months on the "Thetis"? Not so long as that. I think three months at the outside.

1444. How did you and he get on together? At first very well. The ship was on the slip—Mort's Patent Slip—when Captain Hixson came over with me to look at her. We went away, and no sooner did I return to the ship again than he commenced a tirade of abuse; what for I could not tell.

1445. Did you treat him in a coarse manner? No.

1446. *Chairman.*] Did you ever swear at him? Never.

1447. *Mr. McElhone.*] Did you ever threaten to punch his damned head? When he was abusing me.

1448. That is not usual in the service, is it? You cannot expect a man to allow himself to be called all sorts of things without replying.

1449. Would it not have been your proper course to report him for insubordination? It would.

1450. Your conduct was not very proper? It was not.

1451. Did he often take the "Thetis" out on his own responsibility? Very seldom.

1452. If he had stated that the pilots frequently came on board and asked where you were, and you were not on duty—it is not a fact that you were absent when you ought to have been on duty? No.

1453. You have said that you have not been away from the ship four days? The last month that I was in the service I was on duty in town.

1454. You have not been four days away from the ship at a time? No.

1455. If Thompson has stated that, it is not true? It certainly is not true.

1456. Do you recollect at any time that the vessel went out with only one pilot when she ought to have had two, and one boat when she ought to have had two? A vessel never takes more than one pilot.

1457. I am speaking of your vessel? Yes, she has on several occasions.

1458. How did that happen; was it when you were not on board? I could not say.

1459. If this man has stated that the vessel went out with one pilot and one boat, the other having been with you on shore since 2 o'clock—that he went out and brought the vessel in, and that afterwards, in turning her about, you came on board and abused him, is that true? I never heard of it. I never abused him, excepting in the disturbance to which I have referred at the dock. It has frequently happened that the vessel has gone out with one boat.

1460.

- Capt. Smith. 1460. If Captain Cork has stated that a vessel was prevented from going to sea until the next day, is that true? No; on one occasion I paid Captain Cork's passage.
- 14 May, 1879. 1461. On the occasion I am speaking of Captain Cork had to take a vessel out, and was prevented from going to sea until the next day because the launch was away? I never heard of it.
1462. If Captain Cork has stated that, it is not true? Not that I know of.
1463. Do you think that in a service of that sort it is necessary to have a captain, a chief mate, and a second mate to command a vessel like the "Captain Cook"? Yes.
1464. When you have pilots on board? They are simply passengers.
1465. Where is the necessity for a captain, a chief mate, and a second mate? I always made it a rule to have two officers, and I consider it is necessary. If one were away, the other was always sure to be there.
1466. Where a captain is so often away, as it is said you and Captain Creer have been, does not that go to prove that it is not necessary to have three officers? If that has been stated it is not true. When I was down there at first there was no second mate.
1467. The statements to which I refer, you say are false statements? Yes; I was less away than the captain of any ship in the service.
1468. Were you in the habit of going to boat races with the launch? Never with the launch.
1469. Have you been in the habit of going to Randwick races? Yes, occasionally, when I have had liberty from the Board to be away.
1470. Do you recollect interfering with the provedore when he wanted to discharge the cook? Yes.
1471. You did not pay the cook, did you? No.
1472. Had you any right to prevent the discharge of the cook? It was at the suggestion of some of the men that I interfered. Some of the men wished the cook to remain on board, and I thought it was hardly fair to discharge him.
1473. Did you say that he should not leave the ship until you ordered him? I may have said so, but I do not recollect that I did.
1474. If Davies has stated that this cook allowed his galley to be in a beastly state, would that be true? It is true. That refers to what occurred afterwards. The man went up into Balmain and got drunk. The galley was in a very dirty state, and the meat was destroyed.
1475. And through this the provedore, Davies, had to take the engineer's men to an hotel and pay for their food? Yes, and I immediately told him to discharge the cook.
1476. Did you consider that you were acting out of your proper place in refusing to allow this man to be discharged? No; all the men were under my control. As soon as Davies showed me the way the man was acting I discharged him immediately.
1477. How did Davies provide for the ship the first few months? Very well for the first few months.
1478. Were any complaints made about him? I had none.
1479. How was it that he was got rid of? The men all complained. Hyatt was the spokesman.
1480. Hyatt has already said you put him up to it? It is not true.
1481. Have you been ill lately? I was very unwell about two months before I left the steamer. I had a severe attack of rheumatic neuralgia, but I was never laid up.
1482. You were not laid up about the time you left? I was not.
1483. If Captain Creer has said that you left the pilot steamer on account of ill-health he has made a mistake? Yes.
1484. In regard to this man Thompson, did he at all times obey your orders? Yes, I think so.
1485. Did he do so cheerfully, quickly? No, quite the reverse; he was a very sulky-tempered man.
1486. If he has stated to the contrary, that was wrong? —
1487. Was he ever offensive to you in his manner? Only on that one occasion at the dock of which I have told you.
1488. Do you not think that in a position like that which you occupied that it was rather queer conduct on your part to be away four days at a time? I have not done so.
1489. If the other witnesses have stated that you have, their statement is untrue? Quite untrue.
1490. If you were a shipowner would you allow your captain to go to picnics and races if there were any work to do? When he was not required I would.
1491. According to your showing, you were always required on board this steamer? Yes, in that particular service.
1492. The men are always wanted, the captain particularly, in a position of that sort? If you had good reliable officers he could be spared.
1493. It is only a matter of opinion that three officers are required? The Marine Board issue pilots' licenses under instructions, and since I have been there I have done one-third of the pilots' duty, and I have never refused to take the turn of pilots who were away.
1494. You say that Thompson was a sober man? As far as I am aware.
1495. You do not know of your own knowledge whether the new captain has been away from the steamer? I have never been down but once since I left.
1496. Are you aware that Captain Creer, who is now the commander, was the junior pilot? He was the last appointed.
1497. He was several years the junior? Yes.
1498. Do you know why he was appointed over the heads of the others? I cannot say.
1499. Did you recommend him? I did not. I knew him in Adelaide. He became senior pilot there, promoted over the other pilots in the same way.
1500. On what terms were you on with the pilots? There was some grumbling with pilot Jack at the time I have referred to. I was always on good terms with Captain Creer.
1501. How did you and pilot Coates get on? Very well.
1502. It is a usual thing amongst sailors to grumble? Yes; but there was nothing out of the way.
1503. There was no unfriendly feeling between you and the pilots? No.
1504. Nothing to cause them to make any false statements about you? There were two or three pilots who did not like the change of system, and they have endeavoured all they can to make it a failure. When they were in the boats, if I am correctly informed, they were making £800 a year, and it was not likely they would like to come down to £300.
1505. Their duty was then more arduous and dangerous? I do not know. Their boats were larger, and there is a little danger at times in lowering the boats from the steamer. They had more time at home.
- They

They always lived ashore, and never went out without they were signalled. If a ship came off the Heads at night she would have to wait until the morning—I have had to do so myself. Capt. Smith.
14 May, 1879.

1506. *Chairman.*] If Mr. Davies has stated that you insisted on his sending supplies to your house, and never paid him for them, is that true? It is not.

1507. Did Mr. Davies ever present a bill to you for £9 12s. 6d. for goods supplied? No; but I believe he handed me a paper—a bill I suppose it was—when he was leaving the ship.

1508. Did he ever give you a bill which you objected to pay? It may have been a bill; whatever it was I objected to it.

1509. Mr. Davies was asked:

Your contract for the supply of the "Captain Cook" was confined to the ship, was it not? Yes.

The sending of supplies to Captain Smith's house was no part of your agreement? None whatever.

Did you send those supplies voluntarily, or at the solicitation of Captain Smith? He asked me to fetch them to his house, but he never paid me for them.

Did you ever bill him for them? Yes, and he chucked the bill out to me, and told me he would not pay me.

Did you bill him for the whole amount? For the whole £9 12s. 6d., percentage and all.

Did you bill him for the goods supplied—the beef, mutton, pork, and other things—apart from the money? No.

You billed him for the discount he stopped from your account? I never got it—he stopped it from my account.

Did you demur to the stoppage of £1 12s. 3d. in January? No, I did not dare to.

Did you object to the deduction of £1 19s. 3d. for the month of February? No, I was frightened of him—they are all frightened of him—he has so much power.

Then you did not object to the deduction of £4 12s. 6d., as percentage or discount from your accounts? No.

What was your reason for acquiescing in allowing the captain to make these deductions? People were frightened to speak to him, because they knew he would discharge them in a moment. I wanted to earn a living, and did not dare to say anything to him. As soon as ever I did not allow him so much as I used to do he told me to go."

Is that evidence true? It is not.

1510. Is it true in any particular? It is not.

1511. There was an agreement drawn up between yourself and Mr. Davies, was there not? There was.

1512. Who drew it up? Mr. Lawrence, of the Marine Board Office.

1513. Could you produce a copy of it? I have got the original in my pocket. I now hand it to you.

1514. *Mr. McElhone.*] When the coal was taken off for you and the other pilots, what means had you of keeping it separate from the Government store? The ship's coals were taken from the baskets of the colliers and capsized down the hold; the other coals, for the pilots and myself, were put on deck and never mixed at all.

1515. *Chairman.*] How much percentage did you receive while sending for these provisions for the ship? I did not receive £1 altogether. The first month I got a few shillings.

1516. Do you know if Mr. Davies received it? He says he did not.

1517. You paid once a month? Yes, and I got things at the cheapest rate.

1518. *Mr. McElhone.*] Is it advisable that the captain should act as provedore? It appears so. The men were better satisfied, for it increased their wages.

1519. Would it not be less trouble to have some other person to carry that duty out? It would be less trouble to the captain.

1520. The A.S.N. Co. have a provedore? Yes.

1521. The work is not done by the captain? No.

1522. Other Companies' steamers also have provedores? Yes.

1523. If that is considered necessary in supplying private ships, would it not be also very much better in the case of a ship owned by the Government? In the case of most ships the captain is not long enough in port to attend to it—he would not have time.

1524. Some captains under the old system used to make more money out of provedoring than they did out of the ship? Yes.

1525. And that system has been done away with for some time? It has.

THURSDAY, 29 MAY, 1879.

Present:—

MR. J. DAVIES, | MR. ECKFORD,
MR. McELHONE.

ANGUS CAMERON, Esq., IN THE CHAIR.

Captain Francis Hixson, President of the Marine Board, called in and examined:—

1526. *Mr. McElhone, in the Chair pro tem.*] You are President of the Marine Board? Yes.

1527. Any matter connected with the Pilot Service would be in your department? It would.

1528. Have you ever had any complaint from any of the pilots about Captain Smith in respect to the steam-launch? I remember on one or two occasions pilots having complained that the launch has not been available when they wanted it, but I do not think the complaint assumed the shape of any charge against Captain Smith. Capt.
F. Hixson.
29 May, 1879.

1529. Did you never receive any letter with reference to the launch being used by Captain Smith or Captain Creer? There was one since Captain Creer has been in command of the vessel.

1530. Do you recollect who made the complaint? Captain Coutts.

1531. Do you recollect what was the nature of his complaint? If I remember right, it was to the effect that when the launch was wanted to take a pilot to Sydney to bring a ship down she was not available.

1532. *Chairman, Mr. Cameron.*] What is the legitimate use of this launch? She is called the up-harbour steam-launch, being used for the purpose of taking the pilots to town to bring ships to sea; also for the purpose of following ships up to take pilots out of them and bring them back to Watson's Bay, and for other business in connection with the pilot steamer.

1533. Do you recollect a person named Henry Davies being provedore of the "Captain Cook"? I do.

1534. Were representations at any time made to you as to the manner in which he carried out his contract? Yes.

1535. Of what nature were they? I remember Captain Smith telling me the men had come aft on the quarter-deck complaining that the provedore was not doing them justice; that he was making too much money out of them, and did not attend to his duties; and they asked that he should be dismissed, and another man put in his place. 1536.

Capt.
F. Hixson.
29 May, 1879.

1536. Did this occur frequently, or more than once? My last answer refers to the final complaint that I heard about Davies; I think I had had a conversation with Captain Smith previous to this, and from the evidence I got from him then, I concluded that the man had not carried out his duties as he promised to do. The fact is that the victualling of this vessel is attended with a good deal of trouble, inasmuch as she is only occasionally at Watson's Bay, and therefore provisions might be sent from Sydney to her, and she is not there to receive them; hence there is a good deal of trouble in the vessel being properly provided. After discussion it was decided that the most convenient way of victualling the ship would be that the provodore should always remain on board, and Davies was engaged for this duty, but after he had been there a few days he gave up remaining on board the vessel, and lived on shore. This caused discontent on board, and hence the complaint against him.
1537. Were these complaints frequent? I think I had, perhaps, two conversations prior to the final one with Captain Smith on the subject.
1538. Then the complaints assumed merely a verbal character? Yes.
1539. On the complaints being made by Captain Smith, was any action taken by the Marine Board to institute any inquiry into the truth of Captain Smith's statements? No.
1540. Mr. Davies was then dismissed by Captain Smith? Yes.
1541. You have stated that one of the complaints made was that he was charging the men too much? Yes.
1542. Do you know the amount he was charging them? I scarcely wish to convey that he was charging them too much; the expression was that he was making too much money out of them.
1543. Who provided the vessel after Davies's dismissal? It was done by the master of the vessel, Captain Smith.
1544. Did he make as much out of them as Davies did? I cannot tell you what he made; I understood he made nothing.
1545. Were any inquiries made by the Marine Board, or yourself as its President, after Davies's dismissal, to find out how the men were being supplied, and what they were being charged for it? No. The fact is I occasionally visit the pilot steamer, and there are then opportunities for the men, if they have any complaints to make; and in the absence of such complaints, I do not seek for them.
1546. We have had statements made to this Committee that representations from the pilots have been coldly received by the Marine Board, or, as a witness puts it, they were snubbed, and one of the firemen examined almost declines to give answers to questions, on the ground that if he did he might lose his situation. Has any action been taken in the past to justify such an assertion? Most certainly not. I am sure the Marine Board would give any employé in its service or in its department every possible opportunity of being heard and having justice.
1547. I suppose you have no idea of how these contracts are carried out between buyer and seller? No.
1548. Have you ever heard of any person dealing with the butcher or baker or anybody of that sort when paying his monthly bills receiving so much per cent. discount on the cash payment? I have heard of such a thing.
1549. Have you ever heard of Captain Smith getting it, or Captain Creer? I have heard a rumour of it, but I have never heard it authoritatively, or known more about it than that I understood it was one of the things that would come before this Committee; in fact I only heard it in a casual way.
1550. There has never been any inquiry made by the Marine Board as to the truth of that? Certainly not; the matter has never come to the notice of the Marine Board.
1551. Is there any understanding between the Marine Board and Captain Creer at the present time that these discounts are allowed to the captain as his just perquisite? Such a thing has never come before the Marine Board in any shape—we know nothing about it.
1552. Where the men pay so much per head per month for their victuals on board this ship, would you not naturally imagine that any discounts that might be handed back to the captain would be returned to the men as so much profit? Most certainly.
1553. You have never had any complaint made since Davies's dismissal as to the manner in which the provodoring has been carried out? Never.
1554. Then if the witnesses before this Committee have stated that it has not been so well carried out ever since, nor so well carried out before, it is the first you have heard of it? It is the first I have heard of it.
1555. Captain Creer succeeded Captain Smith, I believe? He did.
1556. How long had Captain Creer then been in the Service? Some three or four years, speaking from memory; five years, perhaps.
1557. As a matter of fact, was he not by many years the junior of the other pilots? Not by many years—by three or four years.
1558. Some six or seven years less than Captain Cork or Captain Jack? Yes, less than Cork certainly.
1559. Is it true that Captain Creer has a relative on the Marine Board? I understand he has.
1560. A brother-in-law? Yes; but I only knew it within the last week or two.
1561. Was Captain Creer specially recommended by any one, after Captain Smith's resignation, for the vacant position? No. The fact is that, when Captain Smith resigned his position, the Marine Board went very fully into the merits and fitness of the different people in the establishment to succeed Captain Smith, and they formed the opinion that Captain Creer was the most fitted, and they recommended his appointment to the Treasurer.
1562. Then there was no recommendation from any person outside the Marine Board? Certainly not.
1563. Who supplies the "Captain Cook" steamship with coal? The Waratah Company has the contract to do so.
1564. Have you at any time heard of either Captain Smith or Captain Creer getting coals from the ship? I have not heard of their getting coals from the ship, but I have heard of their getting coals from the Company.
1565. Then if we have it in evidence that they are in the habit of getting coal of which no tally is taken—coal set aside for them and sent on shore by the men employed on the steamer—it is the first you have heard of it? It is the first I have heard of it.
1566. They would have no right to do so? Certainly not, unless they pay for it.
1567. If they pay for it, have they a right to obtain the labour of the men employed on the vessel to take it to their residences? No.

1568. If that has been admitted here, it is the first you have heard of it? No, I can scarcely say that; I have heard some rumours that certain of the officers of the steamer, living at Watson's Bay, have been supplied by the Waratah Company with coals, and I have a pretty good idea that some of the labour from the steamer must have assisted in getting the coals on shore.

Capt.
F. Hixson.
29 May, 1879.

1569. Do you think, as a matter of fact, that it was right they should have the benefit of the labour employed on board the steamer in this manner? I do not think it is right. I remember, now you bring up the subject, that when the Steam Pilot Service was first established, the then engineer of the steamer came to me and asked if he could do so, stating that it was impossible, or almost impossible, for people to get coals at Watson's Bay, on account of being so out of the way, and I remember telling him that so long as it was paid for I did not take any particular objection to it.

1570. Whose duty would it be to keep tally of coals that went on board the vessel? The engineer, under direction of the captain.

1571. Just listen to this evidence, given by Mr. Broderick, the engineer of the "Captain Cook":—

551. *Mr. Eckford.*] How are you supplied with coal? A collier comes alongside and puts them on board direct, excepting one or two occasions.

552. While Captain Smith was in command of the ship, did he at any one time have the coal taken on shore from the vessel? Yes.

553. Was it at his own cost, or was it coal delivered on board for the use of the ship? It was taken from the coal on board; whether he paid for it I do not know.

554. Did you ever hear that any of the pilots got coal from the ship and paid the contract price for it? Yes; I have heard that they got the coal and paid for it in that way.

555. You do not know whether Captain Smith paid anything for what he got? No; I had been in the habit of keeping a memorandum, of taking tally of the coal, and handing it to Captain Smith, who gave the receipt for it; he did not allow me to sign the receipt, although it is usual for the chief engineer to sign for coals and stores. In this vessel I did at first sign for stores, though not for coals, but lately I did not sign for either, as I was not allowed.

556. Was it part of your duty to give the receipt? I considered it part of my duty as chief engineer to give a receipt, to be initialled afterwards by the captain of course. On some occasions—on many occasions I was going to say—the account of the coal I gave to Captain Smith included the coal that was put on the deck for him; but just before Captain Smith left he would not receive my tally for the coal without I separated the ship's account from his.

Do you not think that the system of putting coal on board the vessel for ship's use at the same time as coal meant for the officers opens the door to fraud? I think it very objectionable.

1572. Have you at any time had any representations made to you or to the Board as to Captain Smith or Captain Creer being absent from their duty? I never had any representations made to me on the subject. No.

1573. Then if it has been represented to this Committee that both Captain Smith and Captain Creer have been for considerable periods of time absent from duty—Captain Creer for nine days at a spell without ever going outside with the vessel—you have heard nothing of it? I have heard nothing of it.

1574. Such representations would be looked upon by you as neglect of duty on their part? If they were true, certainly. The fact is, I understand, that neither Captain Smith nor Captain Creer have ever left the station without permission from me or from the Marine Board.

1575. If Captain Creer did not go out with the vessel for nine days, he would not be justified in such neglect of duty? I should think not. I must point out to you that this steamer is provided with a liberal crew, a master, and two mates; and it is necessary she should have this liberal crew, because these men are on duty always—Sundays, holidays, all night and all day; they are in a very different position from other Government officers; and therefore it is scarcely possible that one man can always be at his post. If the master is away, there is always one of the mates to take his place.

1576. Would not three or four days at a spell, or nine days, be an unreasonable time to be absent from the vessel? Certainly, if it has occurred. It should not occur without the Board's permission.

1577. You have stated that there are a commander and two mates for this vessel, besides seamen? Yes.

1578. Each of these mates, I am given to understand, are men thoroughly qualified to take the vessel outside, if need be? They should be.

1579. And in addition, when she goes out, there are supposed to be two pilots on board? Yes.

1580. Either of whom would be perfectly capable of taking the steamer out or in as shipmasters? Yes.

1581. Do you approve of the system of the captain of the boat providing the vessel, and receiving discount upon the payments? I approve of him providing the vessel, because I understand the system has given far greater satisfaction than any other to the generality of the people on board; but as to his receiving discounts on the bills I must strongly disapprove of it.

1582. Must not the providing by the captain take up a certain portion of his time for ordering and obtaining supplies? Yes, I suppose it must take some of his time; but the fact is this providing of the vessel had been a source of discontent, and latterly the thing has gone smoothly; therefore I prefer the present system to any other that has prevailed.

1583. Do you not think it very likely that men in a humble position, such as firemen and seamen, would hardly care to make complaints against their captain, although they might readily do it in the case of a stranger? Perhaps so; though during my visits the men have occasionally made complaints. A man named Hyatt, a fireman, has on two or three occasions made complaints; and I have always given him a perfectly fair hearing. I do not think they would have any disinclination to come to me.

1584. Hyatt declined to answer questions here, on the score that he was a poor man, and did not wish to lose his position. Has anything ever taken place, to your knowledge, that justifies him in entertaining such a feeling? Certainly not.

1585. What is the salary of the captain of this vessel? £400 a year.

1586. Did Captain Smith apply to be removed from the ship to another position? He did.

1587. Since this inquiry commenced? Yes.

1588. He applied for a position at a smaller salary, did he not? Yes.

1589. That is a very unusual course, is it not? As a rule it is; it is generally the other way.

1590. Have you any idea of the reasons which governed Captain Smith in pursuing this course? He told me that he was tired of the arduous work that he had to do down at the Heads. There is no doubt that the post of master of this steamer is a very arduous one. He also represented that he had a young family, which he was anxious to have educated, and that he had some little property, and therefore he preferred the easier berth of Assistant Harbour Master, at a reduced salary, to the position he vacated at the Heads.

1591. If the pilots who have been examined here have stated roundly that Captain Smith, by his frequent absence, neglected his duty, it is the first you have heard of it? Yes.

Capt.
F. Hixson.
29 May, 1879.

1592. Have you at any time had complaints made to you as to Captain Smith's overbearing demeanour to those under his command? Yes, I have had complaints to that effect. The mates of the vessel have complained that he was too reserved, and did not condescend or mix with them in so pleasant a way as they would like him to do.

1593. You have not heard anything of his bullying men, swearing at them, or conducting himself in a usually gruff manner? I have heard one case of that sort; and this was in reference to the same person who complained of his reserve—a mate belonging to the vessel, named Thompson. This man was very annoying, I suppose, to Captain Smith, and on one occasion he threatened to knock him down, or something of that sort.

1594. Punch his d——d head? He might have said that.

1595. How are the men on board this steamer paid? Monthly.

1596. By cash or by cheque? The money is paid by me, or the Accountant in the office, to the public credit of the master of the steamer, in the Bank of New South Wales, and I understand he pays the people by cheque.

1597. By his private cheque? By a cheque signed by him.

1598. He deducts from the amount paid into the Bank the amount due from each man for provedoring? Yes.

1599. Do you approve of that system? I do not disapprove of it; in fact we were somewhat driven to it. When the money was given to the men in full there was some delay in procuring their mess-money, and therefore we were driven into this system.

1600. Does that rule obtain in any other branch of the Public Service? I think not.

1601. The steam-launch is now used, since the captain has been provedoring the ship, for the purpose of carrying provisions to the ship, among other duties? Yes.

1602. Was she supposed to be at Davies's service for the same purpose when he was provedore? Yes.

1603. Were any complaints ever made by Davies that he could not get her? No, not to me.

1604. Did you ever hear of Davies being detained all night on the Circular Quay, watching his goods, not being able to get them down? No; but I think it quite probable he might have been, if the launch was in use for other duty.

1605. Have you ever heard of the launch being taken away for picnics and pleasuring? No. Of course I have a large department to attend to; details like these may escape my memory; and I am only telling you to the best of my memory. I do not remember it.

1606. How many pilots have you at Watson's Bay? Five.

1607. Are they enough for the performance of the duty? Yes, perfectly sufficient with the system we have now. The master of the steamer is a sixth pilot in reserve, and he frequently leaves the steamer and assists in the work of piloting.

1608. What is the relative status of the captain of the steamer and the pilots,—would you consider that when on board they were under the command of the captain—under his orders to any degree? I should look upon the pilots on board the steamer in the shape of passengers—that the captain would have no control over them, except so far as placing them in a position to do their duty.

1609. Have any of the pilots ever made any complaints as to the manner in which they were treated while on board? I do not remember any. I must tell you that I am quite prepared to hear that some of the pilots have made complaints, because they are certainly disaffected and altogether opposed to the present system.

1610. Is it a fact that the promotion of Captain Creer has created very considerable dissatisfaction among them? I think it very likely to have done so; but I think I should inform the Committee that the Board had not enough confidence in any of the other pilots to place them in the position in which they have placed Captain Creer.

1611. *Mr. McElhone.*] Why? Because so far as they dare they have opposed the present system—three of them especially.

1612. *Chairman.*] Representations have been made to this Committee, and hardly denied, that a man named Emanuel on board the steamer has been in the habit of going on shore and doing work at the houses of Captain Smith and Captain Creer—chopping wood, minding the child, and that sort of thing: I suppose if this exists it exists improperly? Yes, and unknown to the Board.

1613. *Mr. Eckford.*] Have you ever heard of any dissatisfaction with regard to the appointment of Captain Smith over the head of Captain Pettit? No. Captain Smith is not over the head of Captain Pettit; it is the reverse.

1614. Does not Captain Smith stand second to the Harbour Master? No; he is the junior of the three Harbour Pilots, and has the lowest salary; one has £350, one £300, and Captain Smith £250.

1615. It has been stated here that Captain Smith was rated next to the Harbour Master? That is not the fact.

1616. Have you ever heard that Captain Smith has been repeatedly for days together away from his duties on board the pilot ship? Certainly not; and I am astonished to hear that such a rumour should obtain currency.

1617. Have you ever heard that since Captain Creer's appointment he has been frequently away from his duties? I should like to ask you what is considered being away from his duties?

1618. Not being on board the ship for five or six days together? —

1619. *Chairman.*] We have it in evidence that Captain Creer has been for nine days recently away from the ship, and that Captain Smith was very frequently away for days together.

1620. *Mr. Eckford.*] This is the evidence of Captain Coutts, in answer to Mr. McElhone:—

704. You said just now that Captain Smith had been away from the ship repeatedly, for days together: have you known him to be away for three or four days together? The week when he was away at Botany he was on board only twice, and then he did not stay above three-quarters of an hour altogether; he merely came on board, asked a few questions, and sat down upon the skylight.

704. You say Captain Creer is also often away? Yes. As I have already stated, he was not on board the vessel from Sunday week until yesterday, to take her out.

1621. Did you ever hear that Captain Smith has ever been away from his ship repeatedly for three or four days together? No.

1622. Have you ever heard that Captain Creer has been repeatedly away from the vessel since he was placed in command? No, I have never heard it. In fact the orders of the Marine Board are that those gentlemen

Capt.
F. Hixson.
29 May, 1879.

gentlemen are never to leave their duty without permission; this is something I was quite unprepared to hear, and I cannot understand its being true.

1623. Have you ever heard that the pilot steamer has gone to sea with only one boat—that the other was kept employed in landing coals for the captain? Never, so far as my recollection serves me just now.

1624. Did you ever hear of men belonging to the ship being employed in taking coals on shore for the captain? I must have understood that the men have landed coals for the captain of the vessel.

1625. Was ever a complaint made to you about this matter? Never.

1626. Nor to the Marine Board, that you are aware of? No; I don't remember.

1627. And that the vessel had to go to sea with only one boat? I never heard of it before.

1628. Are you aware whether any reply has been sent to that complaint—whether any letter has been sent? Certainly not; because I do not remember the complaint coming in.

1629. Then if it has been stated here that the complaints have been acknowledged by letter only, is that correct? It is not correct, so far as my memory serves me.

1630. And the complaint was never dealt with? So far as I remember.

1631. Your chief and second officers are regular seafaring men, fit to occupy the post of captain—fit to take charge of the ship? They should be.

1632. Did you ever hear of Captain Smith refusing to employ a British subject who had applied to him to fill a vacancy on board the ship? No, I never heard of it; he might have done so.

1633. Did you ever hear that a situation was kept open for a foreigner—a cousin of this Emanuel's that was on board the ship? No, I never heard of it.

1634. Do you consider that the captain of the pilot steamer can be safely dispensed with? Certainly not. I think it is necessary that the master of the steamer should have control of the whole establishment at Watson's Bay.

1635. Over pilots and all? Over the look-outs, and so on, and the pilots that are on board the vessel.

1636. You do not think one officer would be sufficient to have the management of that steamer—that is to say, dispense with the captain and second mate? Certainly not.

1637. You consider it would not be safe? I consider the master of the steamer should be supreme, and have the entire control of the whole establishment. Were it otherwise we should be drifting into the same difficulties as were experienced two or three years ago. In the case of a vessel called the "Oscar," that was wrecked, it came out in evidence that of five pilots who should have been at Watson's Bay four were in Sydney, and only one on the spot.

1638. You have never heard of Captain Creer being away from the vessel for eight days? Certainly not.

1639. Are you aware that there was a complaint made by Pilot Jack to the Marine Board, and that he was snubbed for his trouble? What was the nature of the complaint?

1640. The nature of the complaint was for going out to sea with one boat instead of two? I think I have a recollection now of Mr. Jack reporting something to that effect.

1641. He wrote to the Board complaining, and the Board snubbed him for his trouble—is that a fact? It is very possible he might have considered it a snub; if the Board thought he was interfering unnecessarily, no doubt they would have acted in such a manner as he would consider a snub.

1642. Was Captain Jack ever told that his conduct was insubordinate in making any of these complaints? Mr. Jack has been told he was insubordinate on one or two occasions—and he has been insubordinate.

1643. Are the pilots likely to be prejudiced or unprejudiced witnesses in this matter? I think they are very likely to be prejudiced.

1644. *Chairman.* What makes you think so? Prior to the establishment of this pilot steamer these gentlemen were drawing something like £1,200 or £1,300 a year each, out of which they had to keep a whale-boat and crew, which cost them perhaps £300 or £400 a year, and they were then doing as they liked. They were supposed to be competing for the vessels that came to the port, but in place of that they combined and carried out the duty in such a manner as to give great dissatisfaction. Since they have been dispossessed of these situations, and brought on board this steamer, they have had £350 a year each, and I do not think that under these circumstances they are very likely to be very favourable witnesses.

1645. *Mr. McElhone.* You do not say they would give false evidence? No, I have no wish to say that. I simply say they may be prejudiced.

1646. *Mr. Eckford.* What was the cost of the Pilot Service before this pilot steamship was put on? Between £6,000 and £7,000 a year.

1647. What is the cost of the Service now? About the same.

1648. *Chairman.* And it is more efficiently performed? Far more efficiently performed.

1649. *Mr. Eckford.* Is there any reason for you to think there is any bad feeling on the part of the pilots towards the commander of the pilot ship? I fancy they would naturally be jealous of him, as he was the junior pilot and has been chosen as master of the steamer and placed to a certain extent over their heads.

1650. *Mr. Davies.* Did it ever come under your knowledge that the pilot steamer has frequently gone out to bring in vessels without Captain Smith? It has not been frequently brought to my knowledge, but I know that from the nature of his position she would occasionally go out without his being on board. I pointed out just now that the master of this vessel is supposed to be on duty all night and all day—Sundays, holidays, and at all times—and therefore it is scarcely possible he should be on board always when the ship is going to sea.

1651. You are not aware that it has frequently been the case that the pilot steamer has gone out without the captain? No. I know that when Captain Smith was first appointed he scarcely ever left the vessel; he might have done so afterwards, but it has not been officially brought to my notice.

1652. Has it ever been reported to you that Mr. Davies has supplied Captain Smith with a quantity of provisions for his own use, and that he refused to pay Davies for such supply? No, I know nothing whatever about it.

1653. You have already explained that Captain Smith has taken a position very much lower in grade, and at a lower rate of pay, than that which he occupied as master of the pilot steamer? Yes.

1654. Did not that strike you as a very remarkable proceeding on the part of Captain Smith, to give up, since this inquiry was instituted, a position of £400 and accept one at £250? I think it is rather a strange proceeding, and if he had left the department altogether I think it would have been suspicious, but he is there now to answer for anything he has done just as he would have been in his former position.

1655. What are his duties now? To move ships about the harbour, to and from the wharfs, and so on.

Capt.
F. Hixson.
29 May, 1879.

1656. Have any official complaints been made to you as to his conduct during the time he was captain of the pilot steamer? Never more than the cases I have referred to previously.

1657. What has been his general conduct since he has been in the Service? He was a stranger to me when he first went there; in fact I thought another man would have suited the position better; but I must say the opinion I have formed of Captain Smith has been satisfactory.

1658. The Chairman put some questions with reference to the supply of coal to Captain Smith—Do you consider that a satisfactory mode of getting a supply? No, I do not.

1659. Do you think the system of the captain of the steamer paying the men by his own private cheque a proper and satisfactory one? I do not think it is objectionable. If the money were sent to him in cash to Watson's Bay there would be a certain amount of risk attending the transaction; the money might be lost; and I think, it safer and better that the system that is adopted should be carried out, that is to say, that the money should be paid to the account of the captain in the Bank of New South Wales, and that he should pay the men by his cheque.

1660. What is the total amount paid every month? Between two and three hundred pounds.

1661. Does it not strike you as being a great temptation to a dishonest captain? I take it that if the employes were not paid at the proper time I should very soon know of it.

1662. Have complaints been made by the men that they have not received their pay for several days after it has become due? No; as far as I understand, the men are paid as punctually as anybody else.

1663. Could not the department pay the men direct? It would inconvenience the department, and necessitate the men coming to town, and give a great deal of trouble.

1664. How are the mud pilots paid? They come to the office and get their cheques.

1665. The whole amount for the department is not paid to your private credit? The amount for the department is paid into the Bank of New South Wales to my public account—some two or three thousand pounds a month; and I give cheques, in some cases to individuals, in others to heads of departments. For instance, the pilot stations along the coast are paid in the same way as the pilot steamer is, the lump sum is paid to the credit of the man in charge at the station, and he pays his men by cheque or cash as is most convenient.

1666. You have already been asked with reference to the alleged frequent absence from duty on the part of Captain Creer since his appointment—Has any intimation been made to you of his absence? No; this is the first I have heard of it.

1667. I suppose a feeling of jealousy naturally exists where a man like Captain Creer has been appointed over the heads of those longer in the Service? I think so; it is quite natural; but as I pointed out just now, certain of these gentlemen have gone so far in opposition to the present system that the Board had not confidence in them. Another reason was that Captain Creer is the only man amongst them who ever had regular command of a steamer like the pilot steamer, and there are many details in the management of such a vessel which can only be learned by experience.

1668. *Chairman.*] Would you not think that a man who held a certificate from the London Board of Trade would have been competent to take care of that steamer? I do not say he is not competent: I say the other man had a greater recommendation from actual experience.

1669. *Mr. McElhone.*] You said just now that you have never heard of either Captain Smith or Captain Creer being away from the vessel day after day. Had you heard that they have been away, almost without putting a foot on board for several days together, would not you consider it necessary to do something to compel them to attend to their duty? Yes, certainly, if I had found it to be so.

1670. How could this happen without your knowing it? The fact is the master of the vessel has orders that if he wants to leave the station he must have permission, but he goes to and from the ship without asking permission, and not only does he do so, but it is necessary that he should.

1671. Do you not imagine that the Marine Board, having snubbed some of the pilots, has had something to do with this report not having been made? It might have.

1672. It is stated by Captain Jack that he got snubbed—Do you not think that that would interfere with the pilots reporting Captain Creer or Captain Smith? It might do so.

1673. Would it not lead you to believe that if Captain Creer could be away for eight or nine days in succession a captain is not required if you have a good chief officer? Certainly not. If he was away from the vessel he does not appear to have been away from the station.

1674. Have you any reason to believe that any of these pilots would go out of their way to tell untruths to injure Captain Creer or Captain Smith? I hope they are all men who are truthful.

1675. You have no reason to believe they would wilfully tell a lie? I should hope they would not wilfully tell a lie.

1676. I will call your attention to the evidence of Captain Jack:—

903. You have already stated that Captain Smith was frequently away from his duty? Yes.

904. Have you any means of knowing whether he was performing any duty when he was away on shore? No.

905. Do you know as a fact that he has been away on the spree, pleasuring? Yes, I do.

906. You have already stated that Captain Creer has been away from the ship for a week at a time when she has gone to sea?

Yes, he has not been out in her for a week within the last fortnight; for eight days he never went out.

907. Prior to the last fortnight was it the same? He seems to go out just when he likes, as though it did not matter whether he went or not.

908. You say the chief and second officers have been shipmasters? Yes, very old shipmasters.

909. Do you consider it necessary for the pilot steamer to have on board a captain, chief and second officers, to take her out and bring her inside the Heads? I do not.

Captain Creer has denied this; but if it is true, do you not think he is guilty of wilful neglect of his duty, and ought to be punished? Certainly, I think he ought if he cannot give a proper explanation.

1677. Do you think these men would wilfully fabricate this story? If you ask me who I consider the most credible witness, Captain Creer or Captain Jack —

1678. No; I ask whether these men would fabricate this story to injure Captain Creer? I should hope they would not. When you tell me one man says a thing and the other denies it, it puts me in a difficulty. I would believe Captain Smith and Captain Creer as soon as anybody in Watson's Bay.

1679. Would you believe Captain Cork? I believe he is truthful.

1680. You have known him for some time? Yes.

1681. Would Captain Jack fabricate this story? I hope they are all men who would tell the truth.

1682. They would naturally feel injured at having this junior pilot placed over their heads? No doubt.

1683. You would—any man would? Yes; but although I might be prejudiced in the matter, I hope I would not go so far as to lie about it.

1684.

ON THE PILOT STEAMER "CAPTAIN COOK."

Capt.
F. Hixson.
29 May, 1879.

1684. Persons could feel annoyed at having a junior pilot placed over their heads without being guilty of what would be almost perjury—not legally so, for they are not sworn here—to fabricate this story to injure these captains? No doubt.

1685. If it is true that one of these captains was away for eight or nine days within a fortnight, would that not show that it is not necessary to have a captain at all? No. My impression is that the steamer should be commanded by a man who should be supreme over everybody on the station.

1686. If you were owner of a vessel of that sort, you would compel them to do the duty they were paid for? Certainly I would. I consider both these men most culpable if that statement is true.

1687. Would consider them culpable if they employed Emanuel in the way stated? Yes.

1688. If the pilots say this is the case, would you believe them? I should think they had some ground for what they say.

1689. *Chairman.*] Have you ever heard of vessels proceeding a considerable distance up the harbour before being boarded by a pilot, through the *laches* of the captain of this steamer? No. There were frequent complaints in that respect before the steamer was employed, but since then we have never had a complaint that I remember.

1690. If we have had such a statement made here, it is the first you have heard of it? Yes.

1691. *Mr. McElhone.*] Have any complaints been made about the vessel having to go out with only one boat? Yes, a letter was written on the subject.

1692. What was the result? The Board thought the matter so trivial that they took very little notice of it. The fact is two boats are not required, except to be ready in the event of accident to one.

1693. If the second boat was employed taking coal on shore for the captain, that would not be trivial? Certainly not.

1694. Would she not be more in her place with the steamer outside? Certainly.

PILOT STEAMER "CAPTAIN COOK."

APPENDIX.

[Ordered to be appended to the Evidence of Mr. Edward Broderick, 30 April, 1879.]

A.

S.S. "CAPTAIN COOK."

Date.	Coals.	From.	Remarks.
	tons cwt. qrs. lbs.		
February 5, 1877	11 0 0 0	Hulk.	
" 7, "	31 9 1 21	s.s. "Yara Yara."	
March 5, "	33 18 0 14	s.s. "Eagle."	
April 2, "	28 1 3 4	s.s. "Yara Yara"	About 22 cwt. sent ashore by order of Captain Smith.
" 26, "	10 0 0 0	s.s. "Eagle."	
May 4, "	11 17 0 0	Lighter.	
" 14, "	31 11 2 10	s.s. "Yara Yara."	
" 29, "	40 19 1 4	"	One ton extra put on deck for Captain Smith.
June 18, "	24 1 2 7	s.s. "Saxonia."	
July 2, "	30 12 0 12	s.s. "Yara Yara."	
" 23, "	38 17 2 13	s.s. "Saxonia"	The tally was 14 cwt. 3 qrs. more, kept out of the bunker for Pilot Creer.
August 17, "	18 12 3 14	Hulk.	14 baskets deducted for Captain Smith.
" 27, "	20 6 2 14	"	
September 11, "	29 3 0 0	Schooner "Northern Light."	
" 25, "	21 3 0 24	Schooner "Franz."	
October 15, "	29 0 3 0	s.s. "Tasmania"	One ton on deck for Pilot Creer.
November 5, "	36 4 0 0	"	
" 26, "	30 0 0 0	s.s. "Eagle."	
December 17, "	44 7 0 0	s.s. "Tasmania"	Five baskets on deck for Pilot Creer.
January 11, 1878	36 11 0 0	s.s. "Duckinfield."	
" 28, "	39 4 0 0	s.s. "Waratah."	
February 25, "	36 0 0 0	"	
March 18, "	37 13 0 0	"	
April 8, "	42 4 0 0	"	Ten baskets put on deck not included.
May 14, "	41 15 0 0	"	
June 5, "	28 2 0 0	"	Three tons deducted for Pilot Creer.
" 17, "	15 8 0 0	"	Coals put on deck is included.
July 3, "	35 0 0 0	s.s. "Duckinfield"	One ton for chief mate not included.
" 22, "	24 16 0 0	"	
August 5, "	24 9 0 0	s.s. "Waratah"	Two tons deducted for Pilot Cork.
" 26, "	17 16 0 0	"	
September 9, "	38 8 0 0	"	
" 30, "	30 10 0 0	"	Some coals sent ashore for Pilot Creer —being part of coals left in bunker, due to him.
October 15, "	25 11 0 0	"	
November 6, "	20 5 0 0	"	
" 28, "	45 12 0 0	"	(3rd December) half ton sent ashore for Pilot Creer—leaving 10 cwt. on board (in bunker) due to him.
December 23, "	21 3 0 0	"	11 cwt. sent ashore for Captain Smith not included, the remainder of Pilot Creer's coals taken ashore.

EDWD. BRODERICK,
Chief Engineer, Govt. Pilot Steamer.

1878-9.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

RICHMOND RIVER BAR.

(PETITION OF ELECTORS OF RICHMOND.)

Received by the Legislative Assembly, 4 April, 1879.

To the Honorable the Members of the Legislative Assembly, in Parliament assembled.

The Petition of the undersigned Electors of the district of Richmond River,—

HUMBLY SHOWETH:—

That during the twelve months ended on the 31st day of December last, the trade of the Richmond employed 292 vessels, of a carrying capacity of 37,271 tons.

That notwithstanding the services of a powerful tug-boat, the "Francis Hixson," subsidized by the Government for the term of two years, there are many difficulties as well as losses at times, both in entering and leaving the Richmond, which your Petitioners believe would not occur if proper works were carried out for the improvement of the entrance of the river.

That your Petitioners respectfully invite your consideration to the fact that the Richmond has, until within the last six weeks, had three steamers fully occupied in the carrying trade between this district and the port of Sydney, but that in consequence of the shoaling of the bar, one has been taken out of the trade, and another has been disabled attempting to come in, and a valuable cargo rendered almost useless; so that now their communication to Sydney by steam, so important to the well-being of your Petitioners, is confined to one boat, which from detentions arising from the same cause will be compelled to remove to some more favoured locality, thereby depriving a population of nearly eight thousand souls of the only profitable means of sending perishable produce to market, and of receiving in return the supplies necessary for their support and the transaction of their internal trade.

That your Petitioners have reason to suppose, from an opinion given by the late Lieutenant Gowlland, and from opinions expressed by many of the masters of vessels trading to the Richmond, that beneficial works to improve the entrance of the river might be carried out at a comparatively reasonable outlay.

That, taking into consideration the present trade of the Richmond, and the impetus that must be given to it when the sugar industry becomes more fully developed, as well as the future that may be anticipated from a district which may be looked upon as the garden of the Colony, your Petitioners believe that they are justified in asking you to direct that a properly qualified person may be sent to examine the entrance of the Richmond, with power to take evidence and obtain all necessary information, and to give an opinion as to what improvements could be effected, and at what probable cost.

That your Petitioners pray your Honorable House will take the above premises into your favourable consideration.

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

[Here follow 373 signatures.]

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